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APPENDIX 1-1

AGENCY LETTERS AND COMMUNICATIONS

Appendix 1-1, *Agency Letters and Communications*, contains a record of communications to and from representatives of federal, state, tribal, and local agencies. An initial contact list used for the purposes of agency scoping is included along with copies of agency letters and responses (when appropriate) received during the preparation of the DEIS and prior to the issuance of the DEIS. Letters and responses are grouped by federal, state, tribal, and local agency, followed by consultant inquiries and responses, and then organized in chronological order.

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Agency Letters and Communication



U.S. DEPARTMENT OF TRANSPORTATION
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ARIZONA DIVISION
234 N. Central Ave., Suite 330
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June 8, 2000

IN REPLY REFER TO
HA-AZ
NH-202-D(Gen)

Mr. Terry Max Johnson
Transportation Manager
Maricopa Association of Governments
302 North 1st Ave, Suite 300
Phoenix, Arizona 85003

Dear Mr. Johnson:

Your memorandum of May 31, 2000 provided a draft memorandum for the subject *“Recommendations to Undertake an Environmental Impact Statement and Protect Right-of-way for the South Mountain Parkway”* with a request for comments on the draft memorandum. We offer the following comments:

- 1) Your memorandum starts out indicating that this is the MAG South Mountain Parkway Stakeholders Group. Other places in the draft memorandum it is referred to as the South Mountain Agency Stakeholders Group. Which group is it? Also, is parkway the appropriate terminology, at this time, for this facility?
- 2) In the draft memorandum, page 1-1st ¶ (and again on page 3, 2nd bullet) indicates right-of-way for this facility needs to be protected. We suggest that this item be expanded upon to explain that any right-of-way purchase is at risk from the perspective that the environmental approval (which includes location approval) cannot be made based on, or influenced by, any acquired right-of-way.
- 3) On page 2, top of page, it defines 243 acres have been acquired and 110-feet of right-of-way has been dedicated. It would help to define the general locations of these acquisitions/protected areas. Also the last sentence indicates “homes are now located along the edge of this planned facility.” Is this referring to homes along the 110-foot dedicated ROW? Further definition to this statement is needed.
- 4) Page 2, the first set of bullets under the ENVIRONMENTAL IMPACT STATEMENT identifies some reasons for doing an EIS. Other reasons discussed at the meeting included the expanded mobility from the west valley to the east valley; review of alternatives such as the possibility of avoiding, or minimizing impact, to the foothills development, and the location of other connections to the Papago Freeway; and an opportunity for a truck bypass of downtown.

2

- 5) Page 2, last line, again identifies this facility as a parkway. Is this the appropriate terminology?

We suggest a time frame for an EIS/DCR be discussed in this memorandum.

Sincerely,

William P. Vachon

William P. Vachon
Area Engineer

cc:

K. Davis

B. Vachon

B. Hayden (ADOT 107A)



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

ARIZONA DIVISION

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February 8, 2001

IN REPLY REFER TO

HA-AZ

NH-202-D-(ADY)

South Mountain Corridor

Governor Donald R. Antone, Sr.
Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

RE :Development of Alternative Alignments for a South Mountain Transportation Corridor on Gila River Indian Community Lands

Dear Governor Antone:

On behalf of the Federal Highway Administration and the Arizona Department of Transportation, I would like to express my sincere thanks to you for allowing us to partner with members of your staff as we undertake the Environmental Impact Statement (EIS) and Design Concept Report for the South Mountain Transportation Corridor Study. Our monthly meetings have proven to be extremely helpful in understanding and resolving mutual concerns and identifying the best approaches to each step of the study.

Having completed the EIS "scoping" phase and establishing a preliminary need for some type of transportation improvement in the South Mountain corridor, we are currently embarking on the alternatives identification stage of the study. I am writing to request your assistance in this effort.

We understand that several transportation and roadway proposals over the past decade have affected the Gila River Community, and you may have identified some alignments that may be preferable to the Community. We ask that you provide us with several alternative routes that we may include in the South Mountain Transportation Corridor Study for detailed environmental and socioeconomic evaluation through the remainder of the EIS process.

Through our monthly coordination meetings, we have learned that the Gila Borderlands Task Force has been engaged in developing and evaluating possible roadway corridors, and it may be appropriate for our study team to work through them in establishing which alternatives the Tribe would like to include in the EIS studies.

In order to satisfy our procedural requirements under the National Environmental Policy Act, we will need to have confirmation from the Tribal Council of the alternatives that you direct us to

study. As required by law, this documentation will be used to describe the alternatives selection process that was undertaken for the EIS.

Again, thank you for your continued participation in this study process. We are confident that it will result in acceptable solutions for both the Gila River Indian Community and the Phoenix metropolitan region.

Sincerely,

/s/ K. H. Davis

/s/ Robert E. Hollis
Division Administrator

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April 5, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D (ADY)
(540.1)
SR 202L; South Mountain Freeway
Maricopa County, Arizona
FHWA-AZ-EIS-01-01-D

Office Of The Federal Register (NF)
National Archives and Records Administration
700 Pennsylvania Ave NW
Washington, D.C. 20408-0001

Gentlemen:

Enclosed you will find three (3) signed originals of the notice of intent for the proposed improvements to State Route 202L; South Mountain Freeway in Maricopa County, Arizona.

Please publish the required notice of intent in the Federal Register. We are expecting the notice to appear in the Register of April 20, 2001.

For further information please contact Stephen D. Thomas, Environmental Program Manager, at (602) 379-3918.

Sincerely,

Robert E. Hollis

Robert E. Hollis
Division Administrator

Enclosure

Cc: Ralph Ellis, Arizona Department of Transportation (619E)

SDThomas:sg

[4910-22]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT; MARICOPA COUNTY, ARIZONA

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Intent

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379-3646.

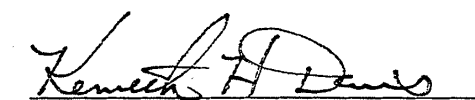
SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered

should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on



Kenneth H. Davis, District Engineer
Phoenix



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Ms. Lisa Hanf
Manager
Office of Federal Accounting
Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Dear Ms. Hanf:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

Your agency has jurisdiction in this area because the proposed project is located in a non-attainment area for carbon monoxide, particulates, and ozone. As a result, we are requesting the Environmental Protection Agency to be a cooperating agency. Your agency's involvement will be to participate and finally concur in the evaluation of the air quality issues associated with the proposed freeway, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intent to utilize the EIS and subsequent Record of Decision as a basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
R. Ellis (619E)
J. Allen (HDR), S. Martin (HDR)
Katiann Wong-Murillo (Western Resource Center)
Nova Blazej (EPA-SF), Sandra Shade (GRIC)

facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.

Jacklyn J. Stephenson,
Senior Manager, Enterprise Operations
Information Services.
[FR Doc. 01-9817 Filed 4-19-01; 8:45 am]
BILLING CODE 8120-08-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration
Environmental Impact Statement;
Maricopa County, Arizona

AGENCY: Federal Highway
Administration (FHWA), DOT.
ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR FURTHER INFORMATION CONTACT:
Kenneth H. Davis, District Engineer,
Federal Highway Administration, 234
North Central Avenue, Suite 330,
Phoenix, AZ 85004, telephone (602)
379-3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time,

a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studies are required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.

A series of public meetings will be held in the communities within the proposed study area. In addition, a public hearing will be held. Public notice will be given advising of the time and place of the meetings and hearing. A formal scoping meeting is planned between Federal, State, city and Tribal stakeholders.

To insure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Kenneth H. Davis,
District Engineer, Phoenix.
[FR Doc. 01-9782 Filed 4-19-01; 8:45 am]
BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety
Administration

[Docket No. FMCSA-97-2341]

Parts and Accessories Necessary for
Safe Operation; Manufactured Home
Tires

AGENCY: Federal Motor Carrier Safety
Administration (FMCSA), DOT.

ACTION: Notice of intent to deny petitions for rulemaking; request for comments.

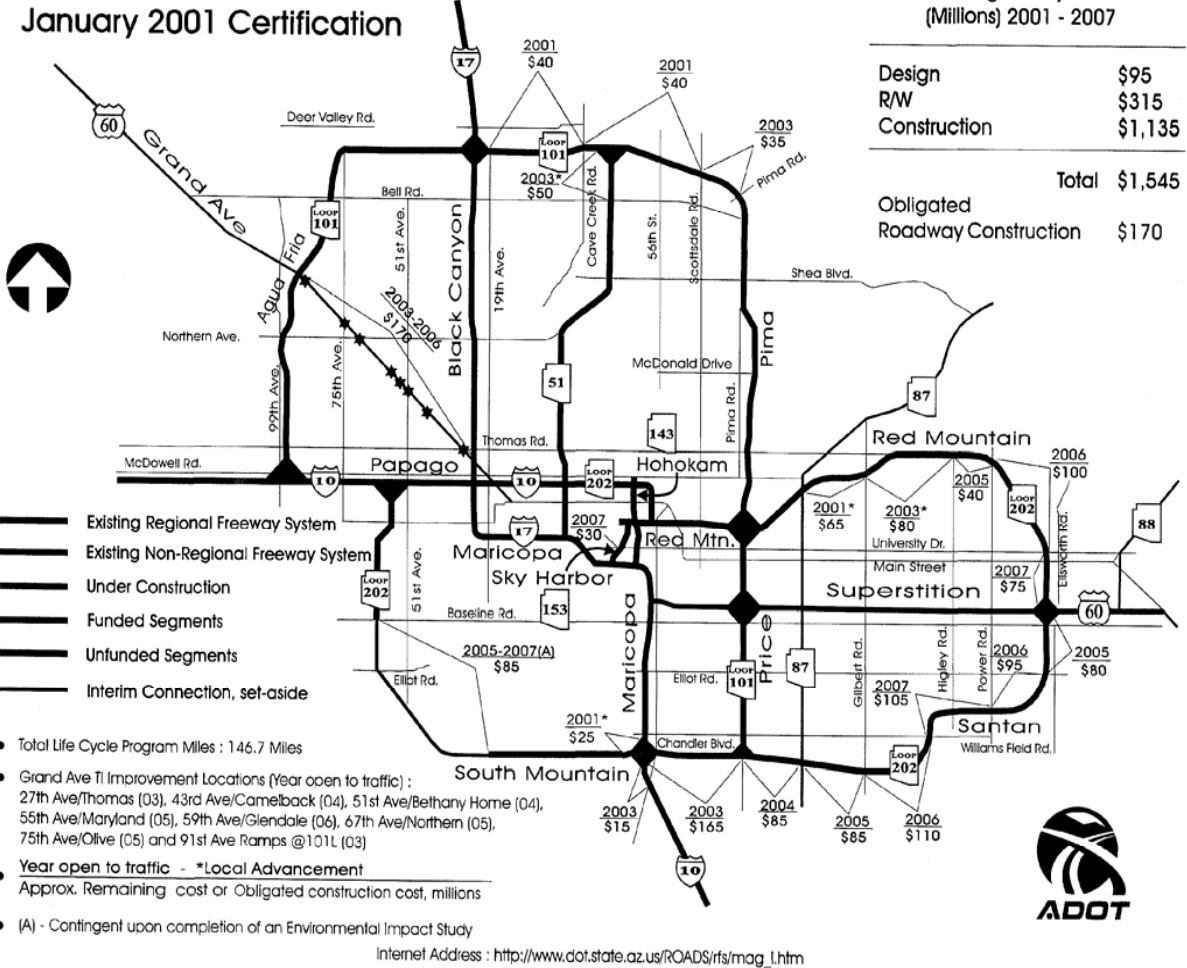
SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational's petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002.

DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable.

ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX (202) 493-2251, on-line at <http://dmses.dot.gov/submit>. You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 368-4009, Federal Motor Carrier Safety Administration, 400 Seventh

Regional Freeway System
January 2001 Certification





U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Mr. Davis F. Perusa
Superintendent
Pima Agency
P.O. Box 8
Sacaton, AZ 85247

Dear Mr. Perusa:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

FHWA recognizes that your agency will represent the interests of the Gila River Indian Community and respectfully request that the Pima Agency be a cooperating agency for this project. Your agency's involvement will be to participate and finally concur in the evaluation of the issues relative to your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, cultural and environmental consequences, and mitigation. In addition, we intent to utilize the EIS and subsequent Record of Decision as a basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: Thomas, Vachon, Davis,
R. Ellis (619E),
J. Allen (HDR), S. Martin (HDR),
Katiann Wong-Murillo (Western Resource Center),
Nova Blazej (EPA-SF), Sandra Shade (GRIC)



U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 ARIZONA DIVISION
 234 N. Central Avenue, Suite 330
 Phoenix, AZ. 85004
 September 7, 2001

IN REPLY REFER TO
 HA-AZ
 NH-202-D(ADY)
 SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
 South Mountain Freeway Environmental Impact Statement
 Request to Serve as a Cooperating Agency

Ms. Cindy Lester
 Arizona Section Chief
 U.S. Army Corps of Engineers
 3636 North Central Avenue, Suite 760
 Phoenix, AZ 85012

Dear Ms. Lester:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

Proposed alternatives for this project will likely involve the Corps' jurisdiction pursuant to Section 404 of the Clean Water Act. As a result, we are requesting the U.S. Army Corps of Engineers to be a cooperating agency for the project. Your agency's involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intend to utilize the EIS and subsequent Record of Decision as the basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
 Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
 R. Ellis (619E)
 J. Allen (HDR), S. Martin (HDR)
 Katiann Wong-Murillo (Western Resource Center)
 Nova Blazej (EPA-SF), Sandra Shade (GRIC)



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Mr. David Harlow
Field Supervisor
United States Fish and Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, AZ 85012

Dear Mr. Harlow:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

We are requesting that the U.S. Fish and Wildlife Service be a cooperating agency for the project. Your agency's involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intend to utilize the EIS and subsequent Record of Decision as the basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
R. Ellis (619E)
J. Allen (HDR), S. Martin (HDR)
Katiann Wong-Murillo (Western Resource Center)
Nova Blazej (EPA-SF), Sandra Shade (GRIC)



U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 705 North Plaza Street, Suite 220
 Carson City, Nevada 89701

February 5, 2002

Subject: Supplemental EIS for US-95 in Las Vegas

Ms. Joanne Spalding
 Staff Attorney
 Sierra Club
 85 Second Street, Second Floor
 San Francisco, CA 94105-3441

Dear Ms. Spalding:

I am responding to your letter dated January 7, 2002, requesting a Supplemental Environmental Impact Statement (Supplemental EIS) for the US-95 project in northwest Las Vegas. We have reviewed your letter and the attached reports in light of our July 17, 2000, letter to Mr. Patrick Gallagher on the previous Sierra Club request. Because of the complexities of these issues, we have consulted with our headquarters' Office of Natural Environment and Office of National Environmental Policy Act (NEPA) Facilitation, as well as our Western Resource Center.

FHWA recognizes the uncertainties in dealing with emerging issues such as the impacts of air toxics and PM_{2.5}. Our headquarters' Office of Natural Environment is in the process of conducting research in the area of mobile source air toxics and particulate matter. They are looking at short-term and long-term research strategies to address the high level of uncertainty in the current research. However, that research will take from several months to several years to complete. In addition, the U.S. Environmental Protection Agency (EPA) has described in their final rule on mobile source air toxics (MSATs)¹ a Technical Analysis Plan through which they will continue to improve understanding of the risk posed by air toxics to public health and welfare. It will also allow them to evaluate the need for and appropriateness of additional mobile source air toxics controls for on-highway and non-road sources and their fuels. Based on the information developed through that technical analysis plan, they will conduct a future rulemaking to be completed no later than July 1, 2004.

I would like to clarify the US-95 project that we approved in the Record of Decision. The US-95 project includes the following improvements: (1) the widening of US-95 and Summerlin Parkway, the construction of high occupancy vehicle lanes, and the installation of a freeway management system; (2) new arterial street connections; (3) arterial street improvements; (4)

¹ "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, <http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm>.

REFER TO:
 HDA-NV
 SP-000M(44)

2

transit system improvements, including enhanced CAT bus service and new park-and-ride lots; and (5) transportation demand management measures that expand the rideshare program. This is an important point because your letter and the enclosed technical studies do not accurately describe or characterize the US-95 project approved by FHWA in the Record of Decision and do not account for many of the benefits associated with this project. Our review of the issues raised in your letter was done in the context of the total US-95 project and not just the widening portion.

As I mentioned in my July 17 letter, we did review the research available related to air toxics, including the "Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES-II)"² and "Distance Weighted Traffic Density in Proximity to a Home is a Risk Factor for Leukemia and Other Childhood Cancers". We also reviewed EPA's final rule on "Control of Emissions of Hazardous Air Pollutants From Mobile Sources"³, an EPA Fact Sheet - National Air Toxics Program: Integrated Urban Strategy⁴, and Examples of Changes and Additions to the Final Urban Air Toxics Strategy⁵. We have also reviewed the new information and technical studies that you provided to us with your January 7 letter. Based on this review, FHWA has made the following conclusions:

- (1) Although EPA has established a list of MSATs, it has not established that emissions of these compounds are health risks, nor has it established any standard or measure of what concentration of these compounds might be harmful. EPA's final rule⁶ specifically states "that inclusion on the list" of MSATs "is not itself a determination by EPA that emissions of the compound in fact present a risk to public health or welfare, or that it is appropriate to adopt controls to limit the emissions of such a compound from motor vehicles or their fuels."
- (2) Because of the complexity of assessing the health risks of any particular emissions compound, establishing a level of emissions or concentrations that constitute a health risk cannot be accomplished with one or two studies. In fact, EPA in establishing standards for ozone and particulate matter to protect human health reviewed thousands⁷ of peer-reviewed scientific studies.

² "Multiple Air Toxics Exposure Study (MATES-II)," South Coast Air Quality Management District (AQMD), March 2, 2000, <http://www.aqmd.gov/matesiidf/matestoc.htm>.

³ "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, <http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm>.

⁴ "Fact Sheet-National Air Toxics Program: Integrated Urban Strategy," U.S. EPA, July 6, 1999, www.epa.gov/ttn/uatw/urban/urbanfs.html.

⁵ "Examples of Changes and Additions to the Final Urban Air Toxics Strategy," U.S. EPA, www.epa.gov/ttn/uatw/urban/change7.html.

⁶ "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, <http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm>.

⁷ "EPA's Revised Ozone Standard" Fact Sheet, U.S. EPA, July 17, 1997, <http://www.epa.gov/ttn/oarpg/naaqsfm/o3fact.html>, and "EPA's Revised Particulate Matter Standards" Fact Sheet, U.S. EPA, July 17, 1997, <http://www.epa.gov/ttn/oarpg/naaqsfm/pmfact.html>.

- (3) The MATES-II study found that concentrations of 1,3 butadiene, benzene, carbon tetrachloride, methylene chloride, perchloroethylene, trichloroethylene, hexavalent chromium, lead, and nickel had been reduced significantly between 1990 and 1999, and that these reductions in toxics exposure resulted in 44 to 63 percent reductions in carcinogenic risk to residents.
- (4) Time of exposure also influences health impacts. It should be recognized that the MATES-II study assessed “exposures as though individuals residing in the vicinity of a source remain in this location for a lifetime of 70 years. A different set of exposure assumptions may lead to lower exposure estimates and consequently lower risk estimates.”⁸ This is important to recognize, especially in light of the fact that emissions of air toxics are predicted to be reduced substantially in the next 20 years.
- (5) In addition, it is unclear whether air toxics concentrations are of a regional nature, such as ozone, or have more localized impacts. EPA, the California Air Resources Board⁹, and the South Coast Air Quality Management District¹⁰ strategies to address mobile source air toxics have been directed to national and regional controls and programs. They have not been directed towards project-level mitigation. It is unclear the effect that individual transportation projects have in regard to air toxics.
- (6) EPA has required a number of control strategies that the research shows has reduced mobile source air toxics in the past and will reduce air toxics into the foreseeable future. In fact, according to EPA’s final rule¹¹ on MSATs, between 1990 and 2020, on-highway emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde will be reduced by 67 to 76 percent, and on-highway diesel particulate matter emissions will be reduced by 90 percent. These reductions are due to the impacts of promulgated mobile source control programs, including the reformulated gasoline (RFG) program, the national low emission vehicle (NLEV) standards, the Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and the heavy-duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements.
- (7) These air toxic reductions will be achieved even with growing vehicle miles traveled (VMT). Increased VMT in a future year does not equate with increased emissions compared to the current year. In fact, as seen above, the MATES-II study found that

⁸ “Multiple Air Toxics Exposure Study (MATES-II),” Page 3-6, South Coast Air Quality Management District (AQMD), March 2, 2000, <http://www.aqmd.gov/matesiidf/matestoc.htm>.

⁹ Toxic Air Contaminant Control Program, California Air Resources Board, November 26, 2001, <http://www.arb.ca.gov/toxics/control.htm>.

¹⁰ “Final Draft Air Toxics Control Plan for the Next Ten Years,” South Coast Air Quality Management District, March 2000, <http://www.aqmd.gov/aqmp/atcp.html>.

¹¹ “Control of Emissions of Hazardous Air Pollutants From Mobile Sources,” *Federal Register*, March 29, 2001 (Volume 66, Number 61), page 17229, <http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm>.

carcinogenic risk had been reduced in the South Coast area, even though at the same time VMT increased¹² (from 1980 to 1999, VMT in the South Coast Air basin increased 81%).

- (8) There is currently a lack of adequate analysis techniques to estimate and evaluate on-road mobile source air toxics. There is no microscale air toxics monitoring for the Las Vegas metropolitan area. In addition, there is no microscale analysis equivalent to the MATES-II Study. The MATES-II microscale air toxics study was meant to be a “pilot study” only within the South Coast Air Basin and it contains a statement that readers should avoid possible over-interpretation of the results

FHWA does not believe that it is useful or appropriate to analyze air toxics impacts at the project level at this time. The influence of this US-95 project could not currently be estimated in any meaningful way. Were it possible to generate credible estimates of whether emissions of these compounds increase or decrease, we still would not know whether these emission levels are likely to adversely impact health. In addition, there is a lack of monitoring or analysis techniques to validate any assessment. This would not help the NEPA decisionmaker or the public understand whether exposure to some level of emissions resulting from the project is harmful. And, as can be seen above, air toxic emissions are decreasing, and are predicted to continue to be reduced. In addition, other measures included in the Record of Decision emphasize vehicle trip reduction and operational improvements that may provide a reduction in air toxics emissions.

Your letter also requested the preparation of a Supplemental EIS to address the health effects of fine particulates (PM_{2.5}). Your concerns are that these health effects are not addressed within the context of the Transportation Conformity Rule (CFR Parts 51 and 93) and NEPA.

The Transportation Conformity Rule requires that transportation plans, programs and projects conform to the purpose of the State Implementation Plan in air quality nonattainment and maintenance areas. As of yet, EPA has not designated nonattainment areas for PM_{2.5}. Section 305 of the National Highway System Designation Act of 1995¹³ specifically amended the Clean Air Act limiting the applicability of the transportation conformity provisions to nonattainment and maintenance areas. We believe that the Transportation Conformity Rule and court rulings are clear that the conformity requirements do not apply in areas that have not been designated as nonattainment areas for specific pollutants.

EPA has determined the health effects of fine particulates and has set the PM_{2.5} standard to ensure that the public health is protected. The FHWA does not have a role in terms of how health-based standards are set for pollutants. Many areas of the country are in the process of monitoring levels of PM_{2.5}, and this monitoring will serve as the basis for whether this pollutant needs to be addressed at the regional scale, local scale or both. We believe the effect of PM_{2.5} at a project level cannot be determined at this time and it may be very similar to ozone in that it is a regional effect, not a localized effect.

¹² “The 2001 California Almanac of Emissions and Air Quality,” California Air Resource Board, April 12, 2001, Chapter 4, page 115, <http://www.arb.ca.gov/aqd/almanac01/pdf/almanac2001%20all.pdf>.

¹³ National Highway System Designation Act of 1995, Public Law 104-59, November 28, 1995, <http://www.fhwa.dot.gov/legisregs/nhsdatoc.html>.

Based on the uncertainties with the existing and reasonably obtainable scientific information, as summarized above, and considering the purposes of the project, we have determined that there are not currently any significant new circumstances or information relevant to environmental concerns that would require the preparation of a Supplemental EIS (40 CFR § 1502.9(c)(1)(ii)). Nor, for the same reasons, do we believe that a project-specific Supplemental EIS addressing air toxics and PM_{2.5} would further the purposes of NEPA (40 CFR § 1502.9(c)(2)).

Even though we have determined that the Supplemental EIS you requested is not necessary, the issues you raised are important ones and we appreciate the Sierra Club's role in the on-going national dialogue on air toxics.

Sincerely yours,

/s/ John T. Price

John T. Price
Division Administrator

cc: Mr. T. Stephens, NDOT Director
Mr. D. James, NDOT Environment
Mr. G. Kanow, NDOT Project Manager
Mr. B. Hutchins, NDOT Legal
Mr. R. O'Loughlin, FHWA - WRC
Mr. D. Ortezt, FHWA - Western Field Legal Services
Mr. J. Shrouds, FHWA - HEPN-1
Mr. F. Shaer, FHWA - HEPE-1



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
May 1, 2002

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L(South Mountain Freeway)

Mr. David Folts
Concerned Families Along South Mt. Loop 202
3407 E. Cedarwood Lane
Phoenix, AZ 85048

Dear Mr. Folts:

We acknowledge the receipt of your certified March 25, 2002 letter to our office. The letter included 12 questions and other comments/concerns about the proposed SR 202L South Mountain Freeway Project, located south and west of Phoenix, Arizona. Because the Arizona Division Office has the delegated authority to act on issues involving the National Environmental Policy Act (NEPA) review of this project, we have been asked to reply on behalf of Federal Highway Administrator Mary E. Peters and other recipients of your letter in our Washington Headquarters.

The NEPA review of the proposed project is still in the early stages of development. The purpose and need, a first step in the NEPA process, is under development. The identification of possible alternate alignments is just beginning. During this stage, known as "scoping," officials identify the range of alternatives, impacts and significant issues to be addressed in the environment impact statement (EIS).

The draft EIS will evaluate all reasonable alternatives to the action (i.e., alternatives to solve the identified transportation problem described in the purpose and need) and discuss why other alternatives that may have been considered were eliminated from detailed study. The DEIS will also summarize the studies, reviews, consultations, and coordination required by environmental laws or Executive orders to the extent appropriate at this stage in the environmental process.

Public involvement is an important element in the development of any Federal-aid highway project. The Arizona Department of Transportation has initiated a substantial public involvement effort for this complex project. In addition to opportunities for public comment and input, the public involvement effort includes periodic public meetings, newsletters, dedicated telephone information lines, and websites aimed at keeping the public meetings, newsletters, dedicated telephone information lines, and websites aimed at keeping the public well informed on the progress of studies associated with this project.

The DEIS will address, to the maximum extent possible or practical, the substantive issues, comments, and concerns raised by the public during the scoping stage, including the comments you have provided. After we approve the DEIS for public review and comment, the public hearings associated with it will provide a specific opportunity for the public to comment further on the project. Written comments on the DEIS will also be solicited.

Based on your letter and past e-mails, we know of your concerns about this project. We invite and encourage you to continue to participate in the NEPA process, including the formal opportunities for public involvement that will be provided, as it evolves toward final decisions on the proposed SR-202, South Mountain Freeway. At this early stage, we cannot predict the outcome, but we can assure you that all public comments will be carefully considered.

Sincerely,

/s/ Kenneth H. Davis

Robert E. Hollis
Division Administrator

cc:
(With copies of letters that accompanied ltr.from Mr. Folts)
A. Edwards, HDR Engineering, Inc., 2141 E. Highland Ave., Suite 250, Phoenix, AZ 85016-4792

Concerned Families Along South Mt Loop 202

3407 E Cedarwood Lane, Phoenix AZ 85048

3/25/02

To: FHWA

FHWA Headquarters NASSIF Bldg, 400 7th Street S.W. Washington DC 20590

- Mary A Peters (FHWA Highway Administrator)
- Frederick G Wright (FHWA Executive Director)
- Cynthia J Burbank (FHWA Planning & Environmental Program Mgr)
- Kenneth Davis (District Engineer)
- David Nelson
- Steve Thomas

EPA

US EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105

- Wayne Natri (Regional EPA Administrator)
- Blaze Nova
- Lisa Hanf
- GR West
- Tom Sovic

Arizona Dept of Transportation
AZ DOT 206 17th Ave, Room 135, Mail Drop 100A Phoenix 85007

- Victor M Mendez
- Thor Anderson
- Ralph Ellis

Concerned Families Along South Mt Loop 202 had its first meeting February 6th at 7:30 PM. During this meeting our group discussed the health concerns of living near a highway. Some of the concerns were about the health of our school children that are attending Lagos Elementary School, which will be right alongside this South Mt Loop 202. Other areas of discussion were about the health effects of continually breathing in PM-10 and PM-2.5, Asthma along with other lung ailments including the increased chance of getting lung cancer. We feel that this highway will mostly serve as a commercial bypass due to its location and the location of some of the commercial and industrial land surrounding it. So when answering these questions please show the levels of vehicles cars/commercial traffic separately to get a proper analysis when answering our questions. As we investigate and research the human health effects especially concerning our children with Ahwatukee AZ being so densely populated we can only think that ADOT should consider alternatives to proposed South Mt Loop 202. The attached list below is some of the questions that we want included in the Environmental Impact Study.

1. What level of PM-10 and PM-2.5 can the individual person living along side this highway (within 250 ft) South Mt Loop 202 expects to ingest in his lungs over a 20-year period?
2. What level of PM-10 and PM-2.5 can the individual person living within ½ kilometer of South Mt Loop 202 expect to ingest in his lungs over a 20-year period?

3. What % increase in getting lung cancer if any will the average person have when living within 200 ft and at ½ kilometer of South Mt Loop 202? This question was asked due to recent findings from studies on people living in polluted areas and the American Lung Associations Web Page report on diesel soot being a possible carcinogen
4. What percentage of children attending Lagos Elementary School (which will sit right alongside proposed South Mt Loop 202) will be affected by asthma from the exhaust coming from this highway?
5. Will the children who already have asthma have a worsened condition from attending a school so close to this highway (South Mt Loop 202)?
6. Will existing air filtration systems in schools protect our children?
7. Will a person living alongside at 200 feet and ½ a kilometer of South Mt Loop 202 have increased levels of chemicals found in commercial vehicle and automobile exhaust in his/her blood?
8. If levels of chemicals from auto/commercial vehicle exhaust do in fact increase from living 200 feet and within ½ kilometer from South Mt Loop 202. Then please state chemical name and at what levels will they be at for a person's blood.
9. Are some birth defects more prevalent from living close to a highway (250 feet – ½ kilometer) due to highway pollution and if so what type of birth defects would they be? Please use the American Journal of Epidemiology as one of your sources.
10. What percent increase would people living close to proposed South Mt Loop 202 expect to see in birth defects is any at all?
11. Will vehicle exhaust (gasoline/diesel) chemicals from exhaust at actual traffic flow rates both commercial and automobiles show up in a persons urine who lives at distances of 200 feet and up to ½ a kilometer from South Mt Park 202? If so what would these chemicals be and at what level?
12. Will the level of MTBE increase in a person's urine and blood living within 200 feet to ½ a kilometer from proposed South Mt Loop 202 and if so what will the levels were compared to normal levels?

Please include and answer these questions in the Environmental Impact Study for proposed highway South Mt Loop 202. Copies of this request will be mailed via US certified/registered mail to the above stated recipients. Thank you.

David Folts

Concerned Families Along South Mt Loop 202





U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 ARIZONA DIVISION
 One Arizona Center, Suite 410
 400 E. Van Buren St.
 Phoenix, AZ. 85004-2285
 March 6, 2003

IN REPLY REFER TO
 HDA-AZ
 File #: NH-202-D(ADY)

Governor Richard P. Narcia
 Gila River Indian Community
 P. O. Box 97
 Sacaton, Arizona 85247

Dear Governor Narcia:

During 2002, the Federal Highway Administration in partnership with the Arizona Department of Transportation initiated an environmental Impact Statement Study to identify and evaluate feasible alternative alignments for the future South Mountain Freeway. Early communication and coordination with the Gila River Indian Community indicated a willingness to identify possible transportation corridors on Community Lands for the South Mountain Corridor Study.

We were advised that the District Six Community Council had adopted a resolution in August 2000 which did not support construction of any new highways within its boundaries. This action also precluded the HDR Engineering and Environmental Study team from proceeding with identifying and studying any freeway alternative alignments within their boundaries.

However, information regarding the corridor study became a topic of considerable interest to many landowners including the I-10 Pecos Landowners Association who expressed a desire for ADOT and its consultant to share engineering, environmental and economic information generated by the study.

Based upon this interest, ADOT requested an opportunity to brief the District Six Community Council and request permission to identify and study corridor alternatives within District Six. ADOT and HDR staff presented the requested information and received concurrence to proceed with the study with the condition that District Six residents participate in evaluating transportation corridors identified in the District.

We are now ready to proceed with the identification of those transportation corridors acceptable to the Gila River Indian Community. At this time there are three corridors which are considered viable including the Gila River Borderland Task Force Study recommendation and two toll road

Governor Narcia
 March 6, 2003
 Page 2

alternatives within the proposed study area which had been approved by previous Tribal Council action.

We are requesting your assistance and guidance in proceeding with any or all of these options as possible corridors on Tribal Lands. This will allow the South Mountain Corridor Study and subsequent Environmental Impact Statement to proceed. We would also welcome other recommended optional alignments.

The Federal Highway Administration and the Arizona Department of Transportation are available to present this information or other relevant data to you, the Tribal Council; the Tribal Administration or the District Community Councils regarding the status of the South Mountain Corridor Study.

We are most appreciative of your ongoing cooperation and support of this study. We believe it is both timely and necessary to take the important step of identifying those alternative corridors acceptable to the Community to proceed with the Study.

Sincerely,

KENNETH H. DAVIS

Robert Hollis
 Division Administrator

cc: Lieutenant Governor Mary Thomas, Gila River Indian Community, PO Box 97, Sacaton, AZ 85247
 Director Sandra Shade, GRIC DOT, 315 W. Casa Blanca Rd. P.O. Box 97, Sacaton, AZ 85247
 Floyd Roehrick, ADOT 614E
 Dan Lance, ADOT 101A
 Bill Hayden, ADOT 101A
 Dave Anderson, HDR Engineers Inc., 2171 E. Highland Ave, Suite 250, Phoenix AZ 85016-6606
 S.Thomas, K. Davis, B. Vachon

WPVachon:cdm



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren
Phoenix, AZ. 85004
February 20, 2004

IN REPLY REFER TO
HDA-AZ
Project NH-202-D(Gen)
SR-202L (South Mtn Frwy)
Environmental Impact Statement

Mr. Victor Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue,
Phoenix, AZ 85007-3213

Dear Mr. Mendez:

At a recent meeting, a question came up regarding the study and analysis of alternatives during the environmental impact study process, including any consequences associated with the elimination of any reasonable alternatives before the study process is completed. Specifically, the question pertained to alternatives currently under consideration for the South Mountain Freeway (SR-202L). This letter is intended to clarify the Federal Highway Administration's (FHWA) policies and position regarding the consideration and/or elimination of alternatives during the environmental review process.

In accordance with the National Environment Protection Act (NEPA), all projects anticipated to receive Federal-aid highway funds must be reviewed to assess, to the fullest extent possible, the environmental, economic and social impacts associated with the project – prior to the authorization of any Federal-aid funds for the project. Under regulations and guidelines developed by the FHWA governing the implementation of NEPA requirements, all reasonable alternative courses of action must be evaluated – including the “do nothing” alternative – and decisions be made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation. All reasonable alternatives under consideration need to be developed to a comparable level of detail so that their comparative merits may be evaluated. Decisions will be made after the impacts and public comments on all reasonable alternatives have been fully evaluated.

The development and evaluation of alternatives is particularly important for projects anticipated to have significant environmental impacts (thus requiring the preparation of an Environmental Impact Statement) so that the relative levels of impacts associated with each viable alternative can be fully evaluated. This comparative analysis is essential to the validity of a process that must eventually identify the best overall alternative from an array of reasonable alternatives that were likely to cause substantial or significant impacts on the environment.

FHWA's environmental review process does provide for the elimination of alternatives where it is clearly shown that those alternatives (1) are not feasible, (2) do not serve the stated purpose and need, (3) have enormous costs and/or impacts far exceeding those of other viable alternatives, or (4) have other “fatal flaws”. However, early elimination of otherwise viable alternatives short-circuits the comparative analysis of viable alternatives and compromises the objectivity of the entire process.

Please keep in mind that a fully objective evaluation of all reasonable alternatives considers all relevant information and factors, including public comments, community interests and concerns, local resolutions or proclamations, etc. – all of which are important and weighed in final decision-making. However, elimination of alternatives based solely on local preferences and without completing the entire comparative process compromises the objectivity of the process and is contrary to NEPA requirements. Of course, failure to comply with NEPA would jeopardize Federal-aid funding for projects in the entire corridor.

Please let me know if you have any questions on this matter.

Sincerely,

/s/ Robert E. Hollis

Robert E. Hollis
Division Administrator

cc:
Hollis, Nelson, Vachon, Davis

REHOLLIS:vdK



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004-2285
May 25, 2004

IN REPLY REFER TO
HDA-AZ
(030)

The Honorable Ed Pastor
U.S. House of Representatives
2465 Rayburn House Office Building
Washington, D.C. 20515-0302

Dear Congressman Pastor:

Federal Highway Administrator Mary Peters asked my office to respond to you regarding the correspondence you presented her during the House Transportation Subcommittee's hearing on Environmental Streamlining on April 29, 2004. This correspondence was from Landry, Creedon & Associates, Inc. dated April 26, 2004, related to the loop alignment between 51st and 61st Avenues of the South Mountain Freeway project in Phoenix, Arizona. The South Mountain Freeway (SR-202L), located in the south and southwestern portion of the Phoenix Metro Area, is currently undergoing an intense Environmental Impact Statement (EIS) analysis to assess the impacts of various alternatives along the South Mountain Loop corridor. The draft EIS will not be completed until sometime in 2005.

The Arizona Division of the Federal Highway Administration (FHWA) understands fully the concerns cited in Mr. Landry's April 26 correspondence to you, which refers to local support of a single, specific alignment in the general vicinity of 51st and 61st Avenues. This single alignment was identified in earlier 1988 State-level studies of the South Mountain Freeway Corridor for which FHWA had no involvement. We are also aware that a considerable amount of urban planning and development has occurred based on the earlier identified alignment supported by those studies. However, the need to consider additional alternatives in the current environmental analysis and design concept studies for the South Mountain Freeway is driven by the National Environmental Policy Act (NEPA) and at least three factors:

- First, the EIS process (as discussed in more detail below) requires that all reasonable alternatives for an improvement be evaluated,
- Second, the development and accelerating growth in the western portion of the Phoenix Metro Area in the past 15 years may have substantially changed travel patterns and transportation needs, and,
- Third, there is a definite need to evaluate the impacts (traffic operations, safety, social, economic, and environmental) of connecting the South Mountain Freeway to Interstate 10 in west Phoenix.

The location identified in the earlier 15 year-old studies may no longer be the best overall location for this connection. Also, the alternatives now being considered were, in part, identified through extensive outreach effort to citizens and various other groups represented in the area, which is a clear indication the community understands the changes in the area and their interest in other alternatives. Further, because of today's high traffic volumes on Interstate 10 and the projected traffic increases the South Mountain freeway will add to I-10, the old connection may create substantial safety and operational problems not anticipated 15 years ago.

Yet another reason to evaluate all available alternatives is that the same 1988 study of the South Mountain Freeway Corridor that identified the single, specific alignment between 51st and 61st Avenues also identified a single, specific alignment on Pecos Road for the east-west portion of the corridor. But in this case, the local jurisdictions are opposed to the previously planned and supported 1988 east-west alignment and want to consider other alternatives. So on one end of this project (between 51st and 61st Avenues) the local jurisdiction is in favor of the 1988 alignment, while on the other end of the project (Pecos Road) the same jurisdiction is opposed to the 1988 alignment. Without following the EIS process to its conclusion, any final decision on specific alignments is premature and potentially subject to legal challenge.

The Maricopa Association of Government's (MAG) adopted 2003 Regional Transportation Plan clearly states "location of the South Mountain Freeway is being addressed in the DCR/EIS study process currently underway which is considering multiple location options." The plan therefore acknowledges that multiple location alternatives would be considered.

It is critical to note that once a project concept begins, NEPA requires that all reasonable alternative courses of action for that project must be evaluated – including the "do-nothing" alternative. Each alternative needs to be developed to a comparable level of detail so that their impacts (both positive and negative) may be evaluated. A fully objective evaluation of all reasonable alternatives considers all relevant information and factors, including public comments, community interests and concerns, local resolutions or proclamations, etc. – all of which are important and weighed in decision-making. Conversely, elimination of alternatives based solely on local preferences and without completing the entire comparative process compromises the objectivity of the process and is contrary to NEPA law and requirements.

The development and evaluation of alternatives is particularly important for projects anticipated to have "significant" environmental impacts (thus requiring the preparation of an EIS) so that the relative levels of impacts associated with each viable alternative can be fully evaluated. This comparative analysis is essential to the validity of a process that must eventually identify the best overall alternative from an array of reasonable alternatives likely to cause substantial or significant impacts on the environment.

FHWA's NEPA process does provide for the elimination of alternatives where it is clearly shown that those alternatives:

1. are not feasible,
2. do not serve the stated purpose and need,
3. have enormous costs and/or impacts far exceeding those of other viable alternatives, or

3

4. have other "fatal flaws".

However, early elimination of otherwise viable alternatives short-circuits the comparative analysis of viable alternatives and compromises the objectivity of the entire process.

In addition to the NEPA requirements stated above, these studies of alternatives are required for the Change of Access Report to FHWA necessary to support the connection of the South Mountain Freeway to I-10. This report and subsequent approval action by FHWA requires a fair and complete assessment of the impacts of all alternatives to ensure the operations and safety integrity of the Interstate Highway System.

Finally, we want to clarify that FHWA is not funding the current ADOT study; it is being funded solely with non-federal sources.

Thank you for your inquiry and do not hesitate to let me know if we can be of any further assistance.

Sincerely,

ROBERT E. HOLLIS

Robert E. Hollis
Division Administrator

cc:

Mary Peters, via Fax 202 366 3244

Victor Mendez, ADOT

Dan Lance, ADOT

KDavis

DNelson

WVachon

SThomas

DSNelson:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 27, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS Number H 5764 01L
South Mountain Freeway
Cooperating Agency Request

Ms. Terri Raml
Phoenix Field Office Manager
Bureau of Land Management
21605 N 7th Ave
Phoenix, Arizona 85027

Dear Ms. Raml:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, are preparing an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 west of Phoenix and I-10 southeast of Phoenix (location map enclosed). The EIS will identify and evaluate a range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the social and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' county-wide freeway system, and is included in the National Highway System.

During the data-gathering phase of this effort, we identified property owned by your agency that has been leased to the City of Phoenix under the regulations set forth in the Recreation and Public Purposes Act. The property is located between 59th and 67th Avenues north of Southern Avenue within the City of Phoenix. Under the lease, the City plans to use the property as part of the planned Rio Salado Oeste project. One of the project alternatives, the W55 Alternative, under detailed study in the EIS, would pass through this property. Direct coordination with your agency will be required to address this issue. Your assistance is also requested to identify any other BLM properties in the proposed alignment areas.

Your agency's involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our inter-agency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intend to use the EIS and subsequent Record of Decision as a basis for any necessary permit applications.



Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on this essential project. If you have any questions, please contact Steve Thomas, Environmental Program Manager, at 602-379-3645, x-117.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
WVachon
R Ellis (619E)
M Deeb-Roberge (619E)
Jack Allen (HDR)
SDT:cdm



ARIZONA DIVISION

February 4, 2009

4000 North Central Avenue,
Suite 1500
Phoenix, Arizona 85012-1906
602-379-3646

In Reply Refer To:
HOP-AZ

NH-202-D (ADY)
TRACS NO. H 5764 01L
SR202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Ms. Mary Barger
Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, Arizona 85005-6457

RECEIVED
ADOT

FEB 06 2009

Valley Project
Management

Dear Ms. Barger:

The Federal Highway Administration and the Arizona Department of Transportation, as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10/59th Avenue and I-10/Pecos Road, in Maricopa County, Arizona. The EIS will identify and evaluate a range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' county-wide freeway system, and is included in the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

We are requesting that the Western Area Power Administration be a cooperating agency for the project. Your agency's involvement will be to participate in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation.

**MOVING THE
AMERICAN
ECONOMY**

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on this essential project. If you have any questions, please contact Steve Thomas, Environmental Program Manager, at 602-382-8976.

Sincerely,


STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure
cc:
AHansen
SThomas
KDavis
MBruder (EM04)
MHollowell (EM02)
AEdwards, HDR
SDThomas:cdm

Federal Register / Vol. 66, No. 77 / Friday, April 20, 2001 / Notices		20345
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facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.	a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studios are required.	ACTION: Notice of intent to deny petitions for rulemaking; request for comments.
Jacklyn J. Stephenson, <i>Senior Manager, Enterprise Operations Information Services.</i> [FR Doc. 01-9817 Filed 4-19-01; 6:45 am] BILLING CODE 8120-08-P	Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.	SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational's petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002. DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable. ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX (202) 493-2251, on-line at http://dmses.dot.gov/submit . You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard. FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 366-4009, Federal Motor Carrier Safety Administration, 400 Seventh
<hr/>		
DEPARTMENT OF TRANSPORTATION		
Federal Highway Administration		
Environmental Impact Statement; Maricopa County, Arizona		
AGENCY: Federal Highway Administration (FHWA), DOT. ACTION: Notice of intent.		
SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona. FOR FURTHER INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379-3646. SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste. Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway. A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time,		
(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)		
Kenneth H. Davis, <i>District Engineer, Phoenix.</i> [FR Doc. 01-9782 Filed 4-19-01; 8:45 am] BILLING CODE 4910-22-M		
<hr/>		
DEPARTMENT OF TRANSPORTATION		
Federal Motor Carrier Safety Administration		
[Docket No. FMCSA-97-2341]		
Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires		
AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.		

HARRY E. MITCHELL
5TH DISTRICT, ARIZONA
1410 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PH: 202-225-2190
7201 EAST CAMELBACK ROAD, SUITE 335
SCOTTSDALE, AZ 85251
PH: 480-946-2411
FX: 480-946-2446
mitchell.house.gov



Congress of the United States
House of Representatives

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE
SUBCOMMITTEE ON AVIATION
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT
SUBCOMMITTEE ON
WATER RESOURCES AND ENVIRONMENT
COMMITTEE ON VETERANS' AFFAIRS
CHAIRMAN
SUBCOMMITTEE ON
OVERSIGHT AND INVESTIGATIONS
COMMITTEE ON
SCIENCE AND TECHNOLOGY
SUBCOMMITTEE ON
TECHNOLOGY AND INNOVATION

December 11, 2009

RECEIVED
DEC 14 2009
AZ Dept of Transportation
Director's Office

Mr. Dennis Smith
Executive Director
Maricopa Association of Governments
302 N 1st Ave, Suite 300
Phoenix, AZ 85003-1562

Dear Mr. Smith,

I want to thank you for facilitating Monday's meeting of key stakeholders to discuss the possibility of studying an alternative route for the Loop 202 Freeway through the Gila River Indian Community. I was elated by the fact that Lt. Gov. Joseph Manuel and Community Manager David White of the Gila River Indian Community attended this meeting and were open to the idea of receiving a proposal for an alternative route from ADOT and MAG.


As you know, I oppose the current proposed alignment along Pecos Road.

I realize that this intriguing new development is contingent upon further consideration and a written request by the Tribal Government, which Lt. Gov. Manuel indicated could be forthcoming soon. While I understand that the ongoing Environmental Impact Study on the current proposed Pecos Road route will continue in the mean time, I view this meeting – which included not only representatives from MAG, ADOT and the GRIC, but also representatives from the Federal Highway Administration, Bureau of Indian Affairs, City of Phoenix, Bureau of Indian Affairs, my office, the Office of Congressman Ed Pastor and Councilman Sal DiCiccio -- as an important opportunity worthy of exploration.


I was also especially interested to learn of the potentially substantial cost savings to taxpayers that could be achieved by pursuing an alternative route through the Gila River Indian Community. Given the current economic climate and the state's ongoing revenue issues, I look forward to seeing a proposal that outlines in more detail how these savings might be realized.

Again, thank you for your work and leadership on this matter, and please extend my gratitude to all who took part in the discussion.

Sincerely,


Harry E. Mitchell
Member of Congress

PRINTED ON RECYCLED PAPER



Department of Energy
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

MAR 23 2009

MAR 12 2009

Mr. Robert Hollis
Division Administrator
Federal Highway Administration
4000 North Central, Suite 1500
Phoenix, AZ 85012-1906

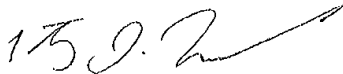
Dear Mr. Hollis:

We have received your February 4, 2009, letter inviting Western Area Power Administration's (Western), Desert Southwest Region to participate as a cooperating agency, as defined in the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR 1501.6 and 1508.5), for the South Mountain Corridor Project (Project), for which the Federal Highway Administration (FHWA) is the lead Federal agency. Western accepts FHWA's invitation to be a cooperating agency in the NEPA process of preparing an Environmental Impact Statement (EIS).

For the proposed Project, Western understands we may need to move or reconfigure several transmission line towers. Such involvement would obligate Western to conduct a NEPA review; however, as a cooperating agency, Western would be able to adopt FHWA's EIS to satisfy its NEPA compliance requirement.

Western's Desert Southwest Regional Office will coordinate with FHWA concerning the proposed EIS effort. If you have any questions or require further information, please contact Mr. John Holt by e-mail at holt@wapa.gov or by phone at 602-605-2592.

Sincerely,


Timothy J. Meeks
Administrator

2

cc:

Ms. Carol Borgstrom, Director
Office of NEPA Policy and Compliance, GC-20
U.S. Department of Energy
Washington, DC 20585

Ms. Yardena Mansoor
Office of NEPA Policy and Compliance, GC-20
U.S. Department of Energy
Washington, DC 20585



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

May 17, 2001

Kenneth H. Davis, District Engineer
Federal Highway Administration
234 North Central Avenue, Suite 330
Phoenix, AZ 85004

Dear Mr. Davis:

The U.S. Environmental Protection Agency (EPA) has reviewed the Notice of Intent published April 20, 2001, to prepare an Environmental Impact Statement (EIS) for the proposed **South Mountain Corridor in Maricopa County, Arizona**. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

The proposed project is intended to provide improvements to accommodate existing and projected traffic demand. The proposed action is to construct a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. Proposed alternatives include: 1) no action, 2) using alternate travel modes, 3) limited access parkway, 4) major urban arterial with transportation system management, and 5) a freeway.

We appreciate this opportunity for early participation in the environmental assessment of the South Mountain Corridor. EPA applauds the Federal Highway Administration (FHWA) for considering a broad range of alternatives, including using alternate travel modes, in this project. To assist in the scoping process, we have identified several issues for your attention in the preparation of the EIS. The Notice of Intent is fairly general in its description of the proposed project and its potential impacts. As such, our comments are fairly general. We look forward to continued participation in this process as more information becomes available. Our specific comments are listed below:

Purpose and Need

EPA considers a clear Purpose and Need statement fundamental to a well prepared EIS. The NOI states that improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. The "Need" statement in the EIS should address the following three questions for both current and future conditions:

*South Mountain Scoping Comments**1 of 4*

- **Why?** What is the basic problem or deficiency with the existing situation and why is this a problem? How does it relate to the agency mission? What facts support the need?
- **Why here?** Why is this problem or deficiency occurring here and why is it important? Where does “here” end, and why?
- **Why now?** Why does the problem need to be addressed now (urgency)? Why not earlier or later? What could happen if the problem were not addressed now?

Each need for the action must have an associated measurable objective or “purpose” that can be used to measure the effectiveness of each alternative in meeting that need.

Traffic Modeling

The traffic modeling for the EIS will include projections of future traffic demand. EPA’s overall recommendation for this section is to make both the methodology and the assumptions in the traffic analysis as transparent as possible to the public and decision makers. To do this, EPA recommends that FHWA:

- Identify which traffic model will be used, discuss its strengths and weaknesses, and describe why it was selected.
- Identify the variables, assumptions, and inputs used in the model, discuss the strengths and weaknesses of those variables, assumptions, and inputs, and discuss why those variables, assumptions, and inputs were selected.
- Include feedback loops in the traffic model between trip distribution and travel time.
- Include a table outlining traffic performance, by alternative, in the Summary section of the EIS.

The EIS should also include a specific section that addresses induced travel demand. Research indicates that, especially in rapidly growing communities, induced travel demand plays a considerable role in increased traffic volumes both in the short-run and the long-run (see attached: Noland, Robert B., and Lewison L. Lem, “Induced Travel: A Review of Recent Literature and the Implications for Transportation and Environmental Policy,” paper presented at the European Transport Conference, Sept. 2000). EPA is particularly concerned about this issue because induced travel demand leads to increased vehicle miles traveled (VMT) and increased air emissions from those vehicles.

FHWA may want to consider using the SMITE model (Spreadsheet Model for Induced Travel Estimation) to estimate the amount of induced travel that may be generated by the proposed project. This is a sketch tool that can be useful in cases where four-step urban travel models are either unavailable or are unable to forecast the full induced demand effects.

Air Quality

The proposed project will likely have air quality impacts during both construction and operation. The Phoenix metropolitan area is currently in nonattainment for ozone, carbon monoxide (CO), and particulate matter less than ten microns (PM10). This situation has several implications for the proposed project:

- Since the project is located in a nonattainment area for ozone, the project should be included in a conforming Transportation Plan and Transportation Improvement Program (TIP) before the NEPA process is completed.
- Air quality impacts from project construction will likely include PM10 and CO emissions. Since the project is located in a nonattainment area for both PM10 and CO, the EIS should include a detailed fugitive dust control plan and a CO hot spot analysis. Sensitive receptors should be identified.

Indirect and Cumulative Impact in terms of Land Development

NEPA requires consideration of indirect and cumulative impacts, including those impacts from land development associated with the provision of additional transportation infrastructure. This is often referred to as Growth Inducing Impacts. Various methods to assess the land use impacts of transportation exist, as documented in the report by the National Academy of Sciences, Transportation Research Board’s National Cooperative Highway Research Program entitled, “Land use Impacts of Transportation: A Guidebook” (Report 423A, 1999). An electronic copy of this report is available from EPA upon request.

As described in the report, some of the more analytically reliable methods to assess the land development impacts of transportation infrastructure include formal land use models such as DRAM/EMPAL, MEPLAN, and TRANUS. If a land use model is available and calibrated to the region, using these models can result in estimates of the potential land use impacts of the changes in transportation infrastructure. In situations where formal land use models are not available in the region, an alternative method of assessing future land development effects of transportation is the “Delphi review method”. As NCHRP Report 423A describes, the Delphi review method uses a structured approach to obtain a set of expert opinions on the land development effects of transportation:

Like the traffic modeling section, EPA’s overall recommendation is to make both the methodology and the assumptions in the growth inducing analysis as transparent as possible to the public and decision makers. To do this, EPA recommends that FHWA:

- Identify which land use model will be used, discuss its strengths and weaknesses, and describe why it was selected.

- Identify assumptions used in the model, the strengths and weaknesses of the assumptions, and why those assumptions were selected. For example, describe which method will be used to allocate growth to zones, its strengths and weaknesses, and why that method was selected.
- Ground truth the results of the land use model by enlisting local expertise involved in land use issues, such as local government officials, land use and transportation planners, home loan officers, and real estate representatives. Use their collective knowledge to validate or modify the results of the land use model.
- Use the results of the growth inducing analysis as inputs into the travel forecasting process performed on each of the build alternatives.

Pollution Prevention

The Resource Conservation & Recovery Act (RCRA) Section 6002 requires federal, state, local agencies, and their contractors that use appropriated federal funds, to purchase EPA-designated recycled materials, including EPA-designated transportation, construction, and landscaping products. In addition, EPA supports deconstruction and materials reuse in projects where existing structures are removed.

- Commit to materials reuse, where appropriate and feasible, and include a commitment to the Buy-Recycled requirements. For further details, please see EPA's web site at <http://www.epa.gov/cpg>, as well as attached materials on Buy-Recycled and Construction Waste Management.

If you have any questions, please do not hesitate to contact me. I would be happy to discuss these comments with you in further detail. Perhaps the project team meeting scheduled this summer would be a good time to discuss our comments, especially as more information may be available at that time. We look forward to continuing our early involvement in this project. I can be reached at 415-744-2089 or blazej.nova@epa.gov.

Sincerely,



Nova Blazej
Transportation Coordinator

Attachments: *Induced Travel*, Noland and Lem, 2000
2000 Buy-Recycled Series: Transportation, Construction, Landscaping Products
Construction Waste Management

cc: Steve Thomas, FHWA-AZ

4 of 4



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

October 23, 2001

Robert E. Hollis, Division Administrator
Federal Highway Administration, Arizona Division
234 N. Central Avenue, Suite 330
Phoenix, AZ 85004

Dear Mr. Hollis:

We are writing in response to your letter of September 7, 2001 inviting the Environmental Protection Agency (EPA) to participate as a cooperating agency in the proposed **South Mountain Corridor Project** located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. As you know, EPA enjoys a positive working relationship with the Arizona Division of the Federal Highway Administration (FHWA), and we look forward to continuing that relationship on the South Mountain Corridor Project.

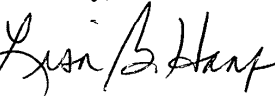
EPA has been involved in this project through preliminary meetings with Steve Thomas, FHWA Environmental Coordinator, and by providing formal scoping comments in response to the project Notice of Intent. Nova Blazej of my staff will also attend the inter-agency scoping/partnering meeting on October 30 – 31 in Phoenix, and we plan to continue our early and coordinated involvement in this project throughout the development of the Environmental Impact Statement (EIS).

Due to resource constraints, however, EPA respectfully declines FHWA's invitation to participate in the South Mountain Corridor Project as a cooperating agency. EPA Region 9 encompasses the States of California, Nevada, Hawaii, and Arizona, and, with the exception of Hawaii, each of these States has a very active transportation program. Under Section 309 of the Clean Air Act, EPA is required to review and comment on all EISs. As such, our office is involved in a very high volume of FHWA projects. In the past year we were reviewed approximately 45 FHWA projects.

Because of our high work load, EPA is unable to participate as a cooperating agency in the South Mountain Corridor Project. We are, nonetheless, committed to being an active partner in the development of the EIS and are available to provide FHWA with early input into the project. As a point of clarification, your letter states that FHWA is inviting EPA to participate as a cooperating agency in the South Mountain Corridor Project because the Maricopa County is designated as a federal nonattainment area for carbon monoxide, particulates, and ozone, and, as stated, EPA has jurisdiction by law. While EPA does have jurisdiction within the Clean Air Act, we do not expect to have any approval activity within this project as related to air quality issues.

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If you have any questions or would like to discuss this further, please contact me or Nova Blazej, the point of contact for this project. Nova can be reached at 415-744-2089 (after October 30, 2001, 415-972-3846) or blazej.nova@epa.gov.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

cc:
Horst Greczmiel, CEQ
Joe Montgomery, EPA-HQ
Steve Thomas, FHWA-AZ



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

January 31, 2002

David Anderson
HDR
Suite 250, Park One
2141 East Highland Avenue
Phoenix, AZ 85016-4792

Dear Mr. Anderson:

The Environmental Protection Agency (EPA) has reviewed the Draft Purpose and Need Technical Memorandum (January 2002) prepared for the **South Mountain Transportation Corridor** project, Maricopa County, Arizona and sent by your office for the Arizona Department of Transportation (ADOT). The proposed project is intended to provide improvements to accommodate existing and projected east-west traffic demand by constructing a new multilane freeway in the metropolitan Phoenix area.

We appreciate the attention to and effort invested in the development of the Purpose & Need statement and this opportunity for our early involvement. The Purpose & Need statement lays the foundation for the rest of the document and deserves close attention.


We have two comments, one concerning the content of the memorandum and one concerning process. With regard to content, we recommend refining the project purpose and, thereby, establishing a basis for setting the project study area. The northeast boundary of the project study area presented in the memorandum runs along the south side of South Mountain Park. During the Interagency meeting held in October, 2001, several agencies suggested broadening the project study area to encompass the area *north* of South Mountain Park, as an alignment north of South Mountain Park might also satisfy the need for improved east-west travel demand. EPA has the following specific recommendations:

- Refine the project purpose, or project objectives. For example, the memorandum describes the transportation demand and land use objectives of the proposed project in somewhat general terms. The project purpose should be refined to describe specific transportation demand, system linkage, and land use planning objectives. A summary, in bulleted form, at the beginning of the document would also be helpful.
- Refining the project objectives will help determine the appropriate project study area boundary. Justify the study area boundary and make changes, as appropriate. Respond to the question as to whether an alignment north of South Mountain Park would satisfy the project objectives.

With regard to process, EPA believes this project would be appropriately reviewed under the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada Memorandum of Understanding (1994) (NEPA/404 MOU). Because of the potential project impacts to the Salt River and the need for an Individual Permit from the Army Corps of Engineers (ACOE), future project delays can be avoided by coordinating the NEPA process and the Section 404 process early on in project development. We have proposed initiating the NEPA/404 MOU process to the Federal Highway Administration (FHWA), and we continue to recommend using the NEPA/404 MOU process in the development of this project. Under the NEPA/404 MOU, the first step in the integration process is concurrence on Purpose & Need. Should FHWA and ADOT elect to initiate the NEPA/404 MOU process, EPA would be prepared to concur on the Purpose & Need statement with the changes cited above.

Again, thank you for this opportunity for early involvement. If you have any questions or comments, please feel free to contact me or Nova Blazej, the primary person working on this project. Nova Blazej can be reached at 415-972-3846 or blazej.nova@epa.gov.

Sincerely,



Lisa B. Hanf, Manager
Federal Activities Office

cc: Steve Thomas, FHWA
Ralph Ellis, ADOT
Dana Owsiany, ACOE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

**REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901**

May 2, 2002

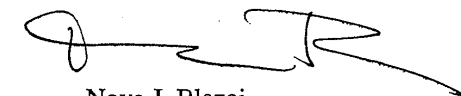
Mr. David Folts
Concerned Families Along
South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85008

Dear Mr. Folts

The Environmental Protection Agency received your letter of March 25, 2002 outlining your concerns regarding the proposed South Mountain Corridor project. Your letter lists a number of health-related questions and requests that the Environmental Impact Statement (EIS) for the South Mountain Corridor project specifically address these questions. The EIS is the appropriate forum to address your concerns, as this document is intended to disclose all environmental, human health, and socio-economic impacts associated with the proposed project to the public and decision-makers.

The Federal Highway Administration, as the lead federal agency, and the Arizona Department of Transportation, as the project proponent, will work together to address all comments they receive during the project scoping period by incorporating those comments into the Draft EIS. This includes the issues raised in your letter. Once the Draft EIS is published, the public will have at least 45 days to review and comment on the document. The public will have an additional 30 days to comment once the Final EIS is published. The Environmental Protection Agency has been actively involved in this project and will participate in the review of both the Draft and Final EIS. If you have additional questions regarding the EIS review process, I can be contacted at 415-972-3846.

Sincerely,



Nova J. Blazej
Federal Activities Office

cc: Lisa Hanf, EPA
David Tomsovic, EPA
GR West, EPA
Steve Thomas, FHWA
Ralph Ellis, ADOT


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

March 17, 2005

David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85048

Dear Mr Folts:

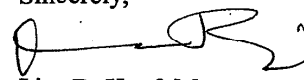
Thank you for your email dated February 22, 2005, to the United States Environmental Protection Agency (EPA) concerning the potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA welcomes your concerns about future activities that may affect the human and natural environment in the vicinity of the proposed transportation project.

After receiving your email, Connell Dunning of my staff spoke with Steve Thomas of the Arizona Division of the Federal Highway Administration (FHWA) regarding the status of the South Mountain Draft Environmental Impact Statement (Draft EIS) and incorporation of comments raised through the scoping process. Mr. Thomas stated that the Draft EIS is still under development and has not been submitted for public comment. He confirmed that FHWA and Arizona Department of Transportation (ADOT) are working to address all comments raised through the scoping process.

If you are concerned that the EIS may not address the questions that you previously submitted, EPA recommends continuing to discuss your specific areas of concern with those agencies that are cooperating in drafting the document. I have copied the Arizona Department of Transportation Project Manager (Mike Bruder) as well as Steve Thomas on this correspondence. Steve Thomas also offered to provide additional information related to opportunities for public involvement. He can be reached at 602-379-3645 extension 117.

EPA commends you for taking an active role in efforts to protect the human environment and natural resources associated with the South Mountain area. Once the South Mountain Draft EIS is available to the public, we will review the proposed project to ensure project compliance with applicable environmental laws and regulations. If you have additional questions about EPA's authorities relative to this proposed project, please have your staff contact Connell Dunning, the lead reviewer of transportation-related environmental impact statements in Arizona. Connell can be reached at dunning.connell@epa.gov or 415-947-4161.

Sincerely,


Lisa B. Hanf, Manager
Federal Activities Office

CC: Steve Thomas, Federal Highway Administration
Mike Bruder, Arizona Department of Transportation

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

June 17, 2005

Mr. David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85048

Dear Mr. Folts:

The U.S. Environmental Protection Agency (EPA) has been asked to respond to your April 16, 2005 letter to Representative J. D. Hayworth regarding the potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA commends you for taking an active role in efforts to protect the human and natural environment in the vicinity of the proposed transportation project.

As you know, the Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) are preparing a Draft Environmental Impact Statement (EIS) for the proposed South Mountain Loop 202 project. The regulations implementing the National Environmental Policy Act (NEPA) require that an EIS disclose significant direct, indirect and cumulative impacts of a proposed federal action to the human environment. Given the extensive scientific literature on near-roadway health effects, it is important that the EIS for South Mountain Loop 202 include a discussion of potential health effects of the proposed project, especially to "sensitive receptors" (such as children, the elderly, and people in poor health).

Following receipt of your February 22, 2005 correspondence to EPA, Connell Dunning of my staff spoke with Steve Thomas of the Arizona Division of the FHWA regarding the status of the South Mountain EIS and incorporation of comments raised through the scoping process (see attached letter March 17, 2005). Mr. Thomas confirmed that FHWA and ADOT are working to address all comments raised through the scoping process, including those raised by Concerned Families Along South Mountain Loop 202. Since you remain concerned that the EIS may not address the questions that you previously submitted, we continue to recommend that you discuss your specific concerns with ADOT and FHWA, the agencies that are preparing the EIS. I have copied the ADOT Project Manager, Mike Bruder, as well as Steve Thomas on this correspondence. As stated in our previous letter, Steve Thomas offered to provide additional information related to opportunities for public involvement. He can be reached at 602-379-3645 extension 117.

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Once the Draft EIS is available for public comment, EPA will review the proposed project to ensure project compliance with applicable environmental laws and regulations. Again, thank you for your letter. If you have additional questions, please contact me or your staff may contact Connell Dunning at 415-947-4161. Ms. Dunning is the lead environmental reviewer for transportation projects in Arizona.

Sincerely,



Enrique Manzanilla, Director
Community and Ecosystems Division

Enclosure

cc: Honorable J.D. Hayworth
Steve Thomas, Federal Highway Administration
Mike Bruder, Arizona Department of Transportation



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

April 21, 2006

David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85048

Dear Mr Folts:

Thank you for your February 28, 2006 letter to the United States Environmental Protection Agency (EPA) expressing your concerns with potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA has responded to your interest in attaining answers to specific air quality questions related to this project on three previous occasions, twice via letter to you (March 17, 2005 and June 17, 2005) and once through a phone conversation with a representative from Congressman J.D Hayworth's office (September 2005).

Your letter identifies that you continue to be concerned that the Draft Environmental Impact Statement (EIS) being developed for this project may not address the questions that you previously submitted. Exposure to mobile source air toxics is known to cause adverse human health impacts, including cancer and other serious health effects. With our increasing understanding of air toxics concerns, and the increasing public attention on this issue, EPA agrees that the Draft EIS for the South Mountain project should assess and reduce all emissions-related impacts to air quality and human health.

After receiving your February 28, 2006 letter, Connell Dunning of my staff spoke with Steve Thomas of the Arizona Division of the Federal Highway Administration (FHWA) regarding the status of the South Mountain Draft EIS and incorporation of your comments, as well as others raised through the scoping process. Mr. Thomas confirmed that the Draft EIS is still under development and has not been submitted for public comment. He confirmed that FHWA and Arizona Department of Transportation (ADOT) are working to address all comments raised through the scoping process.

EPA continues to recommend that you discuss your specific areas of concern with those agencies (ADOT and FHWA) that are cooperating in drafting the document. EPA has no role in compiling the Draft EIS and can only recommend that ADOT and FHWA incorporate into the Draft EIS a robust analysis of all direct, indirect, and cumulative impacts of this project and commit to appropriate mitigation and project design elements to reduce impacts to human health and all environmental resources. EPA has recommended via past phone conversations, and continues to recommend through this letter, that ADOT and FHWA include an air quality analysis in the Draft EIS that addresses all questions provided by you and analyzes potential

impacts of emissions of criteria pollutants (particulate matter less than 10 microns, carbon monoxide, precursors of ozone), air toxics, and diesel particulate matter. EPA also recommends that the Draft EIS provide specific mitigation measures, including operational changes to project alternatives and construction practices, that will reduce impacts to air quality and human health from the proposed project.

Once the South Mountain Draft EIS is available to the public, we will review the proposed project to ensure project compliance with applicable environmental laws and regulations. If you have additional questions about EPA's authorities relative to this proposed project, please contact Connell Dunning, the lead reviewer of transportation-related environmental impact statements in Arizona. Connell can be reached at dunning.connell@epa.gov or 415-947-4161. I have also copied the Arizona Department of Transportation Project Manager (Mike Bruder) as well as Steve Thomas on this correspondence. Steve Thomas can be reached at 602-379-3645 extension 117.

Sincerely,



Duane James, Manager
Environmental Review Office

CC: Steve Thomas, Federal Highway Administration
Mike Bruder, Arizona Department of Transportation



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Pima Agency
Sacaton, Arizona 85247

005
Real Prop. Mgmt.
Phone 562-3552

April 19, 1967

Honorable James A. Haley
Chairman, Sub-Committee on
Interior and Insular Affairs
House of Representatives
Washington, D.C. 20240

Re: H.R. 2154

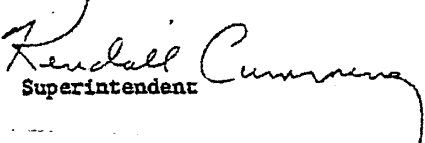
Honorable Haley:

In accordance with Dr. Taylor's request regarding yesterday's Sub-Committee hearing to consider H.R. 2154, the following information is respectfully submitted in connection with Interstate #10 Highway through the Gila River Indian Reservation, Arizona.

Interstate #10 Highway across the Gila River Indian Reservation is 24.07 miles in length, 300 feet wide with additional width required by the four interchanges. Total amount paid was \$473,860.00 of which \$265,000.00 was paid for tribal lands and \$208,860.00 for individual or allotted lands.

Planning and negotiations for Interstate #10 Highway involved approximately four years. Differences between Arizona State and Bureau of Indian Affairs appraisals were resolved before condemnation was seriously considered and the right of way was formally approved January 21, 1966.

Sincerely yours,



Superintendent



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

PIMA AGENCY

Post Office Box 8 - Sacaton, Arizona 85247

IN REPLY REFER TO:

Mr. Robert E. Hollis
Division Administrator
U.S. Department of Transportation
Federal Highway Administration, AZ Division
234 North Central Avenue, Suite 330
Phoenix, Arizona 85004

Dear Mr. Hollis:

This is in response to your September 7, 2001 letter requesting Pima Agency's involvement as a cooperating agency with the Federal Highway Authority (FHWA) and Arizona Department of Transportation (ADOT) to evaluate issues related to the proposed South Mountain Corridor Project, Environmental Impact Statement (EIS) preparation process.

Currently, the Ak Chin Indian Community and Gila River Indian Community are under the administrative jurisdiction of Pima Agency. The Ak Chin Indian Community is located in Pinal County, south of Maricopa, Arizona and will also need involvement through this agency's representation with the EIS process.

We accept your agency's request to be involved with the project as a cooperating Federal agency and represent the interests for the two communities for the proposed South Mountain Corridor, EIS development process.

If you have any questions or need additional information, please contact Mr. Peter B. Overton, Agency Environmental Specialist, at (520) 562-3326, Extension 267.

Sincerely,

Acting Superintendent



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

PIMA AGENCY

Post Office Box 8 - Sacaton, Arizona 85247

IN REPLY REFER TO:

Office of the Superintendent
Telephone Number (520) 562-3326

MAY 5 2005

Marie A. Deeb-Roberge, PE
Arizona Department of Transportation
Environmental & Enhancement Group
205 S. 17th Avenue, Room 213E, MD 619E
Phoenix, Arizona 85007

Dear Ms. Deeb-Roberge:

We have received your request for this agency to formally comment in reference to the draft "Table of Contents" to be utilized with the draft Environmental Impact Statement (EIS), document for the proposed South Mountain Freeway Project, Maricopa County, Arizona.

After our meeting on April 20, 2005 with Gila River Indian Community (GRIC), Arizona Department of Transportation (ADOT), Federal Highway Administration (FHA) and Bureau of Indian Affairs (BIA) staff at the Sacaton Agency, it appears that there is no certainty that the proposed highway project will be located on the Gila River Indian Community lands, nor has the Community officially approved of the project or involvement in the EIS process.

Although a proposed freeway alignment, on community lands, is realistic and could be developed into an alternative cited in the EIS, this agency can only provide limited comments, at this time, without a formal commitment approved by community government, landowners and without a specific proposed alternative, cited on community lands, so that impacts may be properly analyzed. Specifically, a highway corridor alignment that is officially acceptable by the community (includes a community governmental resolution document) for study and then incorporation in the draft and final EIS document as one of the proposed alternatives.

The agency has been approved to act as a "Cooperating Federal Agency" with FHA assuming the "Lead Federal Agency" role for the National Environmental Protection Act, National Environmental Policy Act, NEPA, (EIS), process. Therefore, this agency will provide assistance, when requested, with the EIS process and provide comments to your office and directly to FHA, when appropriate.

Per the requested questions identified in your letter, dated February 15, 2005, the agency submits the following comments:

1. We have received and reviewed the proposed table of contents for the draft EIS. The document appears to be very well written, adequately covers all sections required per NEPA regulations and is very appropriate for use with the draft and final EIS document. A section devoted entirely to the Gila River Indian Community participation, if approved, would be an excellent addition to the document and provide easier reading and located specific information regarding the community's possible participation with the planned project.
2. There is no apparent need for additional sections at this point. If the community approves a specific alignment in the future, legal descriptions and additional related information could be added to the GRIC section currently shown in the draft table of contents.
3. The agency has reviewed the draft timeframe chart received from ADOT and finds the target dates to be realistic and future event planning for the process to be very good.
4. The agency would like to have 10 copies of the draft EIS and 6 copies of the final EIS document and ROD, if possible.
5. The agency shall transmit a copy of this letter to the local FHA official for their information and NEPA files.

Temporarily, all further official correspondence to Pima Agency should be addressed to the Acting Superintendent, BIA, Pima Agency, Box 8, Sacaton, Arizona.

We appreciate your request for our agency to assist the State of Arizona-DOT and we are looking forward to continue working with your agency and FHA to assist the community with there needs as well as the major task of completing the NEPA compliance process for this very important project.

If you have any questions or need advice please contact Mr. Peter B. Overton, Agency Environmental Protection Specialist, at 520-562-3700, extension 257.

Sincerely,

Peter B. Overton
Acting Superintendent

**MEMORANDUM OF UNDERSTANDING
BETWEEN
BUREAU OF INDIAN AFFAIRS AND
ARIZONA DEPARTMENT OF TRANSPORTATION**

AND

**INTERAGENCY AGREEMENT
BETWEEN
BUREAU OF INDIAN AFFAIRS AND
FEDERAL HIGHWAY ADMINISTRATION**

FOR

**ENVIRONMENTAL IMPACT STATEMENT AND SECTION 4(f) EVALUATION FOR
SOUTH MOUNTAIN FREEWAY (LOOP 202) INTERSTATE 10 (PAPAGO FREEWAY)
TO
INTERSTATE 10 (MARICOPA FREEWAY)**

**FEDERAL-AID PROJECT NUMBER: NH-202-D(ADY)
ADOT PROJECT NUMBER: 202L MA 054 H5764 01L**

JUNE 2012



THIS AGREEMENT is entered into the _____ day of _____, 2012, by and between the Bureau of Indian Affairs, (hereafter referred to as (BIA), the Arizona Department of Transportation, (hereafter referred to as ADOT), and the Federal Highway Administration (hereafter referred to as FHWA). This agreement was initiated pursuant to Council on Environmental Quality regulations (40 CFR § 1501.6), which emphasize the importance of cooperation early in the Environmental Impact Statement process for the proposed action, Section 4(f) Evaluation for South Mountain Freeway (Loop 202) Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), Federal-aid Project Number: NH-202-D(ADY), ADOT Project Number: 202L MA 054 H5764 01L.

I. INTRODUCTION/ STATEMENT OF PURPOSE

The Arizona Department of Transportation (ADOT), the project sponsor, working in close consultation with the Federal Highway Administration (FHWA), the lead federal agency for the proposed action, is developing the Administrative Draft Environmental Impact Statement for the proposed action. According to Council on Environmental Quality regulations (40 CFR § 1501.6), which emphasize the importance of cooperation early in the EIS process, upon request of the federal lead agency, other federal agencies, with jurisdiction by law or with special expertise on an environmental issue involved in the project, have the responsibility to be a cooperating agency. The Bureau of Indian Affairs (BIA) has agreed to be a cooperating agency for the proposed action.

The lead agencies have determined that a major transportation facility is needed to address increases in population, housing, and employment projected in the Phoenix metropolitan area over the next 25 years. A major transportation facility is also needed to address projected increases in regional transportation demand and deficiencies in the regional transportation system capacity. The purpose of the proposed action—the South Mountain Freeway—is to address these transportation needs.

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 4(f) of the Department of Transportation Act of 1966, and of Section 404 of the Clean Water Act, a Draft Environmental Impact Statement and Section 4(f) Evaluation is being prepared. The proposed action is hereinafter referred to as “the Project”.

STATEMENT OF PURPOSE

This agreement between the BIA, the FHWA, and ADOT is intended to avoid duplication of effort by the Parties to this agreement in the development of an environmental impact statement (EIS) for the Project.

The Parties desire to cooperate, to streamline their review, to reduce duplication, and to satisfy the requirements of NEPA, the National Historic Preservation Act, the Endangered Species Act, and other applicable laws, by preparing a single EIS for the Project as permitted by NEPA.

The joint process will allow BIA, FHWA, and ADOT to fulfill other requirements under federal law, including informal or formal consultation with the U.S. Fish and Wildlife

Service under Section 7 of the Endangered Species Act and consultation with relevant parties under Section 106 of the National Historic Preservation Act.

II. AUTHORITY

The federal agency Parties enter into this agreement under the authority of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321 to 4370f, the regulations of the Council on Environmental Quality at 40 C.F.R. Part 1500 to 1508, FHWA’s regulations on lead agency and cooperating agency status in the NEPA process, 23 C.F.R. § 771.111(d), and Department of Interior regulations on lead agency and cooperating agency status in the NEPA process, 43 C.F.R. § 46.225.

Federal regulations and Department of the Interior policy provide that the BIA, FHWA, and ADOT shall cooperate in meeting Federal laws, so that one document will comply with all applicable laws (40 C.F.R. § 1506.2(c); 43 C.F.R. § 46.220).

III. TEAM MEMBERS

The primary points of contact for carrying out the provisions of this agreement are:

BIA:

Amy Heuslein, Regional Environmental Protection Officer
2600 N. Central Avenue, 4th Floor Mailroom
Phoenix, AZ 85004-3050
(602) 379-6750
Amy.Heuslein@bia.gov

FHWA:

Rebecca Swiecki, Environmental Coordinator
4000 N Central Ave. Suite 1500
Phoenix, AZ 85012
(602) 382-8979
Rebecca.Swiecki@dot.gov

ADOT:

Sabri P. Chaun Hill, Assistant State Engineer
1611 W. Jackson, Mail Drop EM01
Phoenix, AZ 85007
(602) 712-6268
SHill@azdot.gov

IV. RESPONSIBILITIES

A. FHWA Responsibilities

1. Act as lead agency within the meaning of 40 C.F.R. § 1501.5 and 23 C.F.R. § 771.109.

- 2. Ensure that the EIS meets the requirements outlined in Council on Environmental Quality regulations at 40 C.F.R. §§ 1500 to 1508, and ensure that the EIS is in compliance with all applicable laws, policies, Executive Orders, and guidelines.
- 3. Participate in all phases of EIS preparation, including attending interagency coordination meetings, reviewing draft documents and public notices, and participating in public scoping and EIS public meetings and hearings.
- 4. Adhere to the schedule in Attachment 1 to the extent feasible.
- 5. Designate a representative(s) to serve as the day-to-day liaison or point of contact for the Project.
- 6. Identify the significant environmental issues, identify and evaluate Project alternatives that are technically and economically practical or feasible and meet the purposes and needs of the proposed action, and coordinate the decision process.
- 7. Review and approve the Draft EIS and Final EIS prior to its release to the public.
- 8. Receive and review all agency and public scoping comments, comments on the Draft EIS and the Final EIS, and assist where appropriate with preparing responses to comments.
- 9. Contribute to the maintenance of a comprehensive mailing list for distribution of Project information and NEPA documents.
- 10. Ensure that the cooperating agencies are consulted during the early stages of Project planning and are involved in the evaluation of environmental impacts, and development of recommendations for mitigation measures where impacts are unavoidable.
- 11. Ensure that all documents relative to the EIS are distributed to the cooperating agencies.
- 12. Prepare a Record of Decision for the FHWA decisions regarding the Project.
- 13. Prepare necessary notices for publication in the Federal Register, including Notice of Intent, Notice of Draft EIS Availability, Notice of Final EIS Availability, and Notice of Record of Decision.

- 14. Assist in maintenance of an administrative record for the EIS and the FHWA Record of Decision.

B. ADOT Responsibilities

- 1. Act as joint lead agency in accordance with 23 U.S.C. 139.
- 2. Prepare the EIS and other environmental review documents with the FHWA furnishing guidance, participating in the preparation, and independently evaluating the documents.
- 3. Participate in all phases of EIS preparation and the permitting process, including attending interagency coordination meetings, reviewing draft documents and public notices, and participating in public scoping and EIS public review meetings and hearings.
- 4. Adhere to the schedule in Attachment 1 to the extent feasible.
- 5. Designate a representative(s) to serve as the day-to-day liaison or point of contact for the Project.
- 6. Identify the significant environmental issues, identify and evaluate Project alternatives that are technically and economically practical or feasible and meet the purposes and needs of the proposed action, and participate in the decision process.
- 7. Review and approve the Draft EIS and Final EIS prior to its release to the public.
- 8. Receive and review all agency and public scoping comments, comments on the Draft EIS and the Final EIS, and prepare responses to comments.
- 9. Contribute and maintain a comprehensive mailing list for distribution of Project information and NEPA documents.
- 10. Ensure that the cooperating agencies are consulted during the early stages of Project planning and are involved in the evaluation of environmental impacts, and development of recommendations for mitigation measures where impacts are unavoidable.
- 11. Ensure that all documents relative to the EIS are distributed to the cooperating agencies.
- 12. Assist FHWA in the preparation of a Record of Decision for the FHWA decisions regarding the Project.

13. Assist in the preparation of necessary notices for publication in the Federal Register, including Notice of Intent, Notice of Draft EIS Availability, Notice of Final EIS Availability, and Notice of Record of Decision.
14. Maintain an administrative record for the EIS and the FHWA Record of Decision.
15. Construct the project in accordance with and incorporate all committed environmental impact mitigation measures listed in approved environmental review documents unless the State requests and receives written FHWA approval to modify or delete such mitigation features.

C. BIA Responsibilities. As a cooperating agency, the BIA will:

1. Act as a cooperating agency within the meaning of 40 C.F.R. § 1501.6 and 43 C.F.R. § 46.230.
2. Participate in the EIS process, including attending inter-agency coordination meetings, reviewing draft documents, and participating in the public scoping and EIS public review processes.
3. Designate a representative(s) to serve as the day-to-day liaison or point of contact for the Project.
4. Identify the significant environmental issues, particularly those that relate to the cooperating agency's special expertise or jurisdiction.
5. Articulate any special requirements (laws, regulations, policies, etc.) that need to be addressed in the EIS in order to be a usable document for BIA decisions regarding the project.
6. Maintain control of the administrative Draft EIS and not release or discuss portions of the document until the document has been released for public review.
7. Review agency and public scoping comments, comments on the Draft EIS and Final EIS, and assist where appropriate with preparing responses to comments.
8. Adhere to the schedule in Exhibit 1 to the extent feasible.
9. Contribute to a comprehensive mailing list for distribution of Project information and NEPA documents.

10. Make their respective decisions based on the EIS as permitted by applicable law and jurisdiction.

V. ADMINISTRATIVE AND LEGAL PROVISIONS

A. Applicable Law

The Parties agree to comply with all applicable laws governing activities under this agreement.

B. Effect on Prior Agreements

There are no prior agreements among the Parties that this agreement would affect.

C. Term

This agreement will commence upon the date last signed and executed by the Parties, and will remain in effect until terminated in accordance with Part V.E. below.

D. Amendments

This agreement may be amended by mutual consent of the Parties at the same organizational level as those that sign this agreement. Any such amendments will be incorporated by written instrument, executed and signed by all Parties, and will be effective as of the date they are signed and executed.

E. Termination

1. Any Party may terminate this agreement upon sixty (60) days written notice to the other Parties of their intention to do so.
2. This agreement shall terminate when no longer authorized by the U.S. Department of the Interior, by federal or state law, or if determined to be unenforceable by any court having jurisdiction over the Parties.

F. Severability

Should any portion of this agreement be determined to be illegal or unenforceable, the remainder of the agreement will continue in full force and effect, and any party may renegotiate the terms affected by the severance.

G. Confidentiality

Each agency will abide by the confidentiality requirements of its own laws and regulations with respect to determinations concerning and handling of proprietary

data and any other statutes, regulations, or directives concerning restricted access to records or information in any form.

H. Access to Records

Each agency will provide public access in accordance with its own rules.

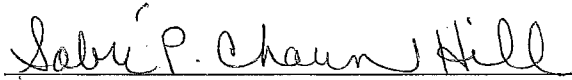
I. Information Sharing

Each agency will provide the others with courtesy copies of all regulation and policy changes that deal with common or pertinent issues.


J. Third Party Beneficiary Rights

The Parties do not intend to create in any other individual or entity the status of third party beneficiary, and this agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this agreement operate only between the Parties to this agreement, and inure solely to the benefit of the Parties to this agreement.

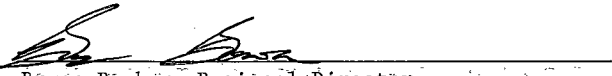
VI. SIGNATURES


Sabri P. Chaun Hill, Assistant State Engineer
Arizona Department of Transportation

06/22/12


Rebecca Swiecki, Environmental Coordinator
Federal Highway Administration

6-26-12


Bryan Bowker, Regional Director
Bureau of Indian Affairs

9/12/12

EXHIBIT 1 -- DRAFT
ESTIMATED EIS REVIEW SCHEDULE FOR THE ENVIRONMENTAL IMPACT
STATEMENT AND SECTION 4(F) EVALUATION FOR SOUTH MOUNTAIN
FREEWAY (LOOP 202) INTERSTATE 10 (PAPAGO FREEWAY) TO INTERSTATE 10
(MARICOPA FREEWAY)

Tasks	Target Dates
Finalize and Sign Memorandum of Understanding/Interagency Agreement	10 days after receipt
FHWA Provides Administrative Draft EIS to BIA for Review	Summer 2012
BIA Provides ADEIS Comments to FHWA	30 days after receipt of ADEIS
90 Day Public Comment Period on Draft EIS Ends	Winter 2012
FHWA Provides Preliminary Final EIS to BIA	Spring 2013
BIA Decisions Based on EIS - ROD	30 days after receipt of ROD



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Phoenix Field Office
21605 North 7th Avenue
Phoenix, AZ 85027

In reply refer to:
2800/2912 (210)
AZA-31292-01

June 13, 2005

Mr. Robert E. Hollis, Division Administrator
U. S. Department of Transportation
Federal Highway Administration
400 East Van Buren Street
One Arizona Center, Suite 410
Phoenix, Arizona 85004-2264

Dear Mr. Hollis:

This letter is being sent in response to your letter dated May 27, 2005, concerning the Environmental Impact Statement (EIS) being prepared for the South Mountain Corridor Project.

We have reviewed the map that was enclosed with your above dated letter and determined that there are no other lands that are either managed by the Bureau of Land Management (BLM) or that the BLM maintains an interest, except for the lands at 67th Avenue and the Salt River, which are leased under the Recreation and Public Purposes Act to the City of Phoenix.

We accept your invitation to participate in coordination meetings, and agree to assist in consultation of relevant technical studies.

If you have any questions, please contact Jim Andersen at (623) 580-5570.

Sincerely,

Teresa A. Raml
Field Manager



SEP 2001

United States Department of the Interior
U.S. Fish and Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 FAX: (602) 242-2513



In Reply Refer To:

AESO/FA

September 17, 2001

202-D(ADY)

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
234 North Central Avenue, Suite 330
Phoenix, Arizona 85004

Dear Mr. Hollis:

We have received your September 7, 2001, request for the U.S. Fish and Wildlife Service to be a cooperating agency for the preparation of an Environmental Impact Statement for the proposed South Mountain Corridor Project.

Due to heavy workloads and higher priority responsibilities, we unfortunately will not be able to participate as a cooperating agency for this project as requested. We will assist as necessary and appropriate in order to carry out other National Environmental Policy Act, Clean Water Act, and Endangered Species Act activities to assist you in the planning and implementation of this proposed project.

Sincerely,

David L. Harlow
Field Supervisor

W:\South Mountain Project.doc:GDM:jh



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Arizona Ecological Services Field Office
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 Fax: (602) 242-2513



In Reply Refer To:

AESO/SE
2-21-02-I-005

October 29, 2001

Mary Viparina, P.E.
Project Manager
HDR Engineering, Inc.
2141 East Highland Avenue Ste. 250
Phoenix, Arizona 85016

RE: Biltmore Medical Mall Located at 2222 East Highland, Phoenix, Arizona

Dear Ms. Viparina,

This letter responds to your October 3, 2001, request for an inventory of threatened or endangered species, or those that are proposed to be listed as such under the Endangered Species Act of 1973, as amended (Act), which may potentially occur in your project area (Maricopa County). The enclosed list may include candidate species as well. We hope the enclosed county list of species will be helpful. In future communications regarding this project, please refer to consultation number 2-21-02-I-005.

The enclosed list of the endangered, threatened, proposed, and candidate species includes all those potentially occurring anywhere in the county, or counties, where your project occurs. Please note that your project area may not necessarily include all or any of these species. The information provided includes general descriptions, habitat requirements, and other information for each species on the list. Also on the enclosed list is the Code of Federal Regulations (CFR) citation for each list and is available at most public libraries. This information should assist you in determining which species may or may not occur within your project area. Site-specific surveys could also be helpful and may be needed to verify the presence or absence of a species or its habitat as required for the evaluation of proposed project-related impacts. Endangered and threatened species are protected by Federal law and must be considered prior to project development. If the action agency determines that listed species or critical habitat may be adversely affected by a federally funded, permitted, or authorized activity, the action agency must request formal consultation with the Service. If the action agency determines that the planned action may jeopardize a proposed species or destroy or adversely modify proposed critical habitat, the action agency must enter into a section 7 conference with the Service. Candidate species are those which are being considered for addition to the list of threatened or endangered species. Candidate species are those for which there is sufficient information to support a proposal for listing. Although candidate species have no legal protection under the Act, we recommend that they be considered in the planning process in the event that they become listed or proposed for listing prior to project completion.

2

If any proposed action occurs in or near areas with trees and shrubs growing along watercourses, known as riparian habitat, the Service recommends the protection of these areas. Riparian areas are critical to biological community diversity and provide linear corridors important to migratory species. In addition, if the project will result in the deposition of dredged or fill materials into waterways or excavation in waterways, we recommend you contact the Army Corps of Engineers which regulates these activities under Section 404 of the Clean Water Act.

The State of Arizona protects some plant and animal species not protected by Federal law. We recommend you contact the Arizona Game and Fish Department and the Arizona Department of Agriculture for State-listed or sensitive species in your project area.

The Service appreciates your efforts to identify and avoid impacts to listed and sensitive species in your project area. If we may be of further assistance, please feel free to contact Tom Gatz (x240).

Sincerely,



David L. Harlow
Field Supervisor

Enclosure

cc: John Kennedy, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ
Governor, Gila River Indian Community, Sacaton, AZ (Attn: Biologist)

W:\Cathy Gordon\species list letters\South Mtn. Corridor Team HDR Engineering.wpd:cgg

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

1) LISTED TOTAL= 14

NAME: ARIZONA AGAVE AGAVE ARIZONICA
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 49 FR 21055, 05-18-1984
DESCRIPTION: HAS ATTRACTIVE ROSETTES OF BRIGHT GREEN LEAVES WITH DARK MAHOGANY MARGINS. FLOWER: BORNE ON SUB-UMBELLATE INFLORESCENCES. ELEVATION RANGE: 3000-6000 FT.
COUNTIES: GILA, YAVAPAI, MARICOPA
HABITAT: TRANSITION ZONE BETWEEN OAK-JUNIPER WOODLAND & MOUNTAIN MAHOGANY-OAK SCRUB
SCATTERED CLONES IN NEW RIVER MOUNTAINS AND SIERRA ANCHA. USUALLY FOUND ON STEEP, ROCKY SLOPES. POSSIBLY MAZATAL MOUNTAINS. SHOULD BE LOOKED FOR WHEREVER THE RANGES OF Agave toumeyana var. bella AND Agave chrystantha OVERLAP.

NAME: ARIZONA CLIFFROSE PURSHIA SUBINTEGRA
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 49 FR 22326 5-29-84
DESCRIPTION: EVERGREEN SHRUB OF THE ROSE FAMILY (ROSEACEAE). BARK PALE SHREDDY. YOUNG TWIGS WITH DENSE HAIRS. LEAVES 1-5 LOBES AND EDGES CURL DOWNWARD (REVOLUTE). FLOWERS: 5 WHITE OR YELLOW PETALS <0.5 INCH LONG. ELEVATION RANGE: <4000 FT.
COUNTIES: GRAHAM YAVAPAI MARICOPA MOHAVE
HABITAT: CHARACTERISTIC WHITE SOILS OF TERTIARY LIMESTONE LAKEBED DEPOSITS.
WHITE SOILS OF TERTIARY LIMESTONE LAKEBED DEPOSITS CAN BE SEEN FROM A DISTANCE.

NAME: ARIZONA HEDGEHOG CACTUS ECHINOCEREUS TRIGLOCHIDIATUS ARIZONICUS
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 44 FR 61556,10-15-1979
DESCRIPTION: DARK GREEN CYLINDROID 2.5-12 INCHES TALL, 2-10 INCHES IN DIAMETER, SINGLE OR IN CLUSTERS. 1-3 GRAY OR PINKISH CENTRAL SPINES LARGEST DEFLEXED AND 5-11 SHORTER RADIAL SPINES. FLOWER: BRILLIANT RED, SIDE OF STEM IN APRIL- MAY ELEVATION RANGE: 3700-5200 FT.
COUNTIES: MARICOPA, GILA, PINAL
HABITAT: ECOTONE BETWEEN INTERIOR CHAPPARAL AND MADREAN EVERGREEN WOODLAND
OPEN SLOPES, IN NARROW CRACKS BETWEEN BOULDERS, AND IN UNDERSTORY OF SHRUBS. THIS VARIETY IS BELIEVED TO INTERGRADE AT THE EDGES OF ITS DISTRIBUTION WITH VARIETIES MELANCANTHUS AND NEOMEXICANUS CAUSING SOME CONFUSION IN IDENTIFICATION.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

NAME: LESSER LONG-NOSED BAT LEPTONYCTERIS CURASOAE YERBABUENAE

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 53 FR 38456, 09-30-88

DESCRIPTION: ELONGATED MUZZLE, SMALL LEAF NOSE, AND LONG TONGUE.
YELLOWISH BROWN OR GRAY ABOVE AND CINNAMON BROWN BELOW.
TAIL MINUTE AND APPEARS TO BE LACKING. EASILY DISTURBED. ELEVATION
RANGE: <6000 FT.

COUNTIES: COCHISE, GILA, GRAHAM, GREENLEE, MARICOPA, PIMA, PINAL, SANTA CRUZ, YAVAPAI

HABITAT: DESERT SCRUB HABITAT WITH AGAVE AND COLUMNAR CACTI PRESENT AS FOOD PLANTS

DAY ROOSTS IN CAVES AND ABANDONED TUNNELS. FORAGES AT NIGHT ON NECTAR, POLLEN, AND FRUIT OF PANICULATE AGAVES AND COLUMNAR CACTI. THIS SPECIES IS MIGRATORY AND IS PRESENT IN ARIZONA , USUALLY FROM APRIL TO SEPTMBER AND SOUTH OF THE BORDER THE REMAINDER OF THE YEAR.

NAME: SONORAN PRONGHORN ANTILOCAPRA AMERICANA SONORIENSIS

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 32 FR 4001, 03-11-67

DESCRIPTION: BUFF ON BACK AND WHITE BELOW, HOOFED WITH SLIGHTLY CURVED
BLACK HORNS HAVING A SINGLE PRONG. SMALLEST AND PALEST OF
THE PRONGHORN SUBSPECIES. ELEVATION
RANGE: 2000-4000 FT.

COUNTIES: PIMA, YUMA, MARICOPA

HABITAT: BROAD, INTERMOUNTAIN ALLUVIAL VALLEYS WITH CREOSOTE-BURSAGE & PALO VERDE-MIXED CACTI ASSOCIATIONS

TYPICALLY, BAJÁDAS ARE USED AS FAWNING AREAS AND SANDY DUNE AREAS PROVIDE FOOD SEASONALLY. HISTORIC RANGE WAS PROBABLY LARGER THAN EXISTS TODAY. THIS SUBSPECIES ALSO OCCURS IN MEXICO.

NAME: DESERT PUPFISH CYPRINODON MACULARIUS

STATUS: ENDANGERED CRITICAL HAB Yes RECOVERY PLAN: Yes CFR: 51 FR 10842, 03-31-1986

DESCRIPTION: SMALL (2 INCHES) SMOOTHLY ROUNDED BODY SHAPE WITH NARROW
VERTICAL BARS ON THE SIDES. BREEDING MALES BLUE ON HEAD AND
SIDES WITH YELLOW ON TAIL. FEMALES & JUVENILES TAN TO OLIVE
COLORED BACK AND SILVERY SIDES. ELEVATION
RANGE: <5000 FT.

COUNTIES: LA PAZ, PIMA, GRAHAM, MARICOPA, PINAL, YAVAPAI, SANTA CRUZ

HABITAT: SHALLOW SPRINGS, SMALL STREAMS, AND MARSHES. TOLERATES SALINE & WARM WATER

CRITICAL HABITAT INCLUDES QUITOBAQUITO SPRING, PIMA COUNTY, PORTIONS OF SAN FELIPE CREEK, CARRIZO WASH, AND FISH CREEK WASH, IMPERIAL COUNTY, CALIFORNIA. TWO SUBSPECIES ARE RECOGNIZED: DESERT PUPFISH (C. m. macularis) AND QUITOBAQUITO PUPFISH (C. m. eremus).

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

NAME: GILA TOPMINNOW POECILIOPSIS OCCIDENTALIS OCCIDENTALIS

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 32 FR 4001, 03-11-1967

DESCRIPTION: SMALL (2 INCHES), GUPPY-LIKE, LIVE BEARING, LACKS DARK SPOTS ON
ITS FINS. BREEDING MALES ARE JET BLACK WITH YELLOW FINS. ELEVATION
RANGE: <4500 FT.

COUNTIES: GILA, PINAL, GRAHAM, YAVAPAI, SANTA CRUZ, PIMA, MARICOPA, LA PAZ

HABITAT: SMALL STREAMS, SPRINGS, AND CIENEGAS VEGETATED SHALLOWS

SPECIES HISTORICALLY OCCURRED IN BACKWATERS OF LARGE RIVERS BUT IS CURRENTLY ISOLATED TO SMALL .
STREAMS AND SPRINGS

NAME: RAZORBACK SUCKER XYRAUCHEN TEXANUS

STATUS: ENDANGERED CRITICAL HAB Yes RECOVERY PLAN: Yes CFR: 56 FR 54957 10-23-1991;
59 FR 13374, 03-21-1994

DESCRIPTION: LARGE (UP TO 3 FEET AND UP TO 6 POUNDS) LONG, HIGH SHARP-
EDGED KEEL-LIKE HUMP BEHIND THE HEAD. HEAD FLATTENED ON TOP.
OLIVE-BROWN ABOVE TO YELLOWISH BELOW. ELEVATION
RANGE: <6000 FT.

COUNTIES: GREENLEE, MOHAVE, PINAL, YAVAPAI, YUMA, LA PAZ, MARICOPA (REFUGIA), GILA, COCONINO, GRAHAM

HABITAT: RIVERINE & LACUSTRINE AREAS, GENERALLY NOT IN FAST MOVING WATER AND MAY USE BACKWATERS

SPECIES IS ALSO FOUND IN HORSESHOE RESERVOIR (MARICOPA COUNTY).CRITICAL HABITAT INCLUDES THE 100-YEAR FLOODPLAIN OF THE RIVER THROUGH GRAND CANYON FROM CONFLUENCE WITH PARIA RIVER TO HOOVER DAM; HOOVER DAM TO DAVIS DAM; PARKER DAM TO IMPERIAL DAM. ALSO GILA RIVER FROM AZ/NM BORDER TO COOLIDGE DAM; AND SALT RIVER FROM HWY 60/SR 77 BRIDGE TO ROOSEVELT DAM; VERDE RIVER FROM FS BOUNDARY TO HORSESHOE LAKE.

NAME: BALD EAGLE HALIAEETUS LEUCOCEPHALUS

STATUS: THREATENED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 60 FR 35999, 07-12-95

DESCRIPTION: LARGE, ADULTS HAVE WHITE HEAD AND TAIL. HEIGHT 28 - 38";
WINGSPAN 66 - 96". 1-4 YRS DARK WITH VARYING DEGREES OF
MOTTLED BROWN PLUMAGE. FEET BARE OF FEATHERS. ELEVATION
RANGE: VARIES FT.

COUNTIES: YUMA, LA PAZ, MOHAVE, YAVAPAI, MARICOPA, PINAL, COCONINO, NAVAJO, APACHE, SANTA CRUZ, PIMA, GILA, GRAHAM, COCHISE

HABITAT: LARGE TREES OR CLIFFS NEAR WATER (RESERVOIRS, RIVERS AND STREAMS) WITH ABUNDANT PREY

SOME BIRDS ARE NESTING RESIDENTS WHILE A LARGER NUMBER WINTERS ALONG RIVERS AND RESERVOIRS. AN ESTIMATED 200 TO 300 BIRDS WINTER IN ARIZONA. ONCE ENDANGERED (32 FR 4001, 03-11-1967; 43 FR 6233, 02-14-78) BECAUSE OF REPRODUCTIVE FAILURES FROM PESTICIDE POISONING AND LOSS OF HABITAT, THIS SPECIES WAS DOWN LISTED TO THREATENED ON AUGUST 11, 1995. ILLEGAL SHOOTING, DISTURBANCE, LOSS OF HABITAT CONTINUES TO BE A PROBLEM. SPECIES HAS BEEN PROPOSED FOR DELISTING (64 FR 36454) BUT STILL RECEIVES FULL PROTECTION UNDER ESA.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

NAME: BROWN PELICAN PELECANUS OCCIDENTALIS CALIFORNICUS
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 35 FR 16047, 10-13-70; 35
DESCRIPTION: LARGE DARK GRAY-BROWN WATER BIRD WITH A POUCH UNDERNEATH FR 18320, 12-02-70
LONG BILL AND WEBBED FEET. ADULTS HAVE A WHITE HEAD AND
NECK, BROWNISH BLACK BREAST, AND SILVER GRAY UPPER PARTS. ELEVATION
RANGE: VARIES FT.
COUNTIES: APACHE, COCHISE, COCONINO, GILA, GRAHAM, GREENLEE LA PAZ, MARICOPA, MOHAVE, NAVAJO, PIMA,
PINAL, SANTA CRUZ, YAVAPAI, YUMA
HABITAT: COASTAL LAND AND ISLANDS; ARIZONA LAKES AND RIVERS

SUBSPECIES IS FOUND ON PACIFIC COAST AND IS ENDANGERED DUE TO PESTICIDES. IT IS AN UNCOMMON
TRANSIENT IN ARIZONA ON MANY ARIZONA LAKES AND RIVERS. INDIVIDUALS WANDER UP FROM MEXICO IN
SUMMER AND FALL. NO BREEDING RECORDS IN ARIZONA.

NAME: CACTUS FERRUGINOUS PYGMY-OWL GLAUCIDIUM BRASILIANUM CACTORUM
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 62 FR 10730, 3-10-97
DESCRIPTION: SMALL (APPROX. 7"), DIURNAL OWL REDDISH BROWN OVERALL WITH
CREAM-COLORED BELLY STREAKED WITH REDDISH BROWN. SOME
INDIVIDUALS ARE GRAYISH BROWN ELEVATION
RANGE: <4000 FT.
COUNTIES: MARICOPA, YUMA, SANTA CRUZ, GRAHAM, GREENLEE, PIMA, PINAL, GILA, COCHISE
HABITAT: MATURE COTTONWOOD/WILLOW, MESQUITE BOSQUES, AND SONORAN DESERTSCRUB

RANGE LIMIT IN ARIZONA IS FROM NEW RIVER (NORTH) TO GILA BOX (EAST) TO CABEZA PRIETA MOUNTAINS
(WEST). ONLY A FEW DOCUMENTED SITES WHERE THIS SPECIES PERSISTS ARE KNOWN. ADDITIONAL SURVEYS
ARE NEEDED. CRITICAL HABITAT WAS VACATED BY THE U.S. DISTRICT COURT FOR THE DISTRICT OF ARIZONA
(9/19/01).

NAME: MEXICAN SPOTTED OWL STRIX OCCIDENTALIS LUCIDA
STATUS: THREATENED CRITICAL HAB Yes RECOVERY PLAN: Yes CFR: 56 FR 14678, 04-11-91; 66
DESCRIPTION: MEDIUM SIZED WITH DARK EYES AND NO EAR TUFTS. BROWNISH AND FR 8530, 2/1/01
HEAVILY SPOTTED WITH WHITE OR BEIGE. ELEVATION
RANGE: 4100-9000 FT.
COUNTIES: MOHAVE, COCONINO, NAVAJO, APACHE, YAVAPAI, GRAHAM, GREENLEE, COCHISE, SANTA CRUZ, PIMA,
PINAL, GILA, MARICOPA
HABITAT: NESTS IN CANYONS AND DENSE FORESTS WITH MULTI-LAYERED FOLIAGE STRUCTURE

GENERALLY NESTS IN OLDER FORESTS OF MIXED CONIFER OR PONDEROSA PINE/GAMBEL OAK TYPE, IN
CANYONS, AND USE VARIETY OF HABITATS FOR FORAGING. SITES WITH COOL MICROCLIMATES APPEAR TO BE
OF IMPORTANCE OR ARE PREFERED. CRITICAL HABITAT WAS REMOVED IN 1998 BUT RE-PROPOSED IN JULY 2000
AND FINALIZED IN FEB 2001 FOR APACHE, COCHISE, COCONINO, GRAHAM, MOHAVE, PIMA COUNTIES; ALSO IN
NEW MEXICO, UTAH, AND COLORADO.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

NAME: SOUTHWESTERN WILLOW FLYCATCHER EMPIDONAX TRAILLII EXTIMUS
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 60 FR 10694, 02-27-95
DESCRIPTION: SMALL PASSERINE (ABOUT 6") GRAYISH-GREEN BACK AND WINGS,
WHITISH THROAT, LIGHT OLIVE-GRAY BREAST AND PALE YELLOWISH
BELLY. TWO WINGBARS VISIBLE. EYE-RING FAINT OR ABSENT. ELEVATION
RANGE: <8500 FT.
COUNTIES: YAVAPAI, GILA, MARICOPA, MOHAVE, COCONINO, NAVAJO, APACHE, PINAL, LA PAZ, GREENLEE, GRAHAM,
YUMA, PIMA, COCHISE, SANTA CRUZ
HABITAT: COTTONWOOD/WILLOW & TAMARISK VEGETATION COMMUNITIES ALONG RIVERS & STREAMS

MIGRATORY RIPARIAN OBLIGATE SPECIES THAT OCCUPIES BREEDING HABITAT FROM LATE APRIL TO
SEPTEMBER. DISTRIBUTION WITHIN ITS RANGE IS RESTRICTED TO RIPARIAN CORRIDORS. DIFFICULT TO
DISTINGUISH FROM OTHER MEMBERS OF THE EMPIDONAX COMPLEX BY SIGHT ALONE. TRAINING SEMINAR
REQUIRED FOR THOSE CONDUCTING FLYCATCHER SURVEYS. CRITICAL HABITAT WAS SET ASIDE BY THE 10TH
CIRCUIT COURT OF APPEALS (5/17/01).

NAME: YUMA CLAPPER RAIL RALLUS LONGIROSTRIS YUMANENSIS
STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 32 FR 4001, 03-11-67; 48
DESCRIPTION: WATER BIRD WITH LONG LEGS AND SHORT TAIL. LONG SLENDER FR 34182, 07-27-83
DECURVED BILL. MOTTLED BROWN ON GRAY ON ITS RUMP. FLANKS
AND UNDERSIDES ARE DARK GRAY WITH NARROW VERTICAL STRIPES ELEVATION
PRODUCING A BARRING EFFECT. RANGE: <4500 FT.
COUNTIES: YUMA, LA PAZ, MARICOPA, PINAL, MOHAVE
HABITAT: FRESH WATER AND BRACKISH MARSHES

SPECIES IS ASSOCIATED WITH DENSE EMERGENT RIPARIAN VEGETATION. REQUIRES WET SUBSTRATE
(MUDFLAT, SANDBAR) WITH DENSE HERBACEOUS OR WOODY VEGETATION FOR NESTING AND FORAGING.
CHANNELIZATION AND MARSH DEVELOPMENT ARE PRIMARY SOURCES OF HABITAT LOSS.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

3) CANDIDATE TOTAL= 1

NAME: YELLOW-BILLED CUCKOO COCCYZUS AMERICANUS

STATUS: CANDIDATE CRITICAL HAB No RECOVERY PLAN: No CFR: 66 FR 38611; 07-25-01

DESCRIPTION: MEDIUM-SIZED BIRD WITH A SLENDER, LONG-TAILED PROFILE, SLIGHTLY DOWN-CURVED BILL, WHICH IS BLUE-BLACK WITH YELLOW ON THE LOWER HALF OF THE BILL. PLUMAGE IS GRAYISH-BROWN ABOVE AND WHITE BELOW, WITH RUFOUS PRIMARY FLIGHT FEATHERS. ELEVATION RANGE: <6,500 FT.

COUNTIES: APACHE, COCHISE, COCONINO, GILA, GRAHAM, GREENLEE, LA PAZ, MARICOPA, MOHAVE, NAVAJO, PIMA, PINAL, SANTA CRUZ, YAVAPAI, YUMA

HABITAT: LARGE BLOCKS OF RIPARIAN WOODLANDS (COTTONWOOD, WILLOW, OR TAMARISK GALLERIES)

SPECIES WAS FOUND WARRANTED, BUT PRECLUDED FOR LISTING AS A DISTINCT VERTEBRATE POPULATION SEGMENT IN THE WESTERN U.S. ON JULY 25, 2001. THIS FINDING INDICATES THAT THE SERVICE HAS SUFFICIENT INFORMATION TO LIST THE BIRD, BUT OTHER, HIGHER PRIORITY LISTING ACTIONS PREVENT THE SERVICE FROM ADDRESSING THE LISTING OF THE CUCKOO AT THIS TIME.

Arizona Game and Fish Department Operating Manual
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Chapter 2: Habitat and the Environment



12.1 Races, Rallies, Enduros Effective: 01-01-91

Department Policy: The Game and Fish Department will closely scrutinize and assist in regulation and control, where possible, of those activities involving all-terrain motor powered vehicles that may affect wildlife or create conflicts among competing users of the land resource.

Procedures: While recognizing a segment of the population accrues enjoyment from involvement in road/trail races, rallies, enduros, and similar events, organized or otherwise, the Department's primary concern is protection of wildlife resources and habitat.

Department employees are requested to be alert to such activities and inform management.

Where these activities involve public lands, the Department requests that the agency or group involved limit such activities primarily to washes and established roads and that the use of trails be minimal and confined to trails where no habitat damage will result. Further, the Department requests that it be notified of the planned activities and offered an opportunity to review the route, comment and advise on any effects that the activity may have on wildlife and its habitat with reference to the Wildlife and Wildlife Habitat Compensation Policy and Procedure, and recommend alternate routes if considered necessary.

12.2 National Environmental Act Compliance Effective: 01-01-91

Department Policy: The Arizona Game and Fish Department will comply with the National Environmental Policy Act of 1969. This requires that every proposed Federal Aid (Pittman-Robertson and Dingell-Johnson) project be examined objectively to determine the effects it will have on the environment in accordance with NEPA in Federal Aid NEPA Guidelines. Further, the Department will comply with the objectives of NEPA on any other project or program that may have an effect on the environment. (Contact the Habitat Branch for procedures and guidelines for NEPA compliance.)

12.3 Wildlife and Wildlife Habitat Compensation Effective: 06-04-94

Department Policy: It shall be the policy of the Department to develop adequate compensation plans for actual or potential habitat losses resulting from land and water projects in accordance with State and Federal laws. Habitat compensation plans will seek compensation at a 100% level, where feasible, and will be developed using

habitat resource category designations. See Commission Policy A2.16.

Authority: The Director of the Arizona Game and Fish Department is authorized under A.R.S. Title 17-211, Subsection D, to perform the necessary administrative tasks required to manage the wildlife resources of the State of Arizona. Pursuant to those duties and in accordance with federal environmental laws and resource management acts, such as the National Environmental Policy Act, Fish and Wildlife Coordination Act, and Endangered Species Act, the Director is further charged with cooperating in the determination of potential impacts to Arizona's wildlife resources resulting from federally funded land and water projects. In addition, a Commission M.O.U. assigns similar responsibilities for evaluating proposed projects on lands administered by the State Land Department. An integral part of this process is the development of adequate compensation measures aimed at eliminating or reducing project-associated impacts.

- Procedure:** Criteria used to identify general compensation goals are as follows:
- A. Resource Category I.**
- 1. **Designation Criteria.** Habitat in this category are of the highest value to Arizona wildlife species, and are unique and/or irreplaceable on a statewide or ecoregion basis.
 - 2. **Compensation Goal.** No loss of existing in-kind habitat value.
 - 3. **Guideline.** The Department will recommend that all potential losses of existing habitat values be prevented. Insignificant changes that would not result in adverse impacts to habitat values may be acceptable provided they will have no significant cumulative impact.
 - 4. **Habitat Types.** Habitat types associated with Resource Category I shall include, but not limited to the following examples:
 - a. Perennial Stream Habitats.
 - b. Westlands and Riparian habitats of at least one acre in size which are associated with perennial waters. Biotic communities included in this classification follow descriptions provided in Brown (1982) and Henderson and Minckley (1984).
 - c. Key utilization areas for species listed or proposed for listing under the Endangered Species Act of 1973 as Threatened or Endangered and Endangered State Threatened Native Wildlife species.
- B. Resource Category II.**
- 1. **Designation Criteria.** Habitats in this category are of high value for Arizona wildlife species and are



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relatively scarce or becoming scarce on a statewide or ecoregion basis.

2. **Compensation Goal.** No net loss of existing habitat value, while minimizing loss of in-kind value.
3. **Guideline.** The Department will recommend that all potential losses of Resource Category II habitat values be avoided or minimized. If significant losses are likely to occur, the Department will recommend alternatives to immediately rectify, reduce, or eliminate these losses over time.
4. **Habitat Types.** Habitat types associated with Resource Category II shall include, but not limited to, the following examples:
 - a. Key utilization areas for antelope and bighorn sheep.
 - b. Key utilization areas for Threatened and Candidate State Threatened Native Wildlife species, candidate species for federal listing as Threatened or Endangered (Categories 1 and 2).
 - c. Actual or potential reintroduction sites for species that are listed as Extirpated or Endangered on the State Threatened Native Wildlife list.
 - d. Blue ribbon fishing areas (i.e., Lee's Ferry and Becker Lake).
 - e. Isolated mountain ranges providing Subalpine-coniferous forest habitats (i.e., Pinaleno Mountains).
 - f. State and federally operated game preserves, refuges or wildlife areas.
 - g. Montane meadows.

C. Resource Category III.

1. **Designation Criteria.** Habitats in this category are of high to medium value for Arizona wildlife species, and are relatively abundant on a statewide basis.
2. **Mitigation Goal.** No net loss of habitat value.
3. **Guidelines.** The Department will recommend ways to minimize or avoid habitat losses. Anticipated losses will be compensated by replacement of habitat values in-kind, or by substitution of high value habitat types, or by increased management of replacement habitats, so that no net loss occurs.
4. **Habitat Types Involved.** Habitats in this category are of a natural, undisturbed condition or they involve bodies of water of economic importance and shall include, but not be limited to, the following examples:
 - a. Chihuahuan, Great Basin, Mohave, and Sonoran Desert habitat types.
 - b. Desert-grasslands and Chaparral zones.
 - c. Oak and coniferous woodlands and coniferous forests.
 - d. Reservoir habitats.

D. Resource Category IV.

1. **Designation Criteria.** Habitats in this category are of medium to low value for Arizona wildlife species, due to proximity to urban developments or low productivity associated with these lands.
2. **Mitigation Goal.** Minimize loss of habitat value.
3. **Guideline.** The Department will recommend ways to avoid or minimize habitat losses. Should losses be unavoidable, the Department may make a recommendation for compensation, based on the significance of the loss.
4. **Habitat Types Involved.** Habitat types associated with Resource Category IV shall include, but not be limited to, the following examples:
 - a. Agricultural Lands.
 - b. Undeveloped urban areas (i.e., land proximal to waste water treatment facilities, municipal mountain preserves, and undeveloped lands in proximity to municipal and industrial areas).
 - c. Habitats exhibiting low wildlife productivity as a result of man's influence.

12.4 Land Protection Evaluation Process

Effective: 11-01-93

Stage List:

- A. Proposal Submittal.** Conservation Supervisor (Habitat Branch) receives all lands protection proposals on an open and continuous basis, whether they are generated internally or externally.

Responsibilities: Date stamp proposals on receipt; retain original proposals in files; send letters to proponents acknowledging receipt; and distribute proposals and relevant information from the lands files (e.g. previous protection proposals for the same general area) to the Proposal Screening Committee.

Time: 5 days from receipt for acknowledgement to proponent.

- B. Proposal Screening Committee.** Conservation Supervisor, chair; Development Branch Chief, Nongame Branch Chief, and Field Operations Coordinator.

Responsibilities: Screen proposals on a monthly basis to determine adequacy and appropriateness; return inadequate proposals to proponents for remedy; Conservation Supervisor prepares State 3 briefing and routes adequate proposal(s) to Assistant Director, Wildlife Management Division (WMD).

Time: Director's Office briefing presentation occurs the Tuesday immediately following the monthly meeting; return to proponent (RTP) or forwarding to Assistant Director, WMD, to occur within 5 days of monthly meeting.

- C. Director's Office Briefing Presentation.** Conservation Supervisor presents summary of which proposals were returned to proponents (and why they were returned) and which were routed for biological review.

United States Department of Agriculture



Natural Resources Conservation Service
 3003 N. Central Ave., Suite 800
 Phoenix, Arizona 85012-2946

Scott C. Mars
 HDR Engineering
 2141 East Highland Avenue
 Suite 250
 Phoenix, Arizona 85016-4736

June 14, 2002

Dear Mr. Mars:

This response is in regard to your letter dated May 30, 2002, concerning the proposed alignments of the South Mountain Freeway Corridor Project.

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and to review projects that may affect prime farmland and/or wetlands associated with agriculture. After reviewing the information provided, the following is noted:

1. The proposed project, if implemented as planned, will impact prime or unique farmland. Enclosed is for AD-1006, Farmland Conversion Impact rating form.
2. We do not see any immediate concerns or impacts that would directly affect wetland areas associated with agriculture.

Projects such as this require a corridor-type assessment. Without the final alignment, we cannot accurately assess the impacts to prime and unique farmland from your project. Please submit an AD-1006 and map for review when the final alignment for this project is selected.

Should you have questions, please feel free to contact Jeff Schmidt, Community Assistance Coordinator at 602.280.8818. Thank you for the chance to review the proposed project.

Sincerely,

MICHAEL SOMERVILLE
 State Conservationist

Cc:

Jim Briggs, Assistant State Conservationist, NRCS, Phoenix, Arizona
 Kristen Graham-Chaves, District Conservationist, NRCS, Phoenix, Arizona
 Jeff Schmidt, Community Assistance Coordinator, NRCS, Phoenix, Arizona

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

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United States Department of Agriculture



Natural Resources Conservation Service
230 N. First Avenue, Suite 509
Phoenix, AZ 85003-1706

APR 19 2006

Scott Mars
HDR
3200 East Camelback, Suite #350
Phoenix, Arizona 85018

Dear Mr. Mars:

In response to your request for interpretation of the Farmland Protection Policy Act (FPPA) in regards to land that has "been committed to urban development," the following is provided:

As you are aware, land committed to urban development is not subject to the FPPA. The Act is implemented by regulations that can be found in Title 7 of the Code of Federal Regulations, Part 658.

In 7CFR658.2, the definition for "farmland" subject to the Act is as such:

"Farmland means prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary to be farmland of statewide or local importance. "Farmland" does not include land already in or committed to urban development or water storage. Farmland "already in" urban development or water storage includes all such land with a density of 30 structures per 40-acre area. Farmland already in urban development also includes lands identified as "urbanized area" (UA) on the Census Bureau Map, or as urban area mapped with a "tint overprint" on the USGS topographical maps, or as "urban-built-up" on the USDA Important Farmland Maps. Areas shown as white on the USDA Important Farmland Maps are not "farmland" and, therefore, are not subject to the Act. Farmland "committed to urban development or water storage" includes all such land that receives a combined score of 160 points or less from the land evaluation and site assessment criteria."

The only way to exempt lands from the Act are explained therein. A Comprehensive Land Use Plan that designates land to urban development, in itself, does not exempt such lands from the Act.

Your reference to 7CFR658.2(d), where comprehensive land use plans are mentioned, is still under the "definitions" section and is merely describing the phrase "State or local government policies or programs to protect farmland." This phrase is used in the actual site assessment process where subject projects are evaluated on form AD-1006. If a farmland protection program is part of a comprehensive land use plan, then those lands are given more points in the assessment process.

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The only other lands that might be exempt from the Act are described in 7CFR658.2(c)(2). This section describes federal programs that were "beyond the planning stage" on August 4, 1984.

We hope this written interpretation meets your needs. We are looking into ways to streamline Prime and Unique Farmland requests on very large corridor projects, such as your major road projects.

If you have any other questions and/or needs regarding the FPPA, please contact Steve Smarik, Environmental Specialist, at 602-280-8785.

Thank you for your interest in the proper administration of the Farmland Protection Policy Act.

ERIC BANKS
Assistant State Conservationist (FA Programs)



Natural Resources Conservation Service
U.S. Courthouse – Federal Building
230 N. First Avenue, Suite 509
Phoenix, Arizona 85003-1733
(602) 280-8801

APR 21 2009

Scott Mars, PE, REM
HDR Engineering, Inc.
3200 East Camelback Rd., Suite 350
Phoenix, Arizona 85018

Re: South Mountain Transportation Corridor (SR202)

Dear Mr. Mars:

This response is in regard to your request for Prime/Unique Farmland determination that was hand delivered to our office on January 16, 2009. The NRCS was requested to evaluate nine alternative corridors for SR202.

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and to review projects that may affect prime, unique, or statewide important farmland and/or wetlands associated with agriculture. You submitted the required form NRCS-CPA-106 with parts I, III, and VI completed for all nine alternative corridors, W55, W71, W101WFR, W101CPR, W101EPR, W101WPR, W101CFR, W101EFR, and E1. NRCS has completed sections II, IV, and V. After reviewing the information provided, the following has been determined:

- 1- The weighted relative values of the soils were entered in Part V of the form. This value was determined by weighting the productivity of the soils (based on alfalfa) to the numbers of acres of each soil in the corridor. Prime Farmland soils will be affected in all nine alternative corridors. However, the Land Evaluation and Site Assessment score is 160 points or less for alternatives W55, W71, W101WPR, W101CPR, W101CFR, and E1. This renders these corridors as "lands already committed to urban development." As such, they are not considered "farmland" as defined by the Farmland Protection Policy Act. No further analysis or reporting is necessary for actions in these corridors.
- 2- The Land Evaluation and Site Assessment scores for the remaining corridors are:
W101WFR - 161 points
W101EPR - 162 points
W101EFR - 162 points
- 3- We do not see any immediate concerns or impacts that would directly affect wetland areas associated with agriculture.

Helping People Help the Land
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HDR
RECEIVED

APR 22 2009

PROJ: _____
FILE: _____
DIST: _____

Since you have already analyzed alternative corridors, your only remaining requirement is to report what alternative is selected. This is documented on the bottom of the NRCS-CPA-106 forms that are being returned to you as an attachment to this letter.

Should you have questions, please feel free contact Stephen Smarik, Environmental Specialist at 602-280-8785. Thank you again for the opportunity to review the proposed project.

Sincerely,

DAVID L. MCKAY
State Conservationist

Enclosures

cc:
Corey Nelson, District Conservationist, NRCS, Avondale, Arizona
Stephen Smarik, Environmental Specialist, NRCS, Phoenix, Arizona

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)

1. Name of Project
South Mountain Transportation Corridor

2. Type of Project
EIS

3. Date of Land Evaluation Request
1/11/10

4. Sheet 1 of 3

5. Federal Agency Involved
Federal Highway Administration

6. County and State
Maricopa County, Arizona

PART II (To be completed by NRCS)

1. Date Request Received by NRCS
1/11/10

2. Person Completing Form
Steve Smarik

3. Does the corridor contain prime, unique statewide or local important farmland?
(If no, the FPPA does not apply - Do not complete additional parts of this form).

YES ☒ NO ☐

4. Acres Irrigated
267,295

Average Farm Size
302

5. Major Crop(s)
Alfalfa, Cotton, Grains, Vegetables

6. Farmable Land in Government Jurisdiction
Acres: 267,295 % 4.5%

7. Amount of Farmland As Defined in FPPA
Acres: 190,182 % 4.5%

8. Name Of Land Evaluation System Used
NA

9. Name of Local Site Assessment System
NA

10. Date Land Evaluation Returned by NRCS
2/3/10

PART III (To be completed by Federal Agency)

Alternative Corridor For Segment - Western Section

A. Total Acres To Be Converted Directly

504

578

789

763

B. Total Acres To Be Converted Indirectly, Or To Receive Services

C. Total Acres In Corridor

504

578

789

763

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland

504

578

789

763

B. Total Acres Statewide And Local Important Farmland

C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted

27%

30%

44%

40%

D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value

25

25

25

35

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)

86

86

87

82

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))

Maximum Points

1. Area in Nonurban Use

15

10

10

10

10

2. Perimeter in Nonurban Use

10

7

7

7

7

3. Percent Of Corridor Being Farmed

20

12

12

12

12

4. Protection Provided By State And Local Government

20

0

0

0

0

5. Size of Present Farm Unit Compared To Average

10

5

5

5

5

6. Creation Of Nonfarmable Farmland

25

10

10

10

10

7. Availability Of Farm Support Services

5

3

3

3

3

8. On-Farm Investments

20

15

15

15

15

9. Effects Of Conversion On Farm Support Services

25

8

8

8

8

10. Compatibility With Existing Agricultural Use

10

4

4

4

4

TOTAL CORRIDOR ASSESSMENT POINTS

160

74

74

74

74

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)

100

86

86

87

82

Total Corridor Assessment (From Part VI above or a local site assessment)

160

74

74

74

74

TOTAL POINTS (Total of above 2 lines)

260

160

160

161

156

1. Corridor Selected:

2. Total Acres of Farmlands to be Converted by Project:

3. Date Of Selection:

4. Was A Local Site Assessment Used?
YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)

1. Name of Project
South Mountain Transportation Corridor

2. Type of Project
EIS

3. Date of Land Evaluation Request
1/11/10

4. Sheet 2 of 3

5. Federal Agency Involved
Federal Highway Administration

6. County and State
Maricopa County, Arizona

PART II (To be completed by NRCS)

1. Date Request Received by NRCS
1/11/10

2. Person Completing Form
Steve Smarik

3. Does the corridor contain prime, unique statewide or local important farmland?
(If no, the FPPA does not apply - Do not complete additional parts of this form).

YES ☒ NO ☐

4. Acres Irrigated
267,295

Average Farm Size
302

5. Major Crop(s)
Alfalfa, Cotton, Grains, Vegetables

6. Farmable Land in Government Jurisdiction
Acres: 267,295 % 4.5%

7. Amount of Farmland As Defined in FPPA
Acres: 190,892 % 3.2

8. Name Of Land Evaluation System Used
NA

9. Name of Local Site Assessment System
NA

10. Date Land Evaluation Returned by NRCS
2/3/10

PART III (To be completed by Federal Agency)

Alternative Corridor For Segment - Western Section

A. Total Acres To Be Converted Directly

807

813

787

B. Total Acres To Be Converted Indirectly, Or To Receive Services

C. Total Acres In Corridor

807

813

787

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland

807

813

787

B. Total Acres Statewide And Local Important Farmland

C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted

42%

42%

41%

D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value

22

25

32

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)

88

86

84

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))

Maximum Points

1. Area in Nonurban Use

15

10

10

10

2. Perimeter in Nonurban Use

10

7

7

7

3. Percent Of Corridor Being Farmed

20

12

12

12

4. Protection Provided By State And Local Government

20

0

0

0

5. Size of Present Farm Unit Compared To Average

10

5

5

5

6. Creation Of Nonfarmable Farmland

25

10

10

10

7. Availability Of Farm Support Services

5

3

3

3

8. On-Farm Investments

20

15

15

15

9. Effects Of Conversion On Farm Support Services

25

8

8

8

10. Compatibility With Existing Agricultural Use

10

4

4

4

TOTAL CORRIDOR ASSESSMENT POINTS

160

74

74

74

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)

100

88

86

84

Total Corridor Assessment (From Part VI above or a local site assessment)

160

74

74

74

TOTAL POINTS (Total of above 2 lines)

260

162

160

158

1. Corridor Selected:

2. Total Acres of Farmlands to be Converted by Project:

3. Date Of Selection:

4. Was A Local Site Assessment Used?
YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request: 1/11/10		4. Sheet 3 of 3	
1. Name of Project: South Mountain Transportation Corridor		5. Federal Agency Involved: Federal Highway Administration			
2. Type of Project: EIS		6. County and State: Maricopa County, Arizona			
PART II (To be completed by NRCS)		1. Date Request Received by NRCS: 1/11/10		2. Person Completing Form: Steve Smarik	
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form).		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated: 267,295 Average Farm Size: 302	
5. Major Crop(s): Alfalfa, Cotton, Grains, Vegetables		6. Farmable Land in Government Jurisdiction Acres: 267,295 % 4.5		7. Amount of Farmland As Defined in FPPA Acres: 190,782 % 4.5	
8. Name of Land Evaluation System Used: NA		9. Name of Local Site Assessment System: NA		10. Date Land Evaluation Returned by NRCS: 2/3/10	
PART III (To be completed by Federal Agency)		Alternative Corridor For Western & Eastern Sections			
		W101EFR		E1	
A. Total Acres To Be Converted Directly		783		150	
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres in Corridor		783		150	
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		783		150	
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		41%		27%	
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		22		22	
PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)		88		89	
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))		Maximum Points			
1. Area in Nonurban Use		15		10	
2. Perimeter in Nonurban Use		10		7	
3. Percent Of Corridor Being Farmed		20		12	
4. Protection Provided By State And Local Government		20		0	
5. Size of Present Farm Unit Compared To Average		10		5	
6. Creation Of Nonfarmable Farmland		25		10	
7. Availability Of Farm Support Services		5		3	
8. On-Farm Investments		20		15	
9. Effects Of Conversion On Farm Support Services		25		8	
10. Compatibility With Existing Agricultural Use		10		4	
TOTAL CORRIDOR ASSESSMENT POINTS		160		74	
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100		88	
Total Corridor Assessment (From Part VI above or a local site assessment)		160		74	
TOTAL POINTS (Total of above 2 lines)		260		162	
1. Corridor Selected:		2. Total Acres of Farmlands to be Converted by Project:		3. Date Of Selection:	
				4. Was A Local Site Assessment Used?	
				YES <input type="checkbox"/> NO <input type="checkbox"/>	
5. Reason For Selection:					

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

NRCS-CPA-106 (Reverse)

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

- (1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points
- (2) How much of the perimeter of the site borders on land in nonurban use?
More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points
- (3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points
- (4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
Site is protected - 20 points
Site is not protected - 0 points
- (5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County?
(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points
- (6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points
- (7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points
- (8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points
- (9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points
- (10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points



JANICE K. BREWER
GOVERNOR

STATE OF ARIZONA

EXECUTIVE OFFICE

December 11, 2009

Governor William R. Rhodes
Gila River Indian Community
Governance Center
P.O. Box 2138
Sacaton, AZ 85147

Dear Governor Rhodes:

On behalf of the people of Arizona, I want to express my enthusiastic support for the discussions that have occurred this week regarding potential partnership between the State and the Gila River Indian Community on the issue of development of the South Mountain Freeway.

I pledge the full engagement of the Arizona Department of Transportation in working with you to consider the opportunities that may exist with the economic development potential of this much-needed transportation corridor.

While there is much work still to be done regarding final alignment of the route, I am pleased to know that your team is part of the conversation and that there is a path forward for ongoing talks about how the Community might consider getting involved.

Please do not hesitate to call on me or my team if there is anything we can do to help further your consideration of this very critical regional project.

Sincerely,

Janice K. Brewer
Governor

1700 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007
602-542-4331 • FAX 602-542-7602



BRUCE BABBITT
Governor
CHARLES L. MILLER
Director

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

May 30, 1986

W.O. FORD
State Engineer

Cecil Antone
Gila River Indian Community
P. O. Box 398
Sacaton, Arizona 85247

Dear Cecil:

I would like to thank you and other Gila River Indian Community (GRIC) staff for providing Arizona Department of Transportation (ADOT) with GRIC Staff Access Desires to the Southeast and Southwest Loop and informing ADOT of GRIC access concerns.

The following is my understanding of GRIC access desires from our May 13, 1986 meeting:

INTERCHANGES AT
51st Avenue, 19th Avenue, 7th Avenue, 32nd Street, 40th Street, Kyrene, and McClintock Drive.

GRADE SEPARATIONS AT
48th Street and 56th Street

It is also my understanding that GRIC feels access via Interchanges at Kyrene and McClintock Drive as well as the Grade Separation at 56th Street is essential for their proposed development of the Memorial Air Park area.

GRIC staff also feels that it could help facilitate the purchase of land (allotment and tribal) that would be necessary for the McClintock interchange.

Please let me know if any of the above is incorrect.

Sincerely,

John L. Louis
Corridor Location Engineer
Urban Highway Section

JLL/1a



ARIZONA DEPARTMENT OF TRANSPORTATION

OFFICE MEMO

February 5, 1987

TO: ROBERT P. MICKELSON
Deputy State Engineer

FROM: JOHN LOUIS *JLR*
Corridor Location Engineer
Urban Highway Section

RE: Southeast Loop & Southwest Loop
GRIC concerns

The letter from the GRIC dated December 2, 1986 identifies the following as issues of concern:

1. Location and type of local access points.
2. Access to Pima - Chandler Industrial Park.
3. Access to Price Road south of Pecos Road.
4. Access to GRIC where freeway is offset from the reservation boundary.

These issues have been addressed in various coordination meetings involving the GRIC. The following is a summary of our response to these issues:

Location and Type of Access Points

The following access points have been agreed upon by both the GRIC and the City of Phoenix. These were again confirmed in a December 9 meeting with GRIC representatives.

TI at 51st Avenue
TI in vicinity of 35th Avenue
TI at 19th Avenue
TI at 7th Avenue
TI at 7th Street
TI at 24th Street
TI at 40th Street
Grade Separation at 48th Street

Robert P. Mickelson
GRIC concerns
February 5, 1987
Page -2-

The following access points have been discussed in meetings with the GRIC and City of Chandler:

Grade Separation at 56th Street
TI at Kyrene Road
TI or Grade Separation at McClintock Road

There has been a general concurrence, but no firm commitment, on these access points. The consultant has pointed out that a TI at McClintock Road may require R/W from GRIC and may not work at all due to the proximity to the Price / Southeast Loop TI.

Access to Pima - Chandler Industrial Park

All concepts being considered for the I-10 TI maintain existing access to Maricopa Road and Chandler Blvd. A new additional TI is anticipated at Kyrene Road. We believe that access to the Pima - Chandler Industrial Park will be enhanced.

Access to Price Road South of Pecos Road

Directional TI concepts are being developed which allow for a direct through movement of the Price facility to the south. Projected development in this area, some of which should be reflected in the new MAG forecasts, suggests that such a connection may be desirable. It also seems logical from a continuity standpoint and would be beneficial if, at some future date, Price Expressway needed to be extended south.

Access to GRIC where Freeway is offset from Reservation Boundary

In meetings with the GRIC, we have pointed out that MAG funds can not be expended on arterial streets. Chandler has indicated in these meetings that they intend to construct the arterials to the reservation boundary.

This is the first positive piece of correspondence received from Governor Antone; it might be appropriate to recommend a meeting with him to show our interest. To this point their staff has not indicated any desire or ability to help solve any access or drainage problem by obtaining R/W & granting it to us.

JLL:ca



ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

September 28, 1989

THOMAS A. BRYANT, II
State Engineer

Governor Thomas R. White
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

Dear Governor White:

This letter is to update you on the status of the utilization of storm water runoff as an irrigation and recreation water resource in relation to the Gila Drain.

Salt River Project has been requested to provide any information they have regarding the quality and quantity of water flowing in the Gila Drain. SRP has agreed to provide what information is available but, to date, our consultant has not received this information and SRP has been unable to provide a date as to when they will have this information.

I have instructed the Urban Highway staff to keep Ms. Dorothy Hallock of your planning staff informed on the progress of this study.

Sincerely,

GARY K. ROBINSON
Chief Deputy State Engineer
Highway Division

GKR:GEW:vlb

bcc: Jim Patterson
George Wallace



ARIZONA DEPARTMENT OF TRANSPORTATION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

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Harold "Hank" Gietz
Verne D. Seidel
James A. Soto

October 5, 1989

Charles Miller, Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, Az. 85007

Dear Charlie:

Thought you would be interested in the Conceptual Master Plan of the Gila River Indian Reservation area, south of the South Mountain San Tan Freeways. Specifically this indicates what they have in mind for their floodway greenbelts, golf course, reservoirs, etc., in that particular area, and it could possibly be a great use for additional waters in the Gila Drain.

Again, I think this is a project for this water that Chandler, ADOT and others with a common interest should be working very closely with the Tribe.

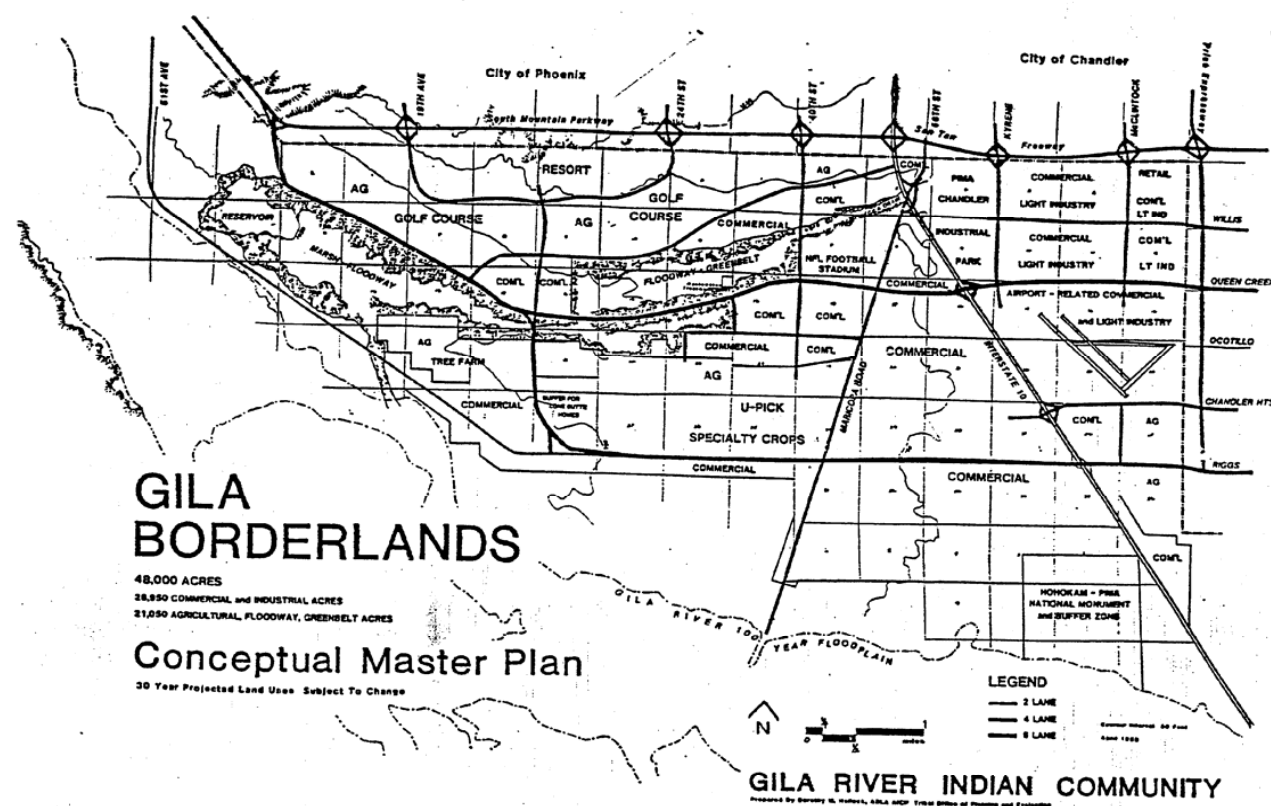
Sincerely,

Jim Patterson

JP/jlm

cc: Gary Robinson





ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

October 30, 1989

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

Mr. James H. Matteson, P.E.
Street Transportation Director
City of Phoenix
125 E. Washington St.
Phoenix, AZ 85004

THOMAS A. BRYANT, II
State Engineer

Subject: South Mountain Freeway/7th Avenue Interchange

Dear Mr. Matteson:

This letter is in response to your October 13, 1989 letter to Mr. Charles Miller regarding the removal of the 7th Avenue Interchange at South Mountain Freeway from the Department plans.

Since the referenced T.I. was included in the Design Concept plans at the request of the City, the Department has no objection to its elimination. In order to accomplish this, however, two conditions must be met:

- Dedication of right-of-way for 7th Avenue and the well site near 24th Street will be required. These areas were excluded from the area purchased from the Foothills in 1988. These are highlighted on the attached drawing.
- A letter to the Department from the Gila River Indian Community stating their concurrence with the UDC proposal. Although they have indicated their position to UDC, numerous statements regarding restriction of access to G.R.I.C. lands made during the location study makes it necessary that they formalize their position in writing to the Department.

Upon receipt of these two items and review by our Urban Highway Section, the Department can concur with your request to eliminate the interchange from the plans.

Please contact George Wallace of the Urban Highway Section if you have any questions regarding this matter.

Sincerely,

R. Gutierrez
ROSENDO GUTIERREZ
Urban Highway Engineer

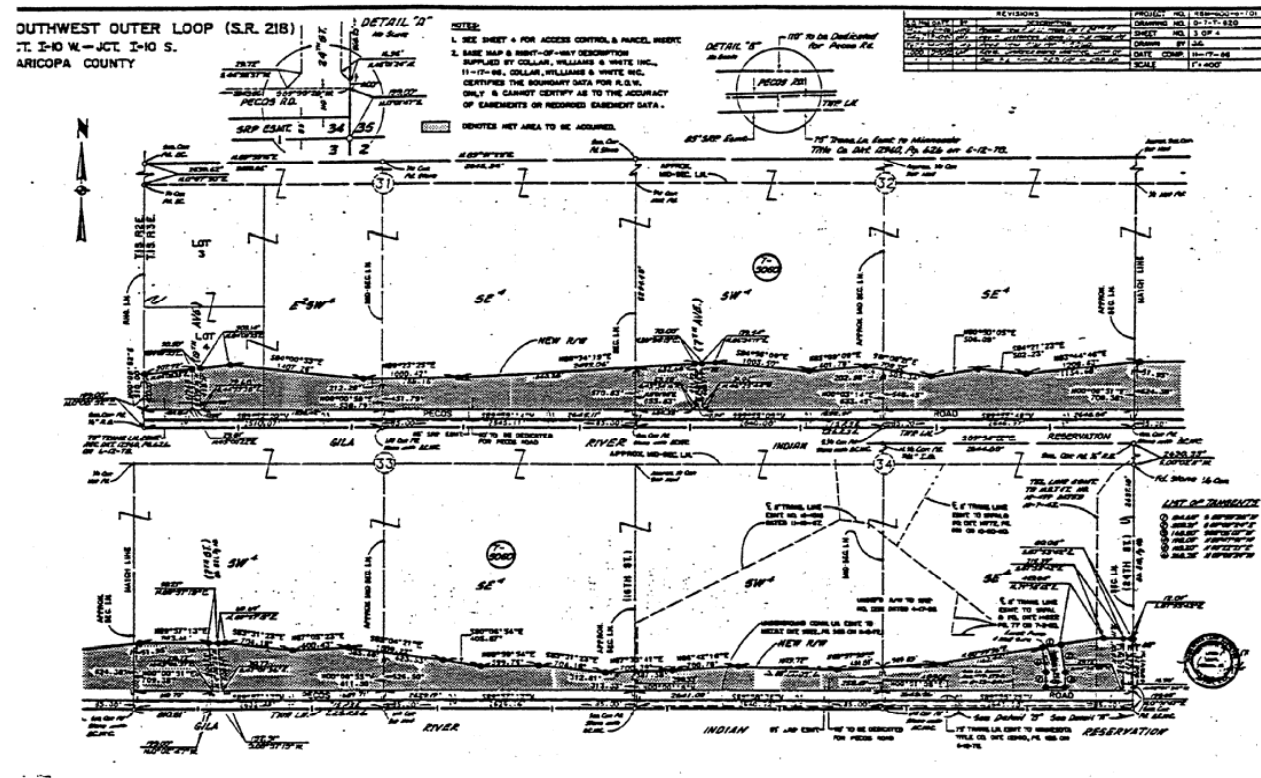
RG:GEW:nb

Attachment

cc: Charles Miller
Thomas Bryant, II



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ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

February 16, 1990

THOMAS A. BRYANT, II
State Engineer

Governor Thomas R. White
Gila River Indian Community
P. O. Box 97
Sacaton, AZ 85247

Dear Governor White:

As we discussed at our meeting January 11, 1990 I am enclosing a copy of the Final Gila Drain Alternative Study for your use.

Please feel free to call me if you have any questions.

Sincerely,

R. Gutierrez
ROSENDO GUTIERREZ
Urban Highway Engineer
Urban Highway Section

RG : GEW : mc

Enclosure





ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

March 21, 1990

THOMAS A. BRYANT, II
State Engineer

Mr. Cecil Antone
Program Administrator
Gila Indian River Community
P. O. Box 398
Sacaton, Arizona 85247

RE: Price/Santan Freeways
TRACS No. H2222 01D

Dear Mr. Antone:

The Arizona Department of Transportation respectfully requests to be placed on the agenda for the April 4, 1990 meeting of the Tribal Council.

The agenda item will be a presentation of the General Plan for the Santan Freeway between the vicinity of 56th Street and Dobson Road, and Price Expressway from Pecos Road to Ray Road.

The Department's consultant, HDR Engineering, Inc., has refined the highway design that was developed in the August 1988 design concept report. There is no significant change from the design concept report, however, the design has been improved.

Access to the Santan Freeway from the Gila River Indian Community continues to be provided at Kyrene Road, McClintock Drive and Country Club Way.

ADOT will also have representatives from HDR at the meeting to respond to any questions. Please call me at 255-7545 to advise of the time we should be present for the meeting.

Also, per your request at our staff presentation on Tuesday, March 20, 1990 I am enclosing one copy of Volume I - Main Report of the Hydrology Study performed by HDR Engineering, Inc., and one blue line copy each of sheets 4 of 5 and 5 of 5 of the study depicting approximate detention basin locations, sizes, depths, etc., along Price Expressway and the Santan Freeway between Price Road and approximately 56th Street.

Thank you for your consideration.

Sincerely,

GEORGE E. WALLACE, P. E.
Corridor Engineer
Urban Highway Section

GEW:vab

Enclosures

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ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
XXXXXXXXXXXXXXX
CHARLES L. MILLER
Director
James S. Creedon
Acting Director

October 19, 1990

THOMAS A. BRYANT, II
State Engineer

Mr. Lucius Kyyitan, Chairman
Natural Resources Committee
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

SUBJECT: Gila Borderlands Concept
Greenbelt Channel Proposal

Dear Mr. Kyyitan:

The Arizona Department of Transportation (ADOT) respectfully requests to be placed on the agenda for the October 30, 1990 meeting of the Natural Resources Committee.

The agenda item will be a proposal to implement a portion of the planned "greenbelt" channel shown in the Gila Borderlands Conceptual Master Plan by utilizing the channel as a borrow source for construction of the South Mountain Freeway. This proposal would be under essentially the same terms as the agreement the Community currently has with Pinal County for the Maricopa Road project. As a part of this proposal, ADOT will also request permission to discharge stormwater collected along the future Price Expressway and Santan Freeway into the improved "greenbelt" channel.

The Department's consultant, HDR Engineering, Inc. has investigated the use of the Gila Floodway (the location of the "greenbelt" channel) as a potential stormwater outfall for the Price and Santan Freeways. The Gila Floodway is the historical path this water takes to the Gila River. We propose to use the excavated floodway to maintain the historical outfall of this runoff and convey this water to the proposed marshland and reservoir shown in the Gila Borderlands plan.



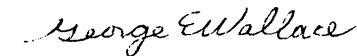
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Mr. Lucius Kyyitan
October 19, 1990
Page 2

Our consultants will make a brief presentation to your committee and answer any questions you may have. Please call me at 255-7545 to advise of the time we should be present for the meeting.

Thank you for your consideration.

Sincerely,



GEORGE E. WALLACE, P.E.
Corridor Engineer
Urban Highways Section

GEW:mj

cc: Cecil Antone, GRIC Land Planning

0745p



ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION
206 South Seventeenth Avenue - Phoenix, Arizona 85007-3213



FIFE SYMINGTON
Governor

GARY K. ROBINSON
State Engineer

CHARLES E. COWAN
Director

January 20, 1992

Mr. Cecil Antone
Gila River Indian Community
P.O. Box 398
Sacaton, Arizona 85247

Dear Mr. Antone:

Enclosed find one fully executed copy of ADOT Joint Project Agreement 91-99 regarding the Arizona State University Study of the Gila Floodway, for your information

The GRIC will be kept informed of the status of the Development of this project. Please feel free to contact me or Steve Martin at 255-7545 if you need any additional information.

Sincerely,



GEORGE E. WALLACE
Corridor Engineer
Urban Highway Section

GEW:km 0059p

Attachment

cc: Lynn Acree, ADOT-ECS



SAMPLE

Project Information: 602-712-7006

Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

October 3, 2001

Amy Edwards
Transportation Engineer
HDR
2141 E Highland Ave #250
Phoenix, AZ 85016

**RE: FEDERAL HIGHWAY ADMINISTRATION
& ARIZONA DEPARTMENT OF TRANSPORTATION**

**AGENCY SCOPING – FIELD REVIEW AND WORKSHOP
South Mountain Corridor Location/Design Concept Report
& Environmental Impact Statement**

**OCTOBER 30-31, 2001
Biltmore Medical Mall, Room 204, 2222 East Highland, Phoenix**

Dear Amy Edwards:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) invite you to attend an Agency Scoping - Field Review and Workshop for the South Mountain Corridor study, which will be conducted over the next three years.

A South Mountain Freeway was included in the Regional Freeway System plan that was approved by Maricopa County voters in 1985. A conceptual design and state-level Environmental Assessment (EA) were completed in 1988. As presented in the EA, the freeway would connect Interstate 10 south of Phoenix with Interstate 10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to Interstate 10 between 55th and 63rd avenues.

ADOT and FHWA are beginning a conceptual design and Environmental Impact Statement (EIS) process that will examine a full range of alternatives for a South Mountain transportation corridor, including the concept presented in the 1988 EA. The potential social, economic and environmental impacts of each reasonable alternative will be studied, along with ways to lessen any negative impacts.

Although subject to change, the general study area is defined as follows: the western portion of the study area is bounded Interstate 10 on the north, 107th Avenue/Gila River on the west and 43rd Avenue on the east. The eastern portion of the study area is bounded by Pecos Road on the north, Ocotillo Road on the south, the Gila River on the west and Interstate 10 on the east.

On October 30, ADOT study team members will provide an overview of the project followed by a tour of the project area. On the second day, each agency representative is invited to identify issues and concerns that will need to be considered during the study. To assist you in preparing for the meeting, we have enclosed the following:

South Mountain Corridor Agency Scoping Invitation

Page 2

- Project area map
- Notice of Intent to Prepare an EIS (*Located on the backside of the project area map.*)
- Fact sheet and commonly asked questions
- October 30 and 31 Agendas
- Map to the meeting site (*Located on the backside of the agenda.*)
- Registration form

It is important that we identify all of your issues at the October 31 scoping meeting to allow the project team adequate time to resolve your agency concerns through the study process. In order for the meeting to be effective to both ADOT and your agency, please take time prior to the meeting to consider the following:

- What is your agency's responsibility? If a public entity, what is your agency's responsibility to the public?
- How does this mandate relate to ADOT's mandate to serve the driving public? Similarities? Differences?
- Are there specific areas/services in the project area that your agency is responsible for?
- What information can you bring to the meeting that will aid in communicating agency concerns/issues/opportunities?
- Do you have any maps, plans or designs of projects or studies within the project area? If so, please bring a copy.

We believe effective early scoping of issues can result in a project that meets the needs and objectives of your agency. Therefore, we have allocated the afternoon of the second day for you to present your suggestions, issues and concerns.

Your participation is critical to helping us meet the project goals and schedule. Please complete the enclosed registration form and return by October 15, 2000. If you have any questions, please feel free to call Theresa Gunn, public involvement coordinator, at 623-362-1597 or leave a message on the project information line at 602-712-7006.

Sincerely,

Mary Viparina
Mary Viparina, P.E.
Project Manager

Enclosures

facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.

Jacklyn J. Stephenson,
Senior Manager, Enterprise Operations
Information Services.
[FR Doc. 01-9817 Filed 4-19-01; 8:45 am]
BILLING CODE 6120-08-P

DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
Environmental Impact Statement;
Maricopa County, Arizona

AGENCY: Federal Highway
Administration (FHWA), DOT.
ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR FURTHER INFORMATION CONTACT:
Kenneth H. Davis, District Engineer,
Federal Highway Administration, 234
North Central Avenue, Suite 330,
Phoenix, AZ 85004, telephone (602)
379-3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time,

a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studies are required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.

A series of public meetings will be held in the communities within the proposed study area. In addition, a public hearing will be held. Public notice will be given advising of the time and place of the meetings and hearing. A formal scoping meeting is planned between Federal, State, city and Tribal stakeholders.

To insure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Kenneth H. Davis,
District Engineer, Phoenix.
[FR Doc. 01-9782 Filed 4-19-01; 8:45 am]
BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety
Administration

[Docket No. FMCSA-97-2341]

Parts and Accessories Necessary for
Safe Operation; Manufactured Home
Tires

AGENCY: Federal Motor Carrier Safety
Administration (FMCSA), DOT.

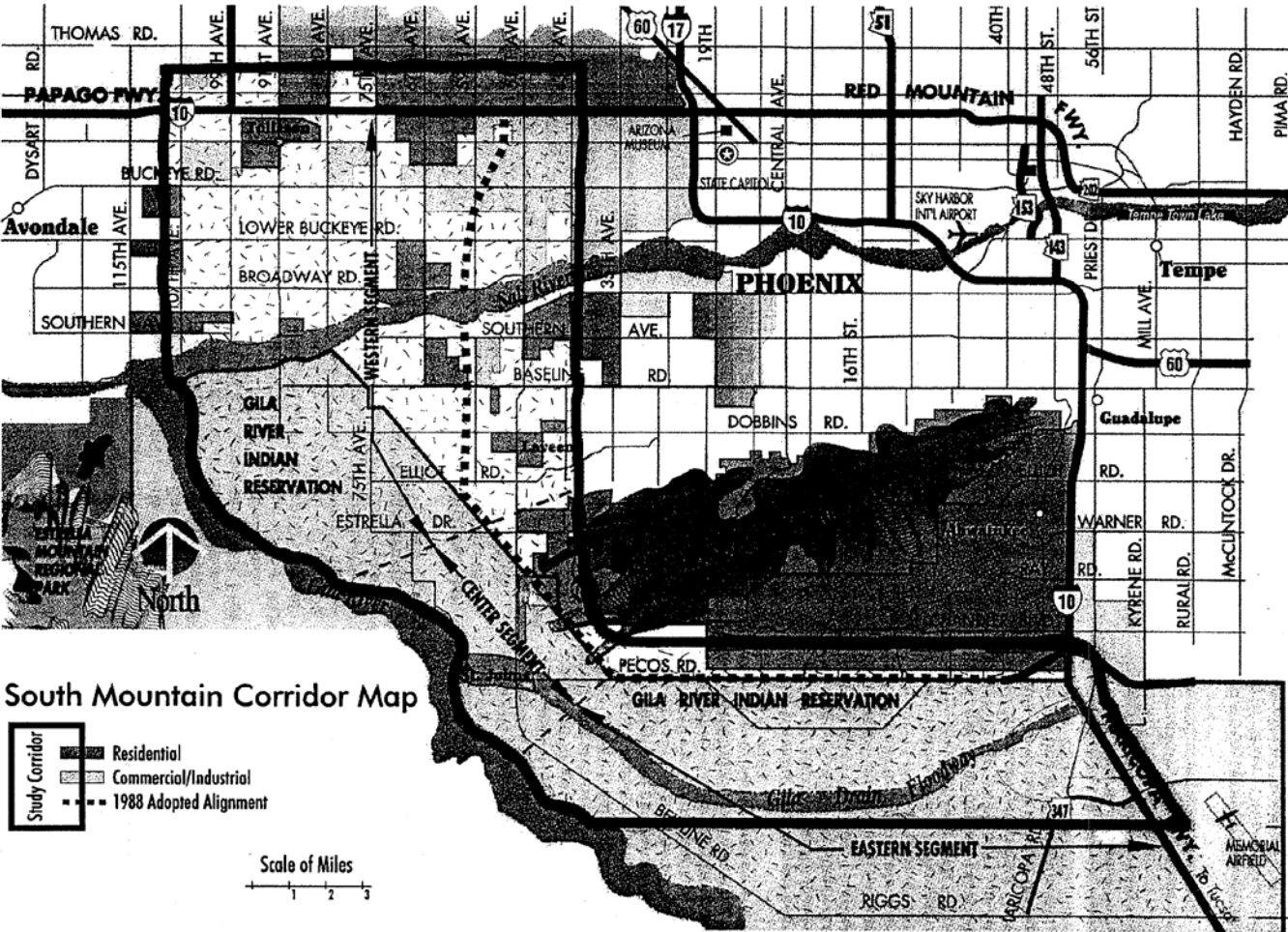
ACTION: Notice of intent to deny petitions for rulemaking; request for comments.

SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational's petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002.

DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable.

ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX (202) 493-2251, on-line at <http://dmses.dot.gov/submit>. You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 366-4009, Federal Motor Carrier Safety Administration, 400 Seventh





South Mountain Corridor Study Facts, Questions and Answers

OVERVIEW

A South Mountain Freeway was included in the Regional Freeway System plan that was approved by Maricopa County voters in 1985. A conceptual design and state-level Environmental Assessment (EA) were completed in 1988. As presented in the EA, the freeway would connect Interstate 10 south of Phoenix with Interstate 10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to Interstate 10 between 55th and 63rd avenues.

The north-south leg of the freeway would pass near the community of Laveen and through agricultural lands within the city of Phoenix. After it passed South Mountain Park and turned to the east, the freeway would pass through the Ahwatukee/Foothills community, following an alignment along Pecos Road.

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) are conducting a new engineering and environmental study – known as an Environmental Impact Statement (EIS) – that will examine a full range of alternatives to the concept presented in the 1988 EA. The potential social, economic and environmental impacts of each reasonable alternative will be studied, along with ways to lessen those impacts.

CHRONOLOGY

A brief history of the South Mountain Corridor, from its inception to the present is listed below.

- 1983 – The Maricopa Association of Government (MAG) prepares planning studies for the Phoenix metropolitan area that identify corridors for an integrated freeway network. The South Mountain Freeway corridor is defined as a roughly two-mile wide corridor from I-10 near 51st Avenue, around South Mountain, to I-10 near Chandler Boulevard.
- 1985 – Maricopa County voters approve a half-cent sales tax to fund construction of the MAG Regional Freeway System, including a 22-mile freeway connecting I-10 in Chandler with I-10 in west Phoenix.
- 1988 – A state-level Location/Design Concept Report and an Environmental Assessment are completed for the South Mountain Freeway, designating an alignment along Pecos Road and the Gila River Indian Community border and north to I-10 between 55th and 63rd avenues. This refined corridor is adopted by the State Transportation Board.
- 1994 – Due to a funding shortfall, the Arizona Department of Transportation (ADOT) identifies 76 miles of planned freeways as “unfunded segments” and later drops some of

those segments from the system. The South Mountain Corridor is designated for potential development as a toll road.

- 1996 – A consortium of private companies proposes to build the South Mountain Freeway as a toll road. The consortium would later withdraw its proposal, saying the project was not financially feasible. The South Mountain Corridor remains a part of the MAG regional Freeway System, but is designated as “unfunded.”
- 1999 – ADOT announces plans to accelerate completion of the entire Regional Freeway System by seven years to 2007. The acceleration plan includes an unspecified portion of the South Mountain Corridor, which remains largely unfunded.
- 2000 – In anticipation of initial construction of the South Mountain Freeway, the city of Phoenix conducts a local study of Ahwatukee/Foothills area transportation needs that includes an assessment of freeway options.
- 2001 – ADOT begins preparation of a new Location/Design Concept Report and Environmental Impact Statement to examine a broad range of alternatives to the 1988 South Mountain Freeway concept.

ISSUES

The first thing the EIS will be considering will be three questions posed by the US Environmental Protection Agency (EPA):

1. Why? What is the basic problem or deficiency with the existing situation and why is this a problem?
2. Why here? Why is this problem or deficiency occurring here and why is it important?
3. Why now? Why does the problem need to be addressed now? What could happen if the problem was not addressed now?

If a need is found to exist for a major transportation improvement in this corridor, the study then will move forward to consider all reasonable solutions, including the original freeway concept from the 1988 EA.

QUESTIONS AND ANSWERS

The South Mountain Corridor Team has attempted to anticipate and answer as many questions as possible regarding this study and the future of the corridor. Some questions cannot be fully answered until later in the study process. This document will be updated as new questions are asked and new information becomes available.

Has an alignment along Pecos Road already been decided?

No. Although an alignment along Pecos Road was identified as a result of the 1988 EA, this study will start from the beginning and will consider all reasonable alternatives.

Why is ADOT conducting a second environmental study?

Much has changed in this area since the 1988 EA was completed. The new study is being conducted in light of new development in the area as well as changes in design standards and environmental regulations and to qualify for federal funds.

If the Pecos Road alignment is not a foregone conclusion, then why has ADOT purchased right-of-way along that alignment?

ADOT began purchasing right-of-way in the corridor at a time when a specific alignment along Pecos Road had been identified and adopted. ADOT began acquiring right-of-way to preserve the viability of the corridor and to minimize future relocation of homes and businesses. Should another alternative be adopted as a result of this study, ADOT can dispose of the land that has been acquired but is no longer needed.

Will the fact that ADOT already owns right-of-way in this corridor influence the final decision?

FHWA regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the adoption of an alternative.

Will an alignment on the Gila River Indian Community be considered?

Yes. The Gila River Indian Community is an active participant in this process. As long as the Community is receptive to alignments that might cross Indian lands, those alignments will be considered. However, if it were clearly indicated that the Community does not want and will not accept an alignment across its lands, consideration of such an alternative would no longer be considered viable or productive.

What factors will be considered in choosing an alternative?

Many factors will be studied, including whether there is a need for a major transportation improvement in this area and the degree to which the original freeway concept or any alternatives would address that need. Other factors that will be considered include social, economic and environmental impacts, environmental regulations, relocating of existing homes and businesses, traffic projections, safety, constructability, cost and public concerns and preferences.

What about truck traffic that might be generated by a new highway?

One of the factors that will be considered in this study is the amount of truck traffic that would be generated and its potential impact on the surrounding community.

Will the public have a voice in choosing an alternative?

Yes. An extensive effort has been developed to keep the public informed of the progress of the study and to elicit public comment. Problems, concerns and preferences expressed by citizens will be factors in the ultimate decision whether to build or not to build a new facility, what should be built and where it should be located.

Will anything other than a freeway be considered?

Yes, other alternatives will be considered. Among other things, the study will consider improving existing facilities, improving or expanding other travel modes and strategies to reduce travel demand. This study will examine not only the potential impacts of a new freeway, but also the consequences of building nothing.

Is it possible that nothing will be built?

Yes. That is one of the options that will be studied.

Would air, noise and visual quality be impacted by construction of a new road or freeway?

A major purpose of this study is to determine the potential impacts on air, noise and visual quality and to look for ways to lessen those impacts.

Will existing and planned trails be accommodated?

Yes, to the extent possible. ADOT has historically made every effort possible to accommodate recreational trails.

How might South Mountain Park be affected?

Any impact on South Mountain Park would be subject to restrictions in federal law, which essentially says that no parkland can be used unless it can be shown that there are no feasible or prudent alternatives.

How long will this study take to complete?

Approximately three years. Ultimately, however, that will be determined by issues and impacts that are discovered during the course of the study.

When is something likely to be built?

It is conceivable that construction could begin as early as a year after conclusion of the study. The actual timing of construction is dependent on the availability of funding and the priority assignment to the corridor by local, regional and state officials once the EIS has been completed.

Is funding available for a major transportation improvement in this area?

Some money is currently available, but ADOT has not identified a source for the remainder of the funding that would be needed for a major transportation improvement.

Why was the toll road proposal dropped?

The toll road proposal was dropped for several reasons, including public opposition to the toll road concept and questions concerning the financial feasibility of the proposal.

Where would the corridor join I-10 to the west of Phoenix?

The corridor would likely join I-10 somewhere between 43rd Avenue and 107th Avenue. A major purpose of this study is to look at other potential locations.

Is it likely that construction of a new road or freeway would require the acquisition of existing homes or businesses?

It is highly unlikely that a major transportation improvement could be completed in this area without acquiring some existing homes and/or businesses. One purpose of this study is to determine the extent of new right-of-way that would be needed for each possible alternative.

Isn't the real purpose of a South Mountain Freeway simply to act as a bypass to divert trucks from downtown Phoenix?

The Phoenix Regional Freeway System was conceived to improve mobility in the region by increasing capacity and providing alternatives to allow traffic, including truck traffic, to bypass already congested routes.

How will planned improvements to State Route 85 affect this project?

The effects of all planned improvements, including the upgrade of SR85, will be considered in the traffic analysis to be conducted as part of this study.

How is an EIS different from the EA that was conducted in 1988?

The 1988 EA was prepared in order to satisfy state requirements only. In order to make any resulting project eligible for federal funding, the new study will satisfy federal requirements and will have to comply with the National Environmental Policy Act (NEPA). Under NEPA, an EIS is required for this project due to the potential of substantial impacts on the environment and surrounding communities. An EIS is different from an EA in that it will address in detail a number of alternatives to satisfy the transportation needs in the corridor.

For More Information on the South Mountain Corridor Study:

Project Information Line: 602-712-7006

Website: www.dot.state.az.us

Email: SouthMountain@dot.state.az.us

Address: HDR Engineering, Inc., 2141 E. Highland Avenue, Suite 250
Phoenix AZ 85016



Project Information: 602-712-7006

Website: www.dot.state.az.us **Email:** SouthMountain@dot.state.az.us

December 15, 2001

Mr. Anthony Villareal, Chairman
Gila River Indian Community
District 6
P. O. Box 54
Laveen, Arizona 85339

Dear Mr. Villareal,

As you suggested, I am submitting this letter as a formal request for you to allow our team to present an update on the South Mountain Corridor Environmental Impact Statement (EIS) at the next District 6 Community Meeting, or at your earliest convenience.

The Arizona Department of Transportation and Federal Highway Administration have given us the task of conducting an EIS in an area of the south and southwest Valley to explore the purpose and need and alternatives for possible transportation improvements in the area. The details of this study are explained in greater detail in an attached newsletter that has been distributed to approximately 75,000 people in the study area. This project is in no way associated with the past toll road study in the area, the 51st Avenue widening study conducted by Maricopa County, or the Truck Bypass Study conducted by Maricopa County. Our presentation and any questions that may follow should take no more than 30 minutes.

Our team meets monthly with a Gila River Indian Community (GRIC) Task Force assigned to monitor this project led by Sandra Shade, Director of the GRIC Department of Transportation.

Over the past several weeks our team has made presentations and answered questions at community meetings in Districts 4 and 7, the Elderly Concerns Group, the Borderlands Task Force, and the I-10/Pecos Road Landowners Association.

Also, as we discussed, I am requesting your assistance in selecting someone who does not hold elective office to represent District 6 on a citizen's advisory group that we are assembling to help guide our work on this project. And as we discussed, I hope that you will be able to recommend a candidate to us within the next two weeks. I would welcome an opportunity to talk with you in greater detail about the purpose of this group at your earliest convenience.

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix AZ 85016

Villareal Letter
Page 2

If you have any questions about this please call me. Thank you very much for your time, Mr. Villareal.

Sincerely,
South Mountain Project Team

John D. Godec
602.266.5556

cc:

Sandra Shade
Mary Viparina
Ralph Ellis
Steve Martin
Jack Allen



Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007

Dick Wright
State Engineer

April 26, 2002

Mr. David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, Arizona 85048

Dear Mr. Folts:

Thank you for your letter dated March 25, 2002, concerning several air quality and health questions that the Concerned Families Along South Mountain Loop 202 (Families) would like addressed in the South Mountain Corridor Environmental Impact Statement (EIS). Victor Mendez has asked me to respond on his behalf.

It is important to note that the Arizona Department of Transportation's (ADOT) South Mountain Corridor Study is in the early stages of development. ADOT and other stakeholders are evaluating the purpose and need to determine what transportation improvements within the study area are needed. Preliminary analyses indicate that a freeway option should be considered and alternative alignments are just now being developed. Further analyses and refinement of alternatives will be ongoing for another year or more.

The twelve questions posed in your letter are very specific regarding data parameters such as, distance from the freeway, exposure time periods, and percentages of impacts to distinct groups, such as, "children" or the "average person". The project team will continue to research available literature and utilize any applicable studies related to freeway air quality that are geared to the highly specific parameters identified in your questions. We cannot, however, guarantee that ADOT will be able to provide definitive answers to your questions.



Mr. David Folts
April 26, 2002
Page 2

Typically, pollutants in vehicle exhaust are lighter than air and are quickly dispersed into the atmosphere. This also tends to be true for air pollutants from other sources. For this reason, vehicle exhaust is typically viewed as a part of a larger regional air quality problem and health effects are evaluated on a regional basis. The air quality analysis performed for the EIS evaluates the potential contribution of pollutants a proposed freeway makes to the regional air quality. The exception is carbon monoxide which is also evaluated for local impacts and this analysis will be presented in the EIS.

Information regarding the health effects related to regional air quality in Maricopa County may be obtained from the Maricopa Association of Governments at (602) 254-6300, the Arizona Department of Environmental Quality at (602) 207-2347 and the Maricopa County Department of Environmental Health Services at (602) 506-6712.

Sincerely,



Mary Viparina
Senior Project Manager
ADOT Valley Transportation

MV/ta

c. Victor Mendez
William Vachon, FHWA
Thor Anderson



Project Information: 602-712-7666
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

July 12, 2002

Chief Harold Hurtt
City of Phoenix Police Department
620 West Washington
Phoenix, Arizona 85003

Dear Chief Hurtt:

The Arizona Department of Transportation (ADOT) and Federal Highway Administration (FHWA) are conducting an Environmental Impact Statement (EIS) and Design Concept Report (DCR) for the previously proposed South Mountain leg of the Valley's Loop 202 freeway segment.

A consulting team led by HDR Engineering, Inc. has been hired to conduct this study. As part of an extensive public involvement effort we are working with a Citizens Advisory Team (CAT) to help guide this effort. This CAT comprised of citizens from throughout the south and southwestern parts of the Valley as well as the Gila River Indian Community.

Based on the recommendation of City of Phoenix planning staff I spoke with Assistant Chief Silverio Ontiveros earlier this week and asked him to join this group to help us in this endeavor as a representative of the Laveen Village Planning Committee. He has expressed his initial willingness to do so but asked that I also forward this request to you to help ensure that there would be no apparent conflicts.

This group meets on the fourth Thursday of each month in the evening. Meetings are generally held at Vee Quiva on the Gila River Indian Community near Laveen. Assistant Chief Ontiveros' participation and perspective would be extremely valuable, both as a member of the Laveen Village Planning Committee and as a senior member of the Phoenix Police Department.

If you have any questions about this request or Chief Ontiveros' role in this matter, please feel free to call me at 602.266.5556, Mary Viparina at ADOT at 602.712.7643, Thor Anderson at ADOT at 602.712.8637, or Bill Vachon at FHWA at 602.379.3646, extension 118.

South Mountain Citizen's Advisory Team Letter
July 12, 2002
Page 2

Sincerely,
South Mountain Corridor Team

John D. Godec
602.266.5556

CC:
Assistant Chief Silverio Ontiveras
Mary Viparina
Thor Anderson
Bill Vachon
Amy Edwards



Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Dick Wright
State Engineer

October 3, 2002

Governor Donald R. Antone, Sr.
Lieutenant Governor Richard Narcia
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Re: South Mountain Corridor Study
Availability for Information Update - District 6

Dear Governor Antone and Lieutenant Governor Narcia:

The South Mountain Corridor Study Team wants to keep you apprised of all Gila River Indian Community coordination and information sharing activities concerning this project. We have provided District 6 with a letter, copy enclosed, advising them of our availability to present information on status and activities of the South Mountain Study and we look forward to receiving their invitation.

Sincerely,

Mary Viparina
Project Manager
Arizona Department of Transportation

c: Mary Thomas
Anthony Villareal
Sandra Shade
Project File

Enclosure





Arizona Department of Transportation
Intermodal Transportation Division
 206 South Seventeenth Avenue Phoenix, Arizona 85007

Victor M. Mendez
 Director

Dick Wright
 State Engineer

October 3, 2002

Mr. Albert Pablo
 Chairman, St. John's Community Council
 District 6
 Gila River Indian Community
 P.O. Box 54
 Laveen, AZ 85339

Re: Information on the South Mountain Corridor Study

Dear Mr. Pablo:

The Arizona Department of Transportation (ADOT) is progressing on the South Mountain Corridor Study. Coordination and information sharing with the Gila River Indian Community is a high priority for both the Federal Highway Administration and ADOT. If desired, we are prepared to provide an information update of study activities to the District 6 Council and others as you may wish to invite. Our study team can provide information on the project history, recent activities and developments, as well as the next steps in the environmental review process.

We would be prepared to present to you at the October 21, 2002 Council Meeting or at your convenience. Please let me know if the council would be interested in such a presentation. I can be reached at 602-712-7643.

Sincerely,

Mary Viparina
 Mary Viparina
 Project Manager
 Arizona Department of Transportation

c: Mary Thomas
 Sandra Shade
 Anthony Villareal
 Project File



Janet Napolitano
 Governor

Victor M. Mendez
 Director

Arizona Department of Transportation
Intermodal Transportation Division
 206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Debra R. Brisk
 Deputy Director

February 5, 2003

Mayor Ron Drake
 City of Avondale
 525 North Central Avenue
 Avondale, AZ 85323-1999

RE: South Mountain EIS and L/DCR

Dear Mr. Drake:

Thank you for your letter of January 27, 2003, regarding the proposed alternatives to be studied for the South Mountain Environmental Impact Statement and Location/Design Concept Report. As you may be aware, we are completing the data gathering efforts for the corridor alternative development. Included in this effort was requesting suggested routes for the corridor from the public, the Citizens Advisory Team, potentially affected jurisdictions as well as from the technical team. This effort was undertaken per the National Environmental Policy Act and requires review of all reasonable and feasible alternatives.

During the first few months of the project, we gathered suggested routes from the public. We compiled these routes and reviewed them, looking for similarities in intent as well as ability to meet the purpose and need of the project, which is improved regional mobility. Once we had reviewed the suggested routes, it was determined they represented eight corridor alternatives. We presented these corridor alternatives to the Citizens Advisory Team and the potentially affected jurisdictions during October and November of 2002, including a meeting with staff members from the City of Avondale. During this series of meetings, a corridor alternative along 107th Avenue was suggested for review. The technical team considered this corridor alternative and determined to include it during this phase of the analysis.

The project team is currently involved in gathering impact data for each of the corridors presented. Part of the impact data being considered includes compatibility with adopted general plans, impact on existing and proposed residential, industrial and commercial developments, and public/political acceptability. The basis for the public/political acceptability impact is the information shared by your staff during the jurisdictional meeting as well as the information presented by yourself in the referenced letter. Like the City of Avondale, other jurisdictions have expressed their concern related to certain corridor alternatives and all of this information, as well as other environmental and technical data, will be used during the corridor alternatives screening process. At the completion of this phase, the stakeholders, FHWA, and ADOT will determine which corridor alternatives will be carried forward for detailed analysis in the EIS.





Project Information: 602-712-7006
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

March 21, 2003

Ms. Jeanette Yarmata
Gila River Telecommunications Inc.
Box 5015, 7065 W. Allison Drive
Chandler, Arizona 85226

Via Facsimile: 520.796.7534

Dear Ms. Yarmata:

As per our telephone conversation I am seeking information to be used as part of the South Mountain Corridor Environmental Impact Statement study.

We need to identify the specific locations and addresses for existing and currently planned Gila River Indian Community (GRIC) Fire Department stations, Police Department stations, Public and Private/Parochial Schools, and Hospitals. The GRIC Executive Offices referred me to you as the person who could provide us with this information.

Please call me if you have any questions about this issue, or if there is someone else that I should contact, or if there is anything else that I can do to expedite this request.

Thank you very much for your help

Sincerely,
South Mountain Corridor Team

John D. Godec
602.266.5556

cc: Amy Edwards, HDR Engineering, Inc.

May 27, 2003

Arizona State Department of Transportation
ATTN: Mr. Bill Hayden, Special Assistant
State Engineer's Office
206 S. 17th Avenue
Room 101A
Phoenix, Arizona 85007

RE: South Mountain Transportation Corridor Alternative Screening Report, Version 2.0/March 2003 Review and Comments

Dear Mr. Hayden:

On behalf of the Tolleson Mayor and Council I would like to thank you and the South Mountain Transportation Corridor Team for taking the time to visit Tolleson on March 19, 2003 for the purpose of allowing Tolleson an opportunity to comment on the proposed alternatives for the South Mountain Freeway.

Regionally speaking, I acknowledge the need for an alignment that not only moves traffic but is also logistically placed, however, there are significant cultural, financial and social issues and material technical elements that, in my opinion, make Alternatives #2 and #3 non-viable within our city corporate limits. As you will read in this letter, Alternatives #2 and #3 are, and will be, vehemently opposed by Tolleson. Tolleson strongly recommends that the South Mountain Freeway be located at its originally planned location, Alternative #1.

The Tolleson community would once again be disproportionately prejudiced by the extension of the South Mountain Freeway from Loop 101 along Alternatives #2 or #3. As you are aware, Tolleson is a small community comprised of six square miles, two miles of which are currently bisected by I-10. The citizens of Tolleson are predominately Hispanic, earning less than the average median income. Obviously, given the elements of our City and its citizens, you can see our resources are limited. The City's ability to effectively protest the proposed alignments or of its citizens to fight the siting of another freeway in their backyards is also limited. Clearly, Tolleson and its proud population have been the victims of previous highway construction. Tolleson's citizens were the last group to get a sound wall and the noise producing elevated interchange of I-10 and Loop 101 in Tolleson are recent examples of this blatant abuse of the disadvantaged. While some on the council are claiming the siting of the South Mountain Freeway in Tolleson

The proximity of Alternatives #2 and #3 to the residential area immediately east of the proposed alignments would drastically exacerbate existing noise pollution levels stemming from the stack at 99th Avenue and I-10. Virtually, all of the residential community between 91st and 97th Avenue north and south of Van Buren will be affected by the proposed alignments. The 97th Avenue alignment would also have a detrimental effect on the neighboring Tolleson Union High School Alternative Campus, which lies within a few feet east of the proposed alignment. Furthermore, increased traffic will adversely impact air quality within the adjacent residential neighborhood.

The numerous trucking/warehousing businesses would require rerouting due to the proposed alignment along 99th Avenue, and obviously some of the same truck traffic will eventually end up on Tolleson's main street, in search of the path of least resistance – fewer left turns.

The study prepared by the committee completely ignores the floodplain caused by the railroad tracks and the compounding of the floodplain's problems caused by the Alternatives. The existing floodplain located within the City and designated as Category A Floodplain will require major modifications. Construction of either Alternative #2 or #3 without a natural flow will increase the geographical size of the flood plain. It currently lies south of Jefferson Street, and any major barrier will affect the plain, possibly as far north as Van Buren.

Alternatives #2 and #3 represent Tolleson's biggest threat to financial ruin. Both alignments create devastating economic impacts that will last an eternity. Elimination of jobs, loss of primary property tax revenues and secondary tax revenues that fund city and schools capital bond projects, reduction of current sales tax revenues as well as projected General Plan retail service developments, and most importantly, loss of development and building permitting fees generated as a result of construction have huge budget implications. From a service delivery perspective, the City of Tolleson would have to reduce the General Fund operating budget in order to meet the cumulative loss generated by the construction of the South Mountain Freeway through the heart of Tolleson's commercial and industrial development corridor. Prime commercial and industrial land and accompanying improvements would be affected by the South Mountain Freeway. The adverse multiplier impact is unknown however, it would touch on all of the elements mentioned above.

The meeting held at the Southwest Valley Chamber of Commerce on Monday, May 5, 2003 did little to fairly address the devastation of Tolleson and its citizens caused by the construction of Alternatives #2 or #3. Frankly, if a western alignment of the South Mountain Freeway (west of 51st Avenue) is required the alignment for Alternative #9 should be readdressed. An alignment of Alternative #9 just west of the 107th alignment appears to be a route with less impact. Your preliminary route for Alternative #9 literally destroys existing warehouses – Sara Lee, Lisanti, and States Logistics – and is projected to be constructed on the parcel that PepsiCo recently purchased for a regional warehouse. A route slightly west of this path avoids these problems. Perhaps the safety issues regarding the Alternative #9 "S" curve conceptual design should be revisited.

would perpetuate the institutional racism Tolleson and its citizens have suffered in the past, this letter is written with the request that the siting not be the result of what route offers the least resistance.

If the Loop 101/South Mountain Freeway extends south into Tolleson four of Tolleson's six square miles would be adversely impacted by freeways. Economically valuable property along the City's main industrial and retail corridor (99th Avenue) would be completely destroyed or severely diminished. After the South Mountain Freeway extension, land on the east side of 99th Avenue (Tolleson property) would be totally taken or only shallow development parcels would remain. Traffic on 99th Avenue in Tolleson, once a dynamic roadway, would be an awkward roadway no longer serving businesses on both frontages. From a General Plan and Land Use perspective and following a similar pattern with the construction of I-10 and Loop 101, both Alternatives #2 and #3 require a taking of large parcels of undeveloped land in Tolleson. Based on a percentage of incorporated square miles Tolleson has provided the most property for freeways during the past 15 years. When the 101 was connected to I-10 from the north, prime commercial and industrial property along McDowell was taken for retention and detention of waters flowing south from Glendale and Phoenix. Additional freeway takings will only add to the already high ratio of freeway dedicated land versus that developed or to be developed.

Both Alternatives drastically impact the ability of Tolleson to serve water to its residential and corporate citizens. Two wells serve all of Tolleson's water needs. Alternatives #2 and #3 wipe out Tolleson's only two water production wells.

We hope you are aware that there is a massive pollution plume comprised primarily of TCE directly east of Tolleson and over the recent past has continued its westward flow to Tolleson. The plume's western edge is at Tolleson's east border. The City has shut down its eastern most wells and has had to relocate its two wells in western Tolleson. These wells are now in the path of Alternatives #2 and #3. Tolleson has no land in its boundaries east of 99th Avenue and north of Van Buren, in short if 101 is extended south in Tolleson, Tolleson would lose its wells and would have to move its wells back east, back towards the pollution plume.

In addition to the wells and adjoining storage facilities, each well has water treatment facilities that provide the necessary purification to the water. Tolleson spent millions of dollars on the facilities. The electro dialysis reversal (EDR) systems are utilized for the treatment and purification of water, including water used by PepsiCo for their production of Gatorade. The production wells, booster pumps, electrical panels, stand-by natural gas driven diesel engine, metering and production equipment and building as well as the twelve inch (12") major transmission water lines leading to and from the production wells would perhaps require relocation and/or abandonment. A permanent or temporary curtailment of water production will create a severe water shortage in the city, for the average daily use is approximately 3.0 million gallons of water. Any reduction in water production would bring about a crisis for both commercial (Gatorade and milk facilities at Fry's) and residential users as well as severely inhibiting fire suppression capabilities.

ADOT will be required to pay for the complete replacement of these important water utility facilities.

Alternatives #2 and #3 would have a significant impact on local and regional sewer lines. Four major sewer lines serving the Tolleson and the Phoenix Sewage Treatment facilities rest in the path of both alternatives. Currently, a 66" sewer main runs in 99th Avenue. This major trunk line serves the northern affiliated parties/cities and would require relocation and major modifications at 99th Avenue and McDowell Road as well as major reconstruction of the diversion structure facility at 99th Avenue and Van Buren. Any existing or future businesses fronting 99th Avenue would be disrupted due to the inability to provide sewer service. Loss of operations would result in reduction of respective business operating profits and loss of city sales tax.

The sewer lines - 60", 48" and 42" - run east and west and parallel the Union Pacific Railroad tracks from 99th Avenue easterly to 95th Avenue. At this juncture the lines turn south and are joined by yet another 27" line, all leading south on 95th Avenue under Buckeye Road into the regional City of Tolleson Wastewater Treatment Plant head works facility. Replacement lines, whether permanent or temporary, would be required so as not to create a disruption in sewage flows being discharged by various affiliated parties - i.e., Sun City, Youngtown, Peoria, Glendale, Phoenix and Tolleson - and headed south to the respective sewage treatment facilities in Phoenix and Tolleson. Any below grade freeway would obviously destroy the regional transmission grid.

Any stoppage in sewer flows would trigger a reduction in effluent being discharged by Tolleson, pursuant to a contract, into a 53" line connected to the Palo Verde Nuclear Generating Plant where the water is used to cool nuclear generating system turbines. Failure to meet contractual obligations between Arizona Public Service will most definitely result in litigation against the City of Tolleson.

With respect to arterial streets and proposed intersection improvements, Alternatives #2 and #3 will create major modifications to the existing intersection at 99th Avenue and Van Buren, and eventually lead to water and sewer lines displacement and/or relocation. The proposed alignment would require a half or full diamond interchange somewhere between 96th and 99th Avenues. These improvements would increase traffic in the immediate vicinity and ultimately have an adverse traffic impact on Tolleson's major streets, Van Buren and 99th Avenue. Local traffic could no longer utilize local streets for through traffic. Obviously, the increase in traffic will affect the service level of Van Buren Street, Tolleson's downtown main street.

Environmentally, the proposed Alternatives #2 and #3 fail to recognize both the pollution plume referred to earlier and the hazardous site at approximately 97th Avenue and Harrison Street. The site, running from 97th Avenue westerly to approximately 150 feet east of 99th Avenue, has been abandoned for years, and at last report, the site is being remediated to the air by a mechanical device.

Mr. Hayden, it is quite evident that the City of Tolleson is very disturbed at the notion of having Alternatives #2, #3 or #9 constructed in Tolleson. As I mentioned previously, I strongly agree that we need a regional alignment for the South Mountain Freeway, one that moves traffic and is not as devastating to a city's culture or economy such as the Alternatives discussed above.

Again, thank you for your visits and your interest in our community. Please feel free to call me if you have any questions regarding this letter.

Sincerely,

Ralph Velez
City Manager

cc: Amy S. Edwards, HDR Transportation Engineer
Bill Vachon, FHWA, Senior Area Engineer
Floyd Roehrich, Jr., ADOT, Senior Project Manager



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Debra Brisk
Deputy Director

August 27, 2003

Ms. Elaine Blackwater
Land Use Ordinance Officer
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Environmental Impact Statement

Dear Ms. Blackwater:

Over the past two years, the Arizona Department of Transportation along with the Federal Highway Administration have been studying the South Mountain Freeway Corridor. As part of this study, we have met regularly with technical staff from the Gila River Indian Community, including representatives from your office, and have met periodically with the Executive Office. As such, in accordance with Governor Narcia's letter of April 11, 2003 (see attached), the study team is developing potential alignments within the Community in the established study area (see attached).

Part of the effort required for developing potential alignments is acquiring data regarding existing social and environmental conditions. At this time, the study team is performing literature and database reviews of any known information pertinent for an environmental study. To facilitate this effort, representatives of the study team will be in contact with your office to work with you in determining what information is necessary at this point of the study and how we can acquire it. The study team will be contacting representatives of the Department of Transportation, Department of Economic Development, Department of Land Use Planning and Zoning, Cultural Resource Management Program, the Community Manager and the Pima-Maricopa Irrigation Project.



Ms. Elaine Blackwater
Gila River Indian Community
August 27, 2003
Page 2

At this time, the study team will not be performing any field surveys for data. However, as the study continues, it will be necessary to make field surveys for specific data. At that time, your office will be notified of our schedule for performing these functions.

If you have any questions regarding this matter, please contact me at 602-712-7643.

Sincerely,

Floyd P. Roehrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc: Bill Vachon, FHWA
Amy Edwards, HDR

Attachments

Governor Narcia's Letter – April 11, 2003
South Mountain Study Area within GRIC

The previous letter was also sent to:
Mr. Urban Giff, Gila River Indian Community, Community Manager
Ms. Pat Mariella, Gila River Indian Community, Department of environmental Quality
Mr. John Ravesloot, Gila River Indian Community, Cultural Resource Management Program

Richard P. Nantz
GOVERNOR



Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

April 11, 2003

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004-2285

Re: HDA-AZ File #: NH-202-D(ADY)

Dear Mr. Hollis:

This correspondence is in response to your March 6, 2003 letter in which you have requested the Community to identify a corridor for study for the Environmental Impact Statement Study for the South Mountain Corridor Study.

As you will note from the attached letter to ADOT dated January 10, 2002 and accompanying map to the Right of Entry Permit, a reduced corridor study was outlined as the area North of the Ocotillo Road section line and North of the Gila River.

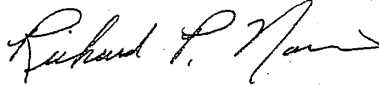
For the Community to offer an "alignment(s)" for study, we would have to undertake a similar process that ADOT's consultant, HDR, is currently undergoing with regarding to the Environmental Impact Statement Study. If the Community were to "dictate" an alignment for study, this might defeat the purpose of the study.

As also conveyed in a letter to FHWA dated April 25, 2002 our Community Council has adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Until such time that our Council revisits this resolution, the Community staff, as a part of the monthly EIS meetings, cannot offer any alignments for consideration.

Robert E. Hollis
April 11, 2003
Page 2

At this time, we feel that you have a corridor to study alignments. Any alignments for consideration must be ultimately approved by our Community Council.

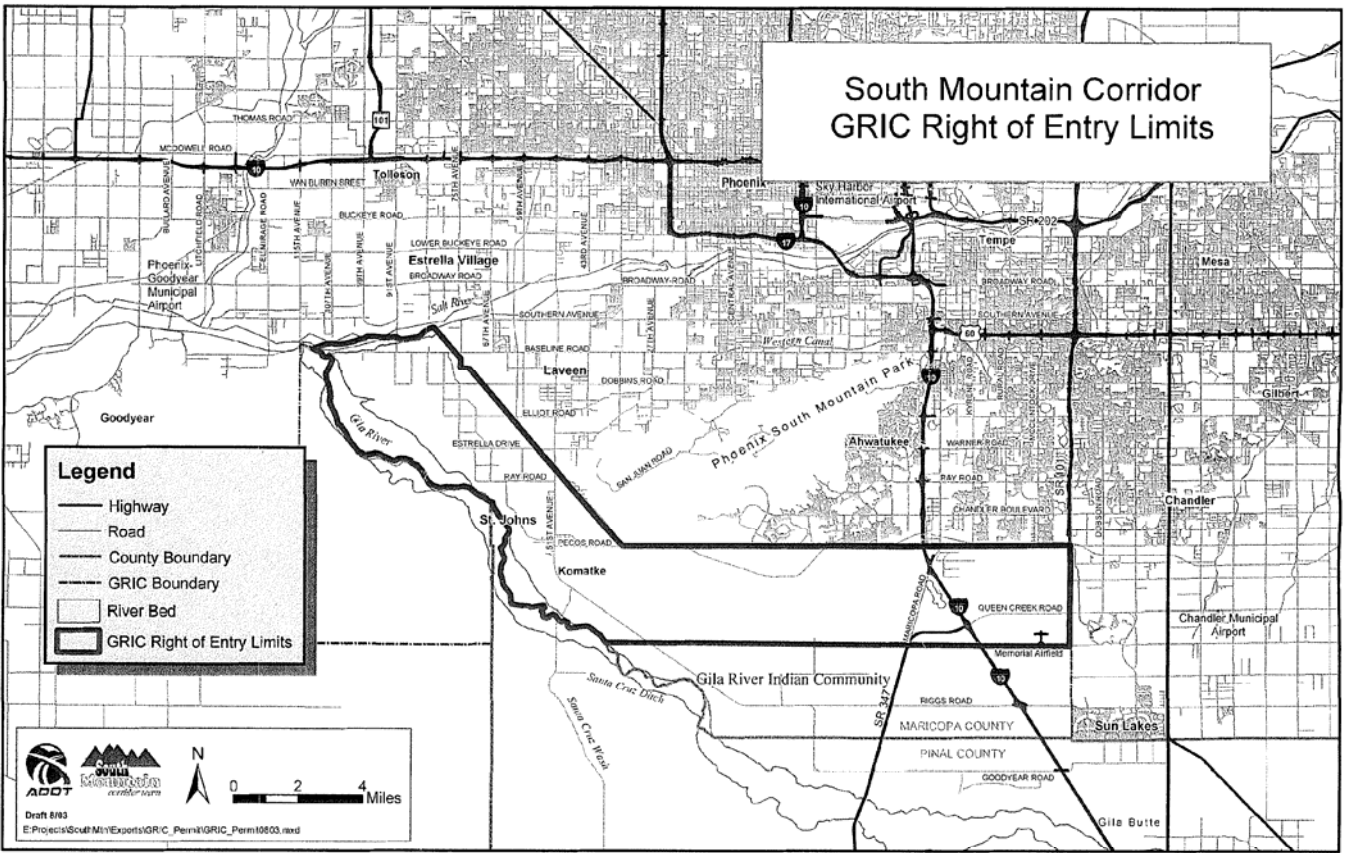
Sincerely,



Richard P. Nardcia
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council, GRIC
Victor Mendez, Director, ADOT

attachments: Correspondence dated January 10, 2002 to ADOT Director
Correspondence dated April 25, 2002 to FHWA Division Administrator





Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Debra Brisk
Deputy Director

August 27, 2003

Ms. Sandra Shade, Director
Gila River Indian Community
Department of Transportation
315 W. Casa Blanca Rd.,
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Environmental Impact Statement

Dear Ms. Shade:

Over the past two years, the Arizona Department of Transportation along with the Federal Highway Administration have been studying the South Mountain Freeway Corridor. As part of this study, we have met regularly with technical staff from the Gila River Indian Community, including representatives from your office, and have met periodically with the Executive Office. As such, in accordance with Governor Narcia's letter of April 11, 2003 (see attached), the study team is developing potential alignments within the Community in the established study area (see attached).

Part of the effort required for developing potential alignments is acquiring data regarding existing social and environmental conditions. At this time, the study team is performing literature and database reviews of any known information pertinent for an environmental study. To facilitate this effort, representatives of the study team will be in contact with your office to work with you in determining what information is necessary at this point of the study and how we can acquire it. The study team will be contacting representatives of the Department of Transportation, Department of Economic Development, Department of Land Use Planning and Zoning, Cultural Resource Management Program, the Community Manager and the Pima-Maricopa Irrigation Project.

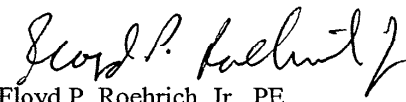


Ms. Sandra Shade
Gila River Indian Community
Department of Transportation
August 27, 2003
Page 2

At this time, the study team will not be performing any field surveys for data. However, as the study continues, it will be necessary to make field surveys for specific data. At that time, your office will be notified of our schedule for performing these functions.

If you have any questions regarding this matter, please contact me at 602-712-7643.

Sincerely,


Floyd P. Roehrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc: Bill Vachon, FHWA
Amy Edwards, HDR

Attachments

Governor Narcia's Letter – April 11, 2003
South Mountain Study Area within GRIC

The previous letter was also sent to:

Mr. Lee Thompson, Gila River Indian Community

Mr. Dean Weatherly, Director of Economic Development, Gila River Indian Community



Project Information: 602-712-7006

Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

September 8, 2003

Bob Broscheid
Project Evaluation Program Supervisor
Arizona Game and Fish Department
Habitat Branch
2221 W. Greenway Road WM-HB
Phoenix, AZ 85023

Re: South Mountain Corridor Study

Dear Mr. Broscheid:

In a letter dated January 10, 2002, HDR, Inc. sent a request to you for a species list and critical habitat information that would be pertinent to South Mountain Corridor Study. This was done on behalf of the Arizona Department of Transportation and the Federal Highway Administration. The database information is being used as part of the Environmental Impact Statement being prepared for the proposed project. Since two years have almost passed, I am requesting more up to date information. I have attached the initial AGFD response letter that you may find helpful.

The freeway would connect to Interstate 10, south of Phoenix, at Pecos Road. The alignment continues along Pecos Road through the western tip of South Mountain Park, then north to Interstate-10 between 59th and 99th Avenues. Presently, there are five alternative alignments being considered. The legal location of the study area is: Township 2 North, Range 1 East, Sections 33-36; Township 2 North, Range 2 East, Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East, Sections 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Sections 1 and 12; Township 1 South, Range 2 East, Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East, Sections 31-33.

HDR, Inc. is requesting a species list, critical habitat information, or any additional information that would be relevant to the proposed project. A response received by October 1, 2003 would be greatly appreciated, since a technical report must be submitted the following week. Information should be sent to Ms. Andrea Love, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

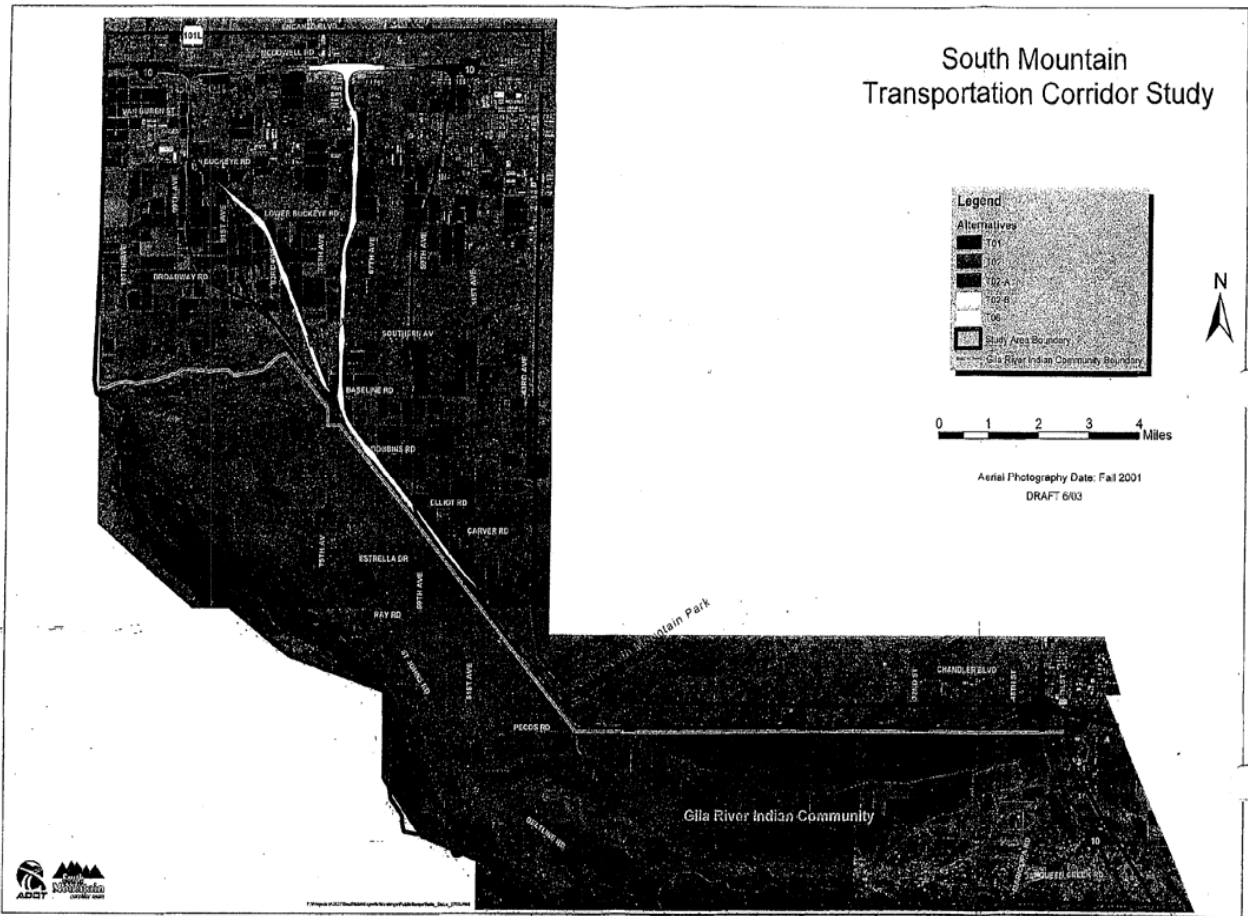
Thank you for your assistance.

Sincerely,

HDR ENGINEERING, INC.

A handwritten signature in cursive script that reads 'Andrea Love'.

Andrea Love
Senior Environmental Planner



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

March 24, 2004

Bill Higgins
State Engineer

Mr. Mark Schlappi
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 85003

Subject: South Mountain Corridor L/DCR & EIS
MAG Model Traffic Forecast Request

Dear Mr. Schlappi:

The ADOT South Mountain Freeway corridor study team has identified 3 preliminary alignments that will be evaluated further to determine the preferred roadway alignment alternative. Four scenarios using these alignments will be evaluated using as base the 2025 RTP network and the newly adopted 2025 MAG socioeconomic data. The networks will be coded by Lima & Associates to include the alternative networks and will be provided to MAG in EMME2 format via e-mail or CD. Forecasted traffic volumes for the 24-hour and am and pm peak hour conditions will include the following alternatives:

- Alt. T1 South Mountain alignment along 59th Avenue as per the RTP with the I-10 Reliever
- Alt. T1A South Mountain alignment along 59th Avenue as per the RTP without the I-10 Reliever
- Alt. T6 South Mountain alignment with I-10 Western termini between 75th and 83rd Avenue with the I-10 Reliever
- Alt T2A South Mountain alignment with I-10 Western termini at Loop 101 and the I-10 Reliever

We would like to request that all EMME/2 files be provided to us in shape file format or EMME2 text file format, and be sent via e-mail, if possible, to Ms Patrizia Gonella-Ramos at pramos@lima-inc.com. If you need further clarifications, please contact Ms Gonella-Ramos at 602.331.0600.

Thank you for your continuing cooperation.



Sincerely,



Floyd Roehrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007

cc: Amy Edwards, HDR
Patrizia Gonella-Ramos, Lima & Associates



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Debra R. Brisk
Deputy Director

March 29, 2004

Sandra Shade, Director
Department of Transportation
Gila River Indian Community
315 West Casa Blanca Road
Sacaton, AZ 85247

Dear Ms. Shade:

Enclosed for your review and distribution are 125 copies of the South Mountain Freeway Study videos with attachments.

Preparation of the video was in response to District 4's Community Council's request to provide an informational video for those Community members who had not previously been involved in or aware of ADOT's Environmental Study.

The video provides a brief overview of the study and a status update regarding freeway alternative alignments currently being evaluated. Response cards are provided for Community members who view the video, as we are very interested in their comments and suggestions. As discussed, a thirty-day period will be provided for Community members to review the video. We will of course provide you with all input received from their review.

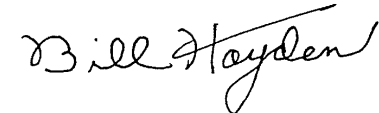
As requested the South Mountain Corridor Study Team will present the video and provide a status update of the Study to the Tribal Administration and the Tribal Council prior to scheduling meetings in Districts 4, 6 and 7.

We are most appreciative of your and your staff's support and involvement in the preparation of this important activity and look forward to meeting with the involved Districts' residents and landowners to discuss all issues associated with the Study.

Please contact me if you have questions regarding the video or its distribution. The Study team will be coordinating future presentations to the Administration and Tribal Council with you as soon as feasible.



Sincerely,



William "Bill" Hayden
Special Assist. Regional Freeway System

Enclosures:

Cc:

Ken Davis, FHWA
Bill Vachon, FHWA
Dave Anderson, HDR
Amy Edwards, HDR
John Godac, Godac & Assoc.
Thressa Gunn, Godac & Assoc.
Dan Lance, ADOT
Steve Jimenez, ADOT
Floyd Roehrich, ADOT



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Debra R. Brisk
Deputy Director

June 30, 2004

Ms. Sandra Shade
Director of the Department of Transportation
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Freeway EIS & L/DCR
Draft Public Involvement Plan for Gila River Indian Community

As we continue moving forward with the South Mountain Freeway EIS & L/DCR project, we appreciate the opportunity to work with you and your staff in determining the best approach for providing information and gathering input with Gila River Indian Community members. With the distribution of the project video within GRIC, it is now time to consider the details of the next phase of public involvement. As such, we are providing a brief history of where we have been and draft plan of how to proceed for your review. If possible, we would like to meet with you and your representatives to discuss these issues prior to our next Coordination Team meeting scheduled for July 9, 2004.

History

From 2001 through mid-2003, public meetings were held on a regular basis with GRIC districts and key organizations. Members of GRIC districts and other GRIC stakeholders have participated continually in the South Mountain Citizens Advisory Team (SMCAT). Project newsletters have been distributed in the Community and reprinted in the Gila River Indian Community Newspaper (GRIN).

In June of 2003 a meeting was held with key GRIC officials from Districts 4, 6 and 7 as well as other tribal stakeholders. At that meeting GRIC council members requested that ADOT, FHWA and consulting team members not meet with GRIC citizens until a video compilation of the project could be produced and distributed within the Community. Few meetings were held with GRIC members other than tribal leaders, officials and SMCAT members during the nearly year-long video production.

Plan

A proactive, transparent and on-going public involvement program must be reinitiated with GRIC members as soon as GRIC tribal officials agree ADOT, FHWA and the consulting team members should meet with residents in their Community. This project must be presented to Community residents so it is completely understood.



Implementation Options

Keeping the intent of the plan in mind, we suggest the following actions be taken during the timeframes indicated:

- It is recommended that a newsletter update be written and produced to explain the history of the project, activity to date, promote the availability of the video, and invite members to meetings to share their comments and concerns about the project. We recommend that the newsletter be written with the cooperation of tribal officials and made available to Community members at distribution points on the Community. Where appropriate, we will also work with tribal officials and the GRIN to enable copy from the newsletter to be used and published in news stories off the Community. We recommend that this action commence immediately.
- We will design and produce an informational poster to be used and displayed in the districts in the Community to encourage members to learn more about the project and give us their feedback. We recommend that this action commence immediately.
- We will also work with each GRIC district to meet with residents as often as possible to answer questions about the project and present updates on the progress of the study. We suggest meeting with District 4, 6 and 7 residents monthly. We recommend beginning this coordination effort immediately with the intent to be included in district meeting schedules during the month of August. We intend to promote each district meeting with displays on District signboards.

Additional steps could be taken to support communication efforts with Community member. We look to you for your guidance on the potential need to implement the following actions:

- We will work to find a GRIC member to work with the consulting team on a part time or interim basis to help guide the public information/involvement effort, and to host meetings and presentations.
- We will work to the goal of co-hosting a joint District 4, 6 and 7 public meeting to get feedback from GRIC residents on the study process, impacts and hopefully, a preferred alignment.

Any suggestions you have regarding the plan as presented or possible improvements would be greatly appreciated.

Thank you for your on-going assistance on this project. We look forward to meeting with you as soon as possible to discuss the details of this plan. Please contact me at 602-712-7643 at your earliest convenience to coordinate a meeting time.

Sincerely,



Floyd Roehrich, Jr., P.E.
Senior Project Manager
ADOT Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007



Cc: Doug Torres, GRIC
Gary Bohnee, GRIC
Bill Vachon, FHWA
Amy Edwards, HDR
Dan Lance, ADOT
Shannon Wilhelmsen, ADOT
William Hayden, ADOT





Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Debra R. Brisk
Deputy Director

July 16, 2004

Ms. B. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, AZ 85247

RE: South Mountain Freeway DCR/EIS Study ROE Permit Request

Dear Ms. Blackwater:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration in cooperation with the Gila River Indian Community (GRIC), was initiated July 9, 2001. Our study will evaluate transportation improvement alternatives, including construction of a new freeway, around South Mountain between the southeast valley and the northwest valley. Refer to attached Regional Freeway System map. The study will require entry onto GRIC lands during the study duration of three years from August 2004 through August 2007 for a variety of information collection project tasks. We are requesting a blanket Right of Entry permit for the project team to enter GRIC lands for the project duration to include the following general types of work:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities and other environmental considerations.

Attached is a map showing the general GRIC geographic limits to be included in the study. Also attached is a list of personnel and a list vehicles makes, models, and license plate numbers that may enter GRIC lands periodically during the study phase of the project.



B. Elaine Blackwater
July 16, 2004
Page 2

Our staff will advise you prior to their research activities.

Please contact me directly at (602) 712-7524 if you require additional information to approve our Right of Entry request. Thank you for your assistance.

Sincerely,

William "Bill" Hayden
Special Assistant to the Regional Freeway System

Attachments

C: Lt. Governor Mary Thomas
Sandra Shade
Doug Torrez
John Roberts
Floyd Roehrich
Amy Edwards
File





Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Debra Brisk
Deputy Director

4 August 2004

Mr. Eric Anderson
Maricopa Association of Governments
302 N. 1st Avenue, Suite 300
Phoenix, AZ 85003

RE: ADOT's South Mountain Freeway EIS & L/DCR
Economic Impacts Analysis

Dear Mr. Anderson:

The Arizona Department of Transportation's South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report project is entering the detailed impacts analysis phase. Over the past three years, the project team has acquired preliminary data regarding a variety of potential impacts, including economic impacts. As the team moves forward in the analysis of all impacts, we would like to work with each of the affected jurisdictions on the approach that will be used.

At this time, the project team is proposing the following multi-step approach to the economic impacts development and analysis. Each step within this process requires close coordination with each of the potentially affected jurisdictions. As such, we would be looking to you and your staff to assist where you feel it is appropriate. The efforts detailed below would be initiated with a coordination meeting including all potentially affected jurisdictions. The intent of this meeting would be to agree upon the process to be followed, the modeling software to be used, the input and output data required and the source of the data. It is anticipated that each jurisdiction would assist to the extent possible in gathering and developing the necessary input data. However, this would be discussed and agreed upon in the initial coordination meeting. The proposed steps in the process and the anticipated jurisdictional staff involvement are detailed in the following:

1. Determine and evaluate direct and indirect impacts of residential, commercial and industrial displacements (existing and planned). Determine which properties are displaced and direct impacts in net loss of property value, wages and tax revenue. Secondary and induced impacts will be evaluated by use of a pre-approved, widely accepted input output economic model. The project team will work closely with your staff in identifying existing and planned direct and indirect impacts, property value impacts, wage impacts and tax revenue impacts. Impacts evaluation will look at:
 - Impacts of the alternatives to specific industrial sectors at the local and regional levels (including but not limited to trucking, auto dealerships and light industry).
 - Potential for loss of tax revenue at the local and regional level.



2001 Award Recipient

- Potential for job loss at the local and regional level.
 - Impacts of the alternatives to overall economic activity at the local and regional level.
2. Determine and evaluate road user benefits associated with each alternative. These will be in terms of time savings, travel cost savings and safety. The project team will develop this information utilizing the MAG travel model.
 3. Develop and evaluate land use changes that could occur as a result of each alternative and identify positive and negative changes in property value and in distribution of growth. The project team will utilize the MAG land use model as a starting point, then a special allocation model to capture impacts on local communities in terms of land values, employment and other factors. This analysis would only be developed for comparison purposes between alternative locations with and without the freeway and the No Build alternative. The project team will develop the necessary data with input from your staff. Consensus will be reached prior to data collection on the appropriate allocation software to be used in the analysis.
 4. The results of the previous steps would be utilized to develop appropriate mitigation measures that could reduce or reverse negative impacts. Consensus will be reached among all jurisdictions regarding the proposed mitigation measures and their anticipated affect.

Throughout the implementation of this economic impacts analysis, the project team will not only coordinate with the potentially affected jurisdictions, but also with key stakeholders in the public. We would be looking to your staff to assist in determining who these stakeholders should be within your jurisdiction.

As we move forward with the implementation of this analysis process, we will be contacting you or your designated representative to set up the initial coordination meeting. We anticipate this meeting to occur within the month of August. If you have any questions regarding the process as presented or would like to suggest additional contact and coordination people, please do not hesitate to contact either myself at 602-712-7643 or Amy Edwards of HDR at 602-522-7755.

Sincerely,

Floyd Roehrich, Jr., P.E.
Senior Project Manager
ADOT - Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007

cc: Dan Lance, ADOT
Shannon Wilhelmsen, ADOT
Bill Vachon, FHWA
Amy Edwards, HDR



2001 Award Recipient

The previous letter was also sent to:
Mr. Bob Woodring, Maricopa Department of Transportation
Mr. Jeff Fairman, CED, Economic Development Director, City of Avondale
Mr. Robert, Franco, Acting Community and Economic Development Director, City of Phoenix
Mr. Ralph Velez, City of Tolleson



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

4 August 2004

Debra Brisk
Deputy Director

Mr. Jim Book
Transportation Director
City of Glendale
5850 W. Glendale Avenue
Glendale, AZ 85301

RE : South Mountain EIS and L/DCR

Dear Mr. Book:

Almost three years ago, the Arizona Department of Transportation (ADOT) began an Environmental Impact Statement and Location/Design Concept Report for the South Mountain Freeway (Loop 202) project. At this time, the project team is providing update information to all potentially affected jurisdictions, regarding the past project efforts and current undertakings.

As part of the project efforts, numerous alternative connections to I-10 on the west side of Phoenix were considered, between the Agua Fria River and 43rd Avenue. During this consideration, the alternative connections to be carried forward for further analysis were determined to be the following:

- Approximately 55th Avenue (similar to the connection proposed in the 1988 ADOT Environmental Assessment and Design Concept Report).
- Approximately 71st Avenue, and
- Direct connection at Loop 101.

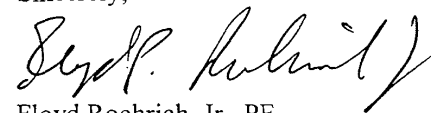
The project team is currently studying the potential impacts of each of these connection locations on the existing I-10 and Loop 101 facilities. Connecting the South Mountain Freeway at any of these locations will require extensive construction along both of these facilities, including approximately nine miles of construction along I-10 for each alternative and four miles of construction along Loop 101 with the direct connection alternative. The construction required may include additional travel lanes, reconfiguration of existing interchanges and reconstruction of arterial street crossings.

Due to the potential impacts of these alternatives on your city, we would like to offer you an opportunity to be involved in the project. This involvement level is left to your discretion, and could include periodic update meetings to your staff from the project team, participation by a city staff member in the monthly progress meetings and/or inclusion of key staff members on the public information mailing list to receive update newsletters and public meeting notices.



Please let me know how best to accommodate the interests of Glendale in our on-going study process. If you have any questions or would like to discuss this matter, please do not hesitate to contact me at 602-712-7643 or Amy Edwards of HDR at 602-522-7755.

Sincerely,



Floyd Roehrich, Jr., PE
Senior Project Manager
ADOT - Valley Project Management
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc:
Amy Edwards, HDR, Inc.



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007

Debra Brisk
Deputy Director

October 21, 2004

Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design
Concept Study

Dear Ms. Martinez:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated July 9, 2001. This study will evaluate potential transportation improvements, including a potential new freeway, around South Mountain between the southeast valley and the northwest valley. The study will require entry onto allottee lands within GRIC for a variety non-destructive project tasks. We are requesting authorization from your agency to begin coordination with the landowners and to access the land for the following specific project tasks.

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

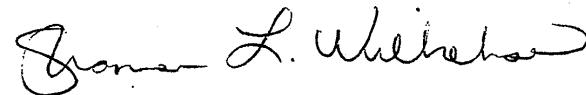
Attached is a map showing the general GRIC limits expected to be included in the study. Also attached is a list of personnel, and a list of vehicle makes, models, and license plates that may enter GRIC lands during the project.



Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Page 2
10/21/2004

It is our intent to continue to coordinate with your agency regarding all matters of the study. Please advise if there is anything else you need for approval of this request. Thank you for your assistance.

Sincerely,



Shannon L. Wilhelmsen
Director of Communication and Community Partnerships
Arizona Department of Transportation

Attachments:

Map
Personnel List

cc: Lt. Governor Thomas
Sandra Shade, GRIC DOT
Bill Vachon, FHWA
Amy Edwards, HDR
Project File



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Debra Brisk
Deputy Director

November 29, 2004

Mr. Daniel L. Brown
Assistant City Attorney
City of Phoenix
200 West Washington Street, Suite 1300
Phoenix, AZ 85003-1611

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept
Study
ADOT Tracs No. H 5764 01L

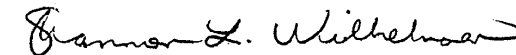
Dear Mr. Brown:

As a follow up to the recent South Mountain Freeway EIS & L/DCR Status Meeting held on November 4, 2004, I have enclosed the additional information you requested regarding the project. Enclosed, you will find the following information:

- General EIS Topics, Responsible Author and Firm
- Federal Register Notice of Intent
- Public Scoping Report – Includes comments acquired during initial scoping effort
- Alternatives Screening Report – Includes basis of analysis in screening initial 9 corridors to 3 corridors for further study

Thank you for your interest in this study. I look forward to working with you and other City of Phoenix staff as the study continues. If you have additional questions, please do not hesitate to contact me at (602) 712-7356.

Sincerely,



Shannon L. Wilhelmsen
Director of Communication and Community Partnerships

CC: Steve Jimenez, ADOT
Bill Vachon, FHWA
Amy Edwards, HDR
Project File





Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

December 3, 2004

Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design
Concept Study
ADOT Tracs No. H 5764 01L

Dear Ms. Martinez:

As you are aware, part of the on-going public involvement efforts by the Arizona Department of Transportation and HDR, Inc. (engineering consultant to ADOT), on the South Mountain Freeway project, is an on-going dialogue with Community members. Throughout the life of the project, we have periodically met with Community members through District update meetings and occasional landowner meetings. As we move forward on the project we would like to reach out to more of the landowners within this area of the Community.

This letter is to request your assistance, as the repository of landowner records, in providing the name and addresses of the parcel owners within the freeway study's affected area. This information will be used to notify landowners of upcoming meetings and to invite their input into the study process. Enclosed, we are providing the realty group of the Pima Agency with a map developed by HDR that delineates parcels within the Community that we believe may be affected by this study.

If you would like, we will use our resources to send the landowner notices. We are very aware of the sensitivity of this information and the high level of confidentiality that must be maintained upon receipt of this documentation. Therefore, any records we receive will *only* be used to generate a mailing list for its intended purpose of notifying landowners of upcoming meetings and inviting their input into the study process.



If you honor this request, you may send the information in the form you deem most convenient (i.e., hard copy, electronic - spreadsheet, GIS, etc.), to the following address:

Shannon L. Wilhelmsen
206 S. 17th Avenue
Mail Drop 118A
Phoenix, AZ 85007
SWilhelmsen@dot.state.az.us

I look forward to continuing to work with you and your staff as this project moves forward. If you have any questions regarding this matter, or the study in general, please do not hesitate to contact me at (602) 712-7356.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Governor Narcia, GRIC
Lt. Governor Thomas, GRIC
Sandra Shade, GRIC DOT
Bill Vachon, FHWA
Mike Bruder, ADOT
Amy Edwards, HDR
Project File



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Michael J. Ortega
State Engineer

March 21, 2005

Mr. Pete Overton
Environmental Preservation Specialist
The Bureau of Indian Affairs
Pima Agency
P.O. Box 8; Sacaton, AZ 85247

Re: Project Name: South Mountain Freeway
ADOT TRACS No: 202 MA 054 H5764 01L
Project No: RAM-202-C-(200)

Dear Mr. Overton:

The Bureau of Indian Affairs (BIA) is a cooperating agency with Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) for the South Mountain Freeway Environmental Impact Statement (EIS). Per our phone conversation on February 2, 2005, I am, submitting on behalf of FHWA this letter requesting that BIA formally comment on the EIS document format, requirements, review process and timeframes. These comments, as they relate to BIA's needs, will allow ADOT to ensure that they are reflected in the FHWA document. If BIA requires additional sections be included in the EIS, please inform me and I will forward to FHWA for their review.

After your review, I would like to set up a meeting, if you consider it appropriate, between FHWA, ADOT and yourself, so we discuss in detail your review comments. Please let me know of the date, location and time that are appropriate for you.

EIS review process

After ADOT Environmental & Enhancement Group (EEG) reviews and incorporates comments of the Working Draft EIS, it will be submitted to FHWA for initial review (the document will include line numbers). It is also anticipated that FHWA, and BIA will review the Draft and Final documents concurrently and that a quick turn around review time for each submittal will be required. Please let me know how many bound and/or unbound copies of each document you will need for your review.



Mr. Overton
Page 2

After this review, a comment resolution meeting will be held to discuss and resolve comments on the document. Once the Draft EIS is completed and approved by FHWA, the document will be available for public review. The anticipated public hearings (still to be established) will be announced with the publication of the Draft EIS.

After the public hearings, an additional cooperating agency comment resolution meeting will be held to discuss the comments received from the public involvement process. After ADOT EEG reviews the pre-final EIS, the final document will be reviewed by FHWA and the cooperating agencies. To finalize the EIS process, FHWA will request BIA provide them a letter stating their agreement with the findings of the EIS.

If you have any questions or need additional information, please contact me as noted below.

Respectively,

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

- Enclosures

c.c. Steve Thomas, FHWA
Mike Bruder, ADOT Valley Project Management
Ralph Ellis, ADOT Environmental & Enhancement Group
Amy Edwards, HDR, Inc
Jack Allen, HDR, Inc
Project file



Mr. Overton
Page 3

Dear Mr. Overton:

Please complete as appropriate,

1. Does BIA require **additional sections** be included in the EIS? (yes or no)

If yes, please inform me and I will forward to FHWA for they review.

2. After your review, do you consider appropriate, to **set up a meeting** between FHWA, ADOT and yourself, so we discuss in detail your review comments? (yes or no)

If yes, please let me know of the date, location and time that are appropriate for you.

3. BIA will review the Draft and Final documents and a quick turn around review time for each submittal will be required.

Please let me know **how many** bound and/or unbound copies of each document you will need for your review.

Upon completion please forward to:

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)



RE: **South Mountain Freeway EIS & L/DCR Table of Contents.**

Summary

Introduction
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Description of the Approach Used to Prepare the Draft EIS
Coordination Undertaken to Date
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Section 401, Water Quality Certification, Clean Water Act
Section 402, NPDES Permit, Clean Water Act
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Analysis of Potential Impacts

Mitigation and Responsibility

Water Resources



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- Mitigation and Responsibility
- Noise Levels
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 - Mitigation and Responsibility
- Visual Resources
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Future Coordination and Project Actions
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List of Preparers and Contributors
Abbreviations and Glossary
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Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

April 14, 2005

Daniel Lance
Deputy State
Engineer

Sandra Shade, Director
GRIC Department of Transportation
315 West Casa Blanca Road, PO Box 97
Sacaton, AZ 85247

Re: Project Name: South Mountain Freeway
ADOT TRACS No: 202 MA 054 H5764 01L
Project No: NH-202-D-()

Dear Ms. Shade:

The Gila River Indian Community (GRIC) is an important stakeholder that, together with Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are collaborating in the development of the South Mountain Freeway Environmental Impact Statement (EIS). Per the phone conversation with your office on April 14, 2005, I am, submitting on behalf of FHWA this letter requesting that GRIC comment on the EIS table of contents. These comments, as they relate to GRIC's needs, will allow ADOT to ensure that they are reflected in the FHWA document.

After your review of the table of contents for the EIS, I would like to set up a meeting, if you consider it necessary and appropriate, between FHWA, ADOT and yourself, so we can discuss in detail your review comments. Please let me know of the date, location and time that is appropriate for you.

EIS review process

After ADOT Environmental & Enhancement Group (EEG) reviews and incorporates comments of the Administrative Draft EIS, it will be submitted to FHWA for initial review (the document will include line numbers). At this time we would like to know if the GRIC will participate in a concurrent review with FHWA, the Army Corps of Engineers and the Bureau of Indian Affairs (BIA) of the Draft and Final documents, and that a 4 weeks turn around review time for each submittal will be required. Please let me know how many copies of each document you will need for your review, as well as the time you consider appropriate for the reviews mentioned above.



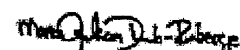
Ms Shade
Page 2

After this review, a comment resolution meeting will be held to discuss and resolve comments on the document. Once the Draft EIS is completed and approved by FHWA, the document will be available for public review. The anticipated public hearings (still to be established) will be announced with the publication of the Draft EIS.

After the public hearings, an additional cooperating agency comment resolution meeting will be held to discuss the comments received from the public involvement process. After ADOT EEG reviews the pre-final EIS, the final document will be reviewed by FHWA, GRIC and the cooperating agencies. To finalize the EIS process, FHWA will request the cooperative agencies provide them a letter stating their agreement with the findings of the EIS and will continue to work with the GRIC in final resolution.

If you have any questions or need additional information, please contact me as noted below.

Respectfully,



Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

- Enclosures

c.c. Steve Thomas, FHWA
William Vachon, FHWA
Mike Bruder, ADOT Valley Project Management
Ralph Ellis, ADOT Environmental & Enhancement Group
Matt Burdick, ADOT Communication & Community Partnerships
Amy Edwards, HDR, Inc
Jack Allen, HDR, Inc
Project file



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Communication and Community Partnerships

206 South Seventeenth Avenue • Phoenix, Arizona 85007-3213

Shannon Wilhelmson
Communications
Director

April 15, 2005

Ms. LaQuinta Allison, Community Chairperson
District 4 Community Council
Gila River Indian Community
District 4 Service Center
PO Box 557
Sacaton, AZ 85247

RE: ADOT South Mountain Freeway Environment Impact Statement and
Location/Design Concept Report

Dear Ms. Allison:

Thank you for the opportunity to visit your District on November 15, 2004, to share information about the South Mountain Freeway Study and to receive District members' input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received.

- Concern expressed to keep the land for the children who are the future of the Community.
- The land is needed for homes in the future.
- A freeway may be useful in the future but not now.
- Do not want the freeway on GRIC but do not want to be blocked from having access to it.
- Concerned about environmental impacts whether a freeway is on GRIC or not - noise impacts, potential for rubberized asphalt.
- Tired of ADOT's question and answer sessions regarding the freeway.
- How many acres of GRIC land would a freeway take? Allotted lands? Tribal lands?
- ADOT has made promises in the past with regard to SR 587, SR 87 and I-10 freeway access.
- GRIC has a resolution saying no to the freeway.
- Problems (traffic speeds, safety) with SR 587 and SR 87 at Santan Road and Sesame Road.

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.

We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.



If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

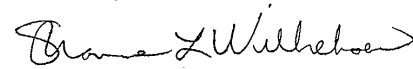
Given the lengthy history of this project, (almost 20 years), there have been other alternatives studied in the area, including a toll road. During the development of the toll road study, during the early 1990's, it became apparent that the project would not be economically feasible and was dropped from further study. At this time, the South Mountain Freeway Study is not considering a toll road option.

We also recognize that there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching the concerns you expressed regarding SR 587, SR 87 and I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we have also had the opportunity to visit Districts 6 and 7 with this same presentation. We have attached a summary of what was heard at those meetings as well for your information. All of this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,



Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Ms. Sandra Shade, GRIC DOT
Mr. Gary Bohnee, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Nuvamsa, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vachon, FHWA
Mr. Dan Lance, ADOT
Ms. Amy Edwards, HDR

Sincerely,



Mike Bruder, Project Manager
ADOT Valley Project Management



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Communication and Community Partnerships

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Shannon Wilhelmsen
Communications
Director

April 15, 2005

Mr. Terrance Evans, Community Chairperson
District 6 Community Council
Gila River Indian Community
District 6 Service Center
PO Box 54
Laveen, AZ 85339

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Mr. Evans:

Thank you for the opportunity to visit your District on November 13, 2004, to share information about the South Mountain Freeway Project and to receive District members' input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received.

- Concerns regarding truck traffic on 51st Avenue and potential truck bypass.
- What happened with the toll roads study?
- Over 85% of land is allottee land in the area under consideration.
- Trucks affecting Community: Kids feeling threatened.
- Advantages to access to freeway for those going to Sacaton for work or business. Allows an opportunity for Community transit.
- Turning 51st Avenue and Riggs Road back to the Community if a freeway is constructed.
- Concern regarding access to the dialysis center.
- Community members must have vehicles tested for emissions even though the low population and clean air of the Community should make this unnecessary.
- I-10 Widening issues:
 - Only two ways out of Sacaton – issue if there is a problem and people need to leave.
 - Frontage roads on I-10 – who will pay for construction? Maintenance?
 - Coordinated public outreach is necessary – have not heard from I-10 Widening team in a while.
 - Community emergency response teams (fire, EMT, police) are first contacted for incidents on I-10. Is there a potential to share this cost with neighboring communities?
- Do not consider putting the freeway on Riggs Road.
- If freeway is on allotted lands, it should be 1-1 ½ miles south of Pecos Road.
- How does the potential relocation of Rawhide play into the discussion of the freeway?

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.



We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.


Given the lengthy history of this project, (almost 20 years), there have been other alternatives studied in the area, including a toll road. During the development of the toll road study, during the early 1990's, it became apparent that the project would not be economically feasible and was dropped from further study. At this time, the South Mountain Freeway Study is not considering a toll road option.

We also recognize that there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching the concerns you expressed regarding I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we had the opportunity to visit Districts 4 and 7 with this same presentation. Attached is a summary of Community input from those meetings for your information. All this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,



Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Ms. Sandra Shade, GRIC DOT
Mr. Gary Bohnee, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Nuvamsa, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vachon, FHWA
Mr. Dan Lance, ADOT
Ms. Amy Edwards, HDR

Sincerely,



Mike Bruder, Project Manager
ADOT Valley Project Management



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Communication and Community Partnerships

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Shannon Wilhelmsen
Communications
Director

April 15, 2005

Mr. Keith Fohrenkam, District Chairperson
District 7 Community Council
Gila River Indian Community
District 7 Service Center
RR 4 Box 186
Laveen, AZ 85339

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Mr. Fohrenkam:

Thank you for the opportunity to visit your District on November 13, 2004, to share information about the South Mountain Freeway Study and to receive District members' input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received.

- District 7 is opposed to the study.
- ADOT should ask the people "do you want a freeway or not" – simple question to determine if the District supports it.
- GRIC resolution reflects the direction of **all** districts, not just District 6.
- Development is occurring all around the Community. This is the only land the Community has.
- Consider putting the question of a South Mountain Freeway on Community land to a GRIC vote.
- Is No Build really an option?
- What is the study schedule?
- How much traffic is on 51st Avenue? Baseline Road? There has been an obvious increase in traffic along Baseline Road in the last 5 years.
- Could the Community take certain roads back from the County?
- Original alternative in 1985 did not parallel so much of the Community.
- Businesses in Laveen – do they still want the original alternative?
- Compensate landowners for land but then they have no land.
- Could compensation be – yearly to landowners? Through toll road?
- Community also includes landowners. Will ADOT coordinate with the landowners?
- Freeway would also serve the Community. It would take traffic off roads. Could return roads to the Community from the County.
- Other issues to be considered – Tres Rios, I-10 Widening, crime rates, tourism, and the future for the kids. All issues are interconnected and need to be addressed as such.
- District 7 motion still stands opposing the freeway.

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.



2001 Award Recipient

We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

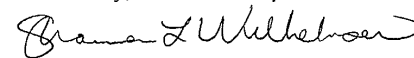
Given the lengthy history of this project, almost 20 years, there have been other alternatives studied in the area, including a toll road. During the development of the toll road study during the early 1990's, it became apparent the project would not be economically feasible and was dropped from further study. At this time, there is no consideration of a toll road for the South Mountain Freeway.

We also recognize there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching concerns expressed regarding I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we had the opportunity to visit Districts 4 and 6 with this same presentation. Attached is a summary of Community input from those meetings for your information. All this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,



Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

Sincerely,



Mike Bruder, Project Manager
ADOT Valley Project Management

CC: Ms. Sandra Shade, GRIC DOT
Mr. Gary Bohnne, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Nuvamsa, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vachon, FHWA
Mr. Dan Lance, ADOT
Ms. Amy Edwards, HDR



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

David P. Jankofsky
Deputy Director

July 13, 2005

Mr. David Folts
Concerned Families Along South Mountain – Loop 202
3407 East Cederwood Lane
Phoenix, Arizona 85048

Re: South Mountain Freeway – Loop 202

Dear Mr. Folts:

Thank you for your letter dated, April 16, 2005, requesting that responses to 12 air quality questions, from the Concerned Families Along South Mountain Loop 202, be included in the Environmental Impact Statement (EIS) for the referenced project. Air Quality impacts are a very important component of the EIS; ADOT and FHWA will evaluate potential impacts in accordance with regulatory requirements. The Air Quality evaluation in the draft EIS will include a discussion of carbon monoxide, particulates, diesel fuel emissions, and various mobile source chemical emissions. We believe that the air quality evaluation in the draft EIS will address the issues raised by the Concerned Families in your letter. The Concerned Families will have an opportunity to ask for further clarification of air quality issues during the public comment period following issuance of the draft EIS. Responses will be included in the Response to Public Comments Section of the Final EIS.

It is important to note that mobile source control programs recently promulgated by the Environmental Protection Agency (EPA), such as, the reformulated gasoline program, national low emissions vehicle standards, Tier 2 motor vehicle emissions standards, gasoline sulfur control requirements, proposed heavy duty engine and vehicle standards, and on-highway diesel fuel sulfur control requirements are expected to dramatically reduce motor vehicle air pollutants. The EPA projects that between 1990 and 2020 these programs will reduce on-highway diesel particulate emissions by 90 percent and emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde by 67 to 76 percent.

ADOT appreciates Concerned Families' participation in the South Mountain – Loop 202 Environmental Impact Study. We will continue to seek input in public meetings that will be held throughout the study process. If you have questions or comments, please call me at 602-712-6161.

Sincerely,



Ralph Ellis
Environmental Planner
Environmental & Enhancement Group



2001 Award Recipient

Mr. David Folts
July 13, 2005
Page 2

c: Enrique Manzanilla, EPA
Lisa Hanf, EPA
Ken Davis, FHWA
Bill Vachon, FHWA
Steve Thomas, FHWA
Dan Lance, ADOT
Mike Bruder, ADOT
Shannon Wilhelmsen, ADOT
Amy Edwards, HDR
Project File

AS-5706



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Communication and Community Partnerships

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

July 22, 2005

Shannon Wilhelmsen
Communications
Director

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Thank you for allowing myself, Bill Hayden, Dan Lance and Ken Davis from the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to recently speak with the Community Council regarding transportation issues affecting the Community. It was an honor to discuss these issues with the Council and on behalf of ADOT and FHWA, we truly appreciated the opportunity to hear the Council's perspective on the many impacts our activities have on the quality of life of the Community members and the Community as a whole.

Please accept this letter as our commitment to continue to listen to Community concerns and issues and to work with you, the Community Council and the Community's Department of Transportation to address and work towards resolution of these issues. In an attempt to better address the concerns and issues we heard from the Community Council, we have attached a synopsis of the different points and our responses regarding explanation, resolution and follow-up on each item.

Once again, thank you very much for allowing us to speak with the Community Council and to hear the Council's perspective on the many activities ADOT is working on throughout the Community. We look forward to continuing our dialogue with the Council and working together on the issues addressed within the attachments to this letter and any additional issues that arise.

Very truly yours,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Lt. Governor Thomas, Gila River Indian Community
Gila River Indian Community Council Members
Gary Bohnnee, Gila River Indian Community Chief of Staff
Sandra Shade, Gila River Indian Community Department of Transportation
Cecilia Martinez, Bureau of Indian Affairs, Pima Agency
Victor Mendez, Arizona Department of Transportation
Bob Hollis, Federal Highway Administration



**Summary of Discussion Items
Gila River Indian Community Council July 5, 2005 Meeting
ADOT / FHWA Transportation Presentation**

ADOT Roadways Located Within the Gila River Indian Community

It is clear that an increase in communication, coordination and collaboration is necessary between ADOT and the Community regarding the many roadways that are within and traverse through the Community. To address these specific issues regarding possible signalization, turn lanes, facility access, litter pick-up and other maintenance issues, we will establish quarterly coordination sessions between ADOT (Director's Office, Phoenix District personnel, Tucson District personnel), the Community's Department of Transportation and FHWA to discuss the needs on each of these roadways and provide ongoing assessment of the conditions and necessary improvements. At this time, we are in the process of scheduling our first coordination meeting.

Specifically, to the issue of Community access to Loop 202 (Santan) at the McClintock interchange, please see the attached letter from Dan Lance addressing some of these issues.

In addition, ADOT will work with DPS (DPS stated they would send a letter to the Community, under separate cover expressing the Department's commitment to participate in this effort) to conduct ongoing coordination meetings with ADOT, DPS and the relevant departments within the Community to address the traffic routing and enforcement issues stated at the Community Council meeting. Also, ADOT will work with the Community's Department of Transportation and other relevant departments to redraft the ADOT Statewide Alternate Route Plan for the detour routes that involve roadways within the Community.

Regarding ADOT's current Pinal County Corridor Definition Study that is studying the necessity and impact of potential transportation corridors that impact the Community (i.e., "Hunt Highway"), we would like to make a presentation to the Natural Resources Standing Committee regarding the latest findings from the study. We will send a letter under separate cover to request this opportunity.

**ADOT / FHWA I-10 Widening (Loop 202 to Jct. I-8) Design Concept Report and
Environmental Assessment Study**

Frontage Roads

As discussed at the Community Council meeting, the issue of I-10 frontage roads deserves a lot of attention and coordination between ADOT and the Community. Please see the following synopsis of the I-10 Study Team's (ADOT / FHWA) perspective on this very important issue:

ADOT understands that the current Right of Way agreement permits the construction of Frontage Roads within the existing Right of Way of Interstate 10 as stated below:

"At such time as necessity for development of the adjacent land warrants such construction, the State Highway Department agrees to permit the construction of frontage roads within the right of way limits of Interstate Highway I-10 except where the State Highway Department establishes that such frontage road location interferes with the design, construction and maintenance of said Interstate #10 Highway. Said frontage roads shall be constructed to Arizona State highway Department standards for similar roads and upon their satisfactory completion the State shall accept the roads for permanent maintenance."

However, since this agreement was put in place in 1966 there have been many changes in the manner in which highways, and in particular high volume, high-speed highways and freeways, are designed and constructed. Most of these changes have been made to facilitate improved safety and more efficient traffic operation. The Frontage Road plan envisioned in the 1960's is no longer considered a safe or efficient roadway design, and both the Arizona Department of Transportation and the Federal Highway Administration would have serious reservations about approving or constructing such a plan.

To modify the original Frontage Road design to more accurately reflect current design standards, the I-10 Widening Study Team has worked for the past two years with the Technical Advisory Committee (TAC) to suggest an access plan for the Gila River Indian Community that may meet the Community's objectives. The suggested access plan includes Parallel Roadways in the north portion of the Community (north of Riggs Road) that are offset from Interstate 10 by approximately 500 feet. This design would enhance the safety of those using the parallel roadways, would greatly improve traffic operations, particularly around the interchanges and would expand the potential for economic development since landowners on both sides of the parallel roadways would have access.

The I-10 Widening Study Team requests permission to move forward with a Community Outreach Program that will present the Suggested Access Plan to Community Members, including the landowners along the freeway. The Community Council Resolution currently under consideration by the Community Council would offer the team direction from Council about the content of the plan before our team presents it to the Community at large.

Community Cultural Resources Management Program (CRMP)

ADOT clearly heard that the Community Council has concerns regarding the involvement of the Community's cultural resources staff in ADOT's highway studies (I-10 and South Mountain). In particular, the following concerns were expressed: 1) the possibility of a potential conflict of interest if Gila River Indian Community Cultural Resources Management staff participate as members of the study team; 2) the likelihood that such participation may lead to the inadvertent disclosure of sensitive Community information; and 3) the possibility that such participation may divert important CRMP resources from Community projects such as the completion of the Pima-Maricopa Irrigation Project (PMIP). Please see the following synopsis of the I-10 Study Team and the South Mountain Study Teams' perspectives regarding this issue:

To complete a highway study, ADOT must follow a process defined by Federal Law known as the National Environmental Policy Act (NEPA), and this law requires ADOT

to complete cultural resource surveys. In order for ADOT to complete these surveys, cultural resource experts would obtain permission from the community to perform field surveys of the lands potentially affected by the plans suggested during the study. However, CRMP staff has already completed over 80% of these needed surveys.

ADOT understands the sensitivity the Community has for preserving its cultural heritage, and would like to avoid a situation where outside experts would be needed to survey community lands. It is our belief that there is a benefit to the Community to have CRMP staff involved in the study, and to remain the guardian of this sacred Community information. CRMP would only disclose information that is pertinent to complying with Federal Regulations, and ADOT commits to not disclose specific relic information to the general public, and only release information necessary for completing the NEPA process.

The type of surveys needed to comply with the Federal Regulations is not invasive, meaning no recovery of artifacts is required, and so the number of staff members needed to complete the surveys is limited. This is in contrast to PMIP where data recovery is needed, requiring trenching and laborious recovery of artifacts.

Community Cultural Resource Preservation

ADOT understands the Community's concerns regarding the impact ADOT activities have had on the preservation of the Community's cultural resources and sacred sites. Please see the following commitment expressed regarding this issue from the I-10 Study Team:

ADOT understands there is a concern over the impact to cultural resource sites from the original construction of I-10, the widening of I-10, and the re-routing of traffic from I-10 during freeway closures. Therefore, one of the key reasons for including CRMP is this concern for protection of sacred resource sites.

In order to lessen and avoid impacts to important cultural sites, ADOT will rely on the recommendations of CRMP on how best to facilitate these activities throughout the implementation of a mutually agreed upon access plan.

I-10 Alternative Routes

ADOT understands there is disruption to the Community when unfortunate incidents occur on Interstate 10 that require closure of this main thoroughfare as it runs through the Community. In addition to addressing these issues through the coordination sessions between ADOT, DPS and the relevant departments throughout the Community, and the redrafting of the ADOT Statewide Alternate Route Plan as it relates to roadways within the Community, please see the following perspective on this issue from the I-10 Study Team:

The Suggested Access Plan proposed by the I-10 Widening Study Team includes potential roadways that could be used as a parallel detour route for I-10. ADOT may also propose innovative ideas to provide signing that could be activated during an incident to better guide drivers that are unfamiliar with the Community through the approved detour routes.

The I-10 Widening Study Team requests permission to move forward with a Community Outreach Program that will present the Suggested Access Plan to Community Members, including the potential detour routes. The Community Council Resolution, currently under consideration by the Community Council, would offer the team direction from Council about the content of the plan before our team presents it to the Community at large.

ADOT / FHWA South Mountain Freeway Environmental Impact Statement Study

ADOT and FHWA clearly heard many of the concerns expressed by the Community Council regarding the South Mountain Freeway Study and the potential impacts of the current study on the Community. ADOT recognizes the importance of continuing to work with the Community members, the Community Council and the Community's Department of Transportation to openly communicate and address these potential impacts throughout every step of the study process. Please see the following South Mountain Study Team's perspective on the various issues stated by the Community Council during our recent presentation:

Preservation of Land and Quality of Life

As part of the study process, ADOT is required by federal law to analyze the potential affects of both building a freeway and not building a freeway on two very important environmental resources – Air and Noise.

As a first directive, the study team looks to eliminate all impacts. However, it is not possible to eliminate all impacts, so the next step is to minimize the impacts. Ultimately, if there are impacts to these environmental resources as a result of the project, ADOT will work with the Community on acceptable mitigation solutions. Some approaches used on past projects include:

- Construct noise barriers and apply rubberized asphalt to minimize the affect of noise.
- Develop an economic opportunities study independent of the environmental study that looks at potential development opportunities.
- Lead the process of acquiring lands currently not part of the Community to exchange for Community lands used if a Community alternative is selected for build.
- Provide signage along the freeway identifying the adjacent lands as being the Gila River Indian Community.

Community Freeway Access

ADOT will work with the Community to incorporate the Community preferences regarding access to freeway interchange locations and which freeway access points best accommodate the Community's plans for the future. As a regional facility, the Community would be allowed access to the freeway at any of the proposed interchange locations. Specifically, access would be immediate in areas where the Community has existing roadways and in areas where Community roads do not currently exist, access

would be available whenever the Community develops the roadways that connect to the interchange locations.

In an effort to fully understand the Community's interchange preferences, ADOT will issue a letter to the Community detailing potential interchange locations along the alternatives currently under study. Additionally, we will provide details of potential options for the 51st Avenue interchange. We would like your input on all the potential interchange locations and any comments you may have specific to the 51st Avenue options.



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

July 25, 2005

David P. Jankofsky
Deputy Director

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Thank you for allowing ADOT and FHWA representatives to discuss important transportation related issues with the Community Council on July 5, 2005. Please accept this letter as my response to important issues identified by the Council regarding the Santan Freeway.

There continues to be a misunderstanding of access to/from the Santan Freeway at McClintock Drive and Chandler Village Drive (Country Club Way). The attached Final Environmental Update, Santan Freeway (SR 202L), 56th Street to Price Freeway, dated April 1999, clearly illustrates that access to/from GRIC roadways at these locations was planned. Whenever the Community desires to connect roadways to the Santan Freeway at McClintock Drive and Chandler Village Drive, a no cost permit will be issued after ADOT and GRIC agree upon the engineering details of these roadway connections. ADOT would like to work with the Community to assure adequate control of access of approximately 300 feet is protected prior to the first driveway or side street connection to these crossroads. ADOT will purchase this control of access and participate in the construction costs within these limits when these connections are made.

Similarly, the Community would also have access to the South Mountain Freeway traffic interchanges intersecting local roads. If a freeway were constructed along Pecos Road, the Community would have access to the interchanges that were constructed. Or if a freeway were constructed on Community land then the Community would have access on both sides of the freeway. Either of these concepts assumes that a build alternative is selected. ADOT has the final say on freeway interchange locations that connect to locally owned roads. This is done in cooperation with affected local governments but it is ultimately an ADOT decision. ADOT is not in the leadership role for determining where roadways may cross over or under the freeway, but do not connect to the freeway. Those roadways across freeways need to be resolved between appropriate political jurisdictions, in cooperation with ADOT, to assure freeway operations and safety is maintained.

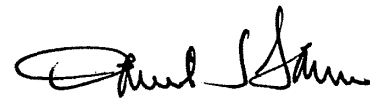


The Honorable Richard Narcia
July 25, 2005
Page Two

Additionally, there seems to be a misunderstanding of ADOT's Noise Policy, particularly regarding where berms or sound walls are constructed as a noise mitigation feature along the Santan Freeway. ADOT's 2000 Noise Policy is in compliance with the FHWA laws and policy guidance manuals. Per federal guidelines, residential properties and public use areas receive the highest priority for protection/mitigation when the amount of noise exceeds specific thresholds. Undeveloped land is not normally considered for noise mitigation. Commercial property owners often waive their right for noise mitigation even if they qualify for mitigation because visibility is usually more important to them than noise mitigation. This is why there are chain link fences adjacent to undeveloped land and most commercial properties, while most residential neighborhoods, parks, schools etc. have sound walls or berms. We would be pleased to schedule a presentation concerning noise analysis and mitigation strategies, if desired. ADOT has also developed a 15-minute noise video to help explain the basics of the noise policies. The policy is also available on the ADOT web page @ www.azdot.gov or upon request.

We look forward to continue working with the your office, Community Council members, the Community Department of Transportation staff, District representatives, and landowners as the I-10 and South Mountain studies progress. Thank you for your ongoing cooperation and consideration of these issues.

Sincerely,



Dan Lance
Deputy State Engineer
Valley Transportation

cc: Lt. Governor Thomas
Gila River Indian Community Council Members
Gary Bohnce, Gila River Indian Community Chief of Staff
Sandra Shade, Gila River Indian Community Department of Transportation



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

August 18, 2005

Sam Elters
State Engineer

Jim Andersen, Realty Specialist
Bureau of Land Management
21605 West 4th Avenue
Phoenix, Arizona 85027

RE: Recreation and Public Purposes Act Lease A-31292
Rio Salado Oeste Project

Dear Mr. Andersen:

This letter summarizes the agreements voiced at the meeting held on July 11, 2005 with representatives from the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT). The meeting pertained to the relationship of the above-referenced lease and the W55 Alternative being considered for the South Mountain Freeway in an Environmental Impact Statement (*South Mountain Transportation Corridor in Maricopa County, Arizona*) now under preparation. As currently aligned, the alternative would pass through the leased property.

At the meeting, it was agreed upon that the City of Phoenix (lessee) has been aware of, planned for, and has incorporated the alternative concept in the City of Phoenix General Plan and has designed the Rio Salado Oeste Project incorporating such concept, which at this time crosses the lease property. It was further agreed that although the current lease agreement does not include reference to the South Mountain Freeway, the Bureau of Land Management (lessor) would support working in concert with the City of Phoenix to take the steps necessary to amend the lease in a manner that would allow for the W55 Alternative to pass through the property if the W55 Alternative is identified as the selected alternative in the FHWA/ADOT approved EIS and record in the NEPA Record of Decision.

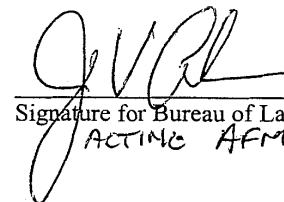
If this is an accurate summary of what was discussed at the meeting, please sign concurrence line below.

Thank you.

Sincerely,



Ralph Ellis, CPM
ADOT Environmental & Enhancement Group



Signature for Bureau of Land Management Concurrence

c: Steve Thomas, FHWA
Mike Bruder, ADOT Valley Project Management
Amy Edwards, HDR
Jack Allen, HDR



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

August 18, 2005

Sam Elters
State Engineer

Karen L. Williams, Rio Salado Coordinator
City of Phoenix, Office of the City Manager
200 West Washington Street, 12th Floor
Phoenix, Arizona 85003

RE: Recreation and Public Purposes Act Lease A-31292
Rio Salado Oeste Project

Dear Ms. Williams:

This letter summarizes the agreements voiced at the meeting held on July 11, 2005 with representatives from the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT). The meeting pertained to the relationship of the above-referenced lease and the W55 Alternative being considered for the South Mountain Freeway in an Environmental Impact Statement (*South Mountain Transportation Corridor in Maricopa County, Arizona*) now under preparation. As currently aligned, the alternative would pass through the leased property.

At the meeting, it was agreed upon that the City of Phoenix (lessee) has been aware of, planned for, and has incorporated the alternative concept in the City of Phoenix General Plan and has designed the Rio Salado Oeste Project incorporating such concept, which at this time crosses the lease property. It was further agreed that although the current lease agreement does not include reference to the South Mountain Freeway, the Bureau of Land Management (lessor) would support working in concert with the City of Phoenix to take the steps necessary to amend the lease in a manner that would allow for the W55 Alternative to pass through the property if the W55 Alternative is identified as the selected alternative in the FHWA/ADOT approved EIS and record in the NEPA Record of Decision.

If this is an accurate summary of what was discussed at the meeting, please sign concurrence line below.

Thank you.

Sincerely,

Ralph Ellis, CPM
ADOT Environmental & Enhancement Group

Signature for Rio Salado Oeste Project Concurrence

c: Steve Thomas, FHWA
Mike Bruder, ADOT Valley Project Management
Amy Edwards, HDR
Jack Allen, HDR



Arizona Department of Transportation

Communication and Community Partnerships

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Shannon Wilhelmsen
Communications
Director

08/18/2005

Ms. Cecilia Martinez
Acting Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept
Report
ADOT Tracs No. H 5764 01L

Dear Ms. Martinez:

As you are aware, part of the on-going public involvement efforts by the Arizona Department of Transportation and HDR, Inc. (engineering consultant to ADOT), on the South Mountain Freeway project, we have periodically met with Community members through District update meetings and landowner meetings. As we move forward on the project we would like to reach out to more of the landowners within this area of the Community.

In December 2004, we requested assistance of the BIA, as the repository of landowner records, in providing the names and addresses of the parcel owners within the freeway study's affected area. Given the passage of time since the original request was made, the changes in Superintendent, and the on-going coordination with the Community, we would like to re-submit our request for contact data. This information will be used to notify landowners of upcoming meetings and to invite their input into the study process. Enclosed, we are providing the realty group of the Pima Agency with a map developed by HDR that delineates parcels within the Community that we believe may be affected by this study.

We are very aware of the sensitivity of the contact information and the high level of confidentiality that must be maintained upon receipt of this documentation. Therefore, any records we receive will **only** be used to generate a mailing list for its intended purpose of notifying landowners of upcoming meetings and inviting their input in the study process for this project.

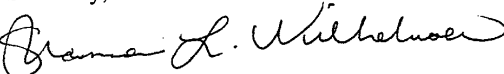
If you honor this request, you may send the information in the form you deem most convenient (i.e., hard copy, electronic – spreadsheet, GIS, etc.) to the following address:



Shannon L. Wilhelmsen
 Arizona Department of Transportation
 206 S. 17th Avenue
 Mail Drop 118A
 Phoenix, AZ 85007
Swilhelmsen@dot.state.az.us

I look forward to continuing to work with you and your staff as this project moves forward. If you have any questions regarding this matter, or the study in general, please do not hesitate to contact me at (602) 712-7356.

Sincerely,



Shannon L. Wilhelmsen, Director
 Communication and Community Partnerships

CC: Governor Richard Narcia, Gila River Indian Community
 Lt. Governor Mary Thomas, Gila River Indian Community
 Gary Bohnee, Gila River Indian Community Chief of Staff
 Sandra Shade, Gila River Indian Community Department of Transportation
 Victor Mendez, Arizona Department of Transportation
 Mike Bruder, Arizona Department of Transportation
 Bill Vachon, Federal Highway Administration
 Amy Edwards, HDR



Janet Napolitano
 Governor

Victor M. Mendez
 Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

August 24, 2005

Sam Elters
 State Engineer

The Honorable Richard Narcia
 Governor, Gila River Indian Community
 PO Box 97
 Sacaton, AZ 85247

Dear Governor Narcia,

Please accept this letter as a follow-up to the Arizona Department of Transportation's (ADOT) recent letter to the Community Council and the July 5, 2005 Community Council meeting with ADOT and FHWA. As discussed at the Council meeting and in Shannon Wilhelmsen's follow-up letter of July 22, 2005, ADOT is continuing detailed analysis of alternatives for the South Mountain Freeway. A significant portion of this analysis pertains to potential interchange locations. Although the freeway alternatives under study are not located on the Gila River Indian Community, they are immediately adjacent to the northern boundary of the Community. Therefore, per our commitment to work with yourself and the Community Council on issues affecting the Community, we are requesting Community input on potential interchange locations and the three configuration options for the proposed 51st Avenue interchange.

Potential Interchanges

The South Mountain Freeway study has reached a point where interchange locations must be defined to allow the study to move forward. ADOT is requesting input from jurisdictions adjacent to the corridor regarding the appropriateness of the proposed locations. Following concurrence from the local jurisdictions these locations are included in the alternatives and studied in detail.

The attached Figure 1 illustrates interchange locations being considered along the northern border of the Community. Given our analysis of traffic demands and design, it is possible to construct interchanges in these locations and have them utilized by traffic and function properly. Potential interchange locations, from east to west, are:

- | | |
|----------------------------|---------------------------|
| ▪ 40 th Street | ▪ 27 th Avenue |
| ▪ 32 nd Street | ▪ 51 st Avenue |
| ▪ 24 th Street | ▪ Elliot Road |
| ▪ Desert Foothills Parkway | ▪ Dobbins Road |
| ▪ 17 th Avenue | ▪ Baseline Road |

ADOT is formally requesting input from the Community regarding these potential interchange locations.



It should be noted freeway access will be permitted from the Community at all of the approved interchange locations. Existing roadways within the Community will have immediate access to the interchanges. At locations where no roadways exist, access will be permitted when Community roads are extended to the interchange location. Access control will be required at all TI locations per ADOT standard policy, see attached Figure 2.

51st Avenue TI

As part of the detailed study of alternatives, the project team has developed three options for the 51st Avenue interchange. The options being considered were developed to minimize impact to South Mountain, an area provided special protection by federal law. As such, the proposed options have resulted in shifting the 51st Avenue interchange west thereby minimizing the impact to South Mountain. A brief listing of the key components and a graphic depiction for each of these options is attached.

Spur Road Option

This option is shown in Figure 3.

- 51st Avenue remains within the existing right-of-way and follows the existing alignment.
- The South Mountain Freeway would go over 51st Avenue on bridges.
- A new road (Spur Road) would intersect with 51st Avenue north of the boundary and south of Estrella Drive.
- The Spur Road would provide access from 51st Avenue to the interchange with South Mountain Freeway, west of 51st Avenue and south of Estrella Drive.
- To access the freeway from 51st Avenue, vehicles would turn onto the spur road and access the interchange ramps.
- Vehicles traveling from the north into the Community would continue to do so as they are now, utilizing 51st Avenue without change.
- The Community would have access to this interchange if a Community road is built to connect with the Spur Road.

Realigned 51st Avenue Option

This option is shown in Figure 4.

- The interchange would be west of 51st Avenue and south of Estrella Drive.
- From the north, 51st Avenue would be realigned to provide access directly to the proposed South Mountain interchange. From the south, 51st Avenue would curve west to intersect with the realigned 51st Avenue.
- South Mountain Freeway would go over the realigned 51st Avenue on bridges.
- To access the freeway from 51st Avenue, vehicles from the north would utilize the realigned 51st Avenue and directly access the interchange ramps. Vehicles from the south would utilize the realigned 51st Avenue to an intersection with the realigned 51st Avenue from the north. From the intersection, vehicles would go southwest on realigned 51st Avenue to access the interchange ramps.
- Vehicles traveling from the north into the Community would utilize the two realigned portions of 51st Avenue and go through the intersection made by these two facilities.
- The Community would have access to this interchange if a Community road is built to connect with the portion of 51st Avenue realigned from the north.



Estrella Drive Option

This option is shown in Figure 5.

- 51st Avenue follows its existing alignment.
- The South Mountain Freeway would go over 51st Avenue on bridges.
- The South Mountain Freeway interchange would be with Estrella Drive, west of 51st Avenue.
- To access the freeway from 51st Avenue, vehicles from both the north and south would utilize the intersection with Estrella Drive and continue west to access the interchange ramps.
- Vehicles traveling from the north into the Community would continue to do so as they are now, utilizing 51st Avenue without change.
- The Community would have access to this interchange from Estrella Drive.

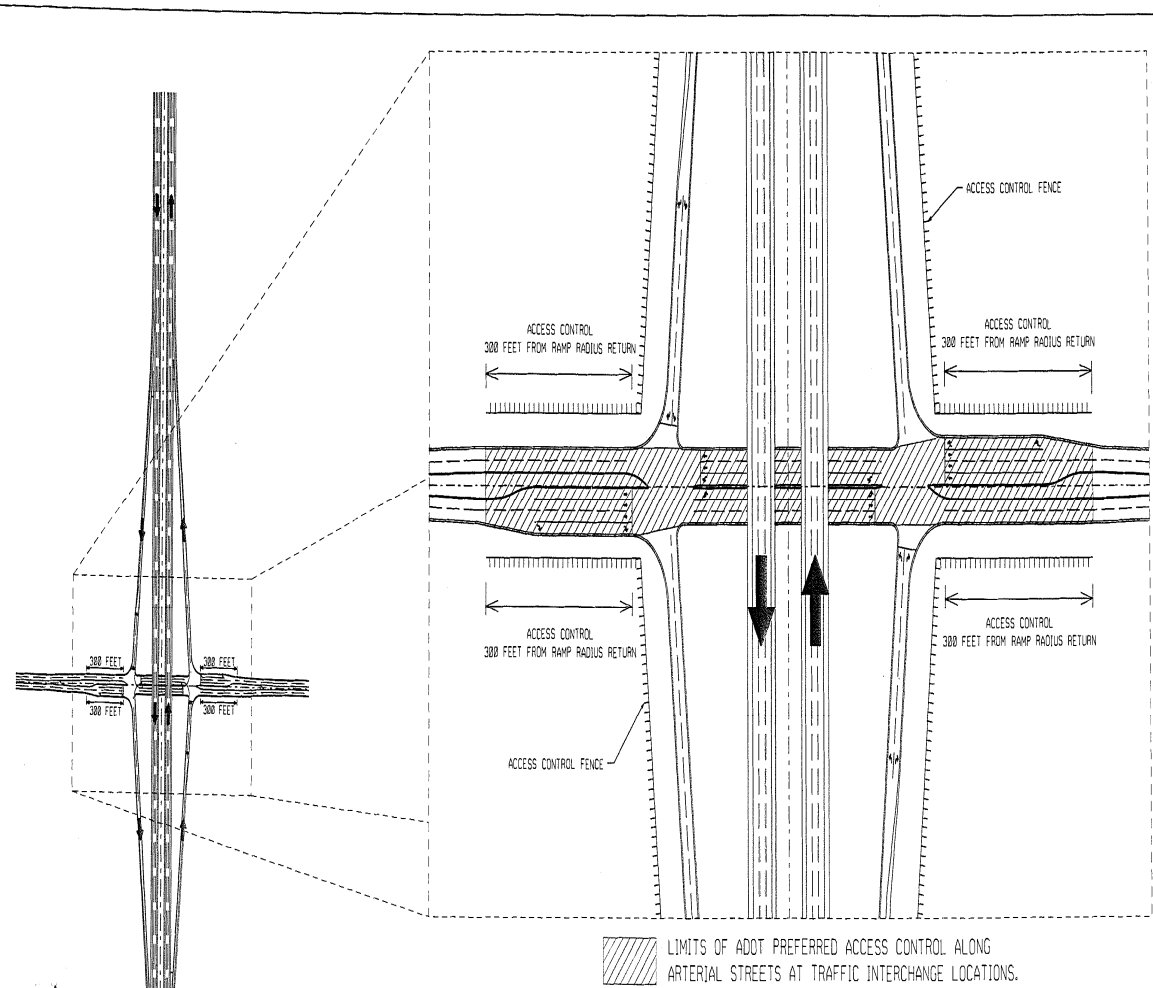
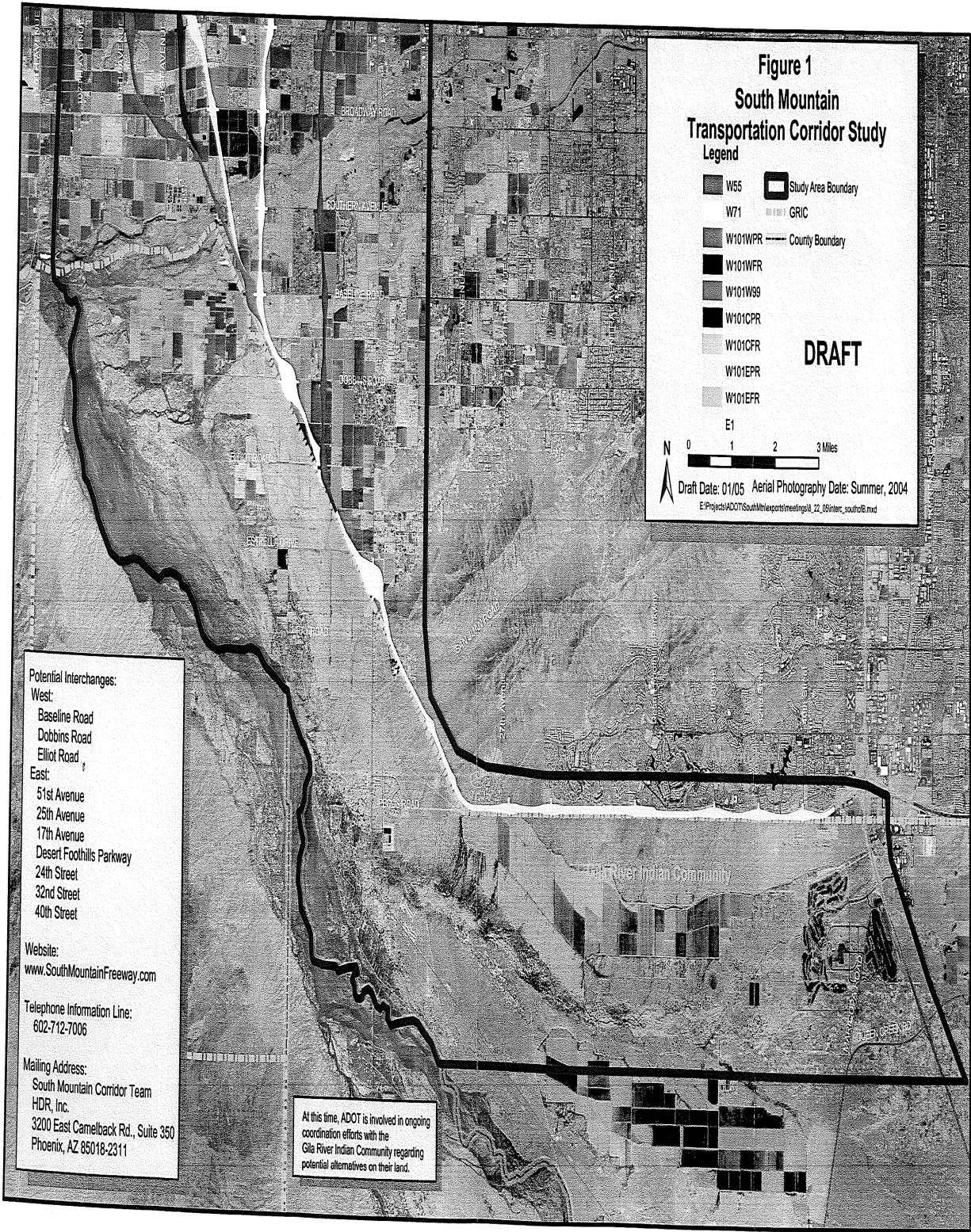
ADOT is requesting comment from the Community regarding their preference of these three options. If the Community feels there may be other options to consider, we welcome this input. Community input on these very important matters is requested by October 31, 2005.

If you have any questions regarding this matter, please do not hesitate to contact me at 602-712-8274. We look forward to working with you, Sandra Shade and the GRIC Department of Transportation staff on these matters.

Sincerely,

Daniel S. Lance
Deputy State Engineer
Valley Transportation

Cc: Lieutenant Governor Mary Thomas, Gila River Indian Community
Gila River Indian Community Council Members
Gary Bohnee, Gila River Indian Community, Chief of Staff
Sandra Shade, Gila River Indian Community, Director Department of Transportation
Bill Vachon, Federal Highway Administration
Cecilia Martinez, Acting Superintendent, BIA Pima Agency
Shannon Wilhelmsen, ADOT, Director Communication and Community Partnerships
Michael Bruder, ADOT



ADOT ACCESS CONTROL POLICY

"SECTION 506 OF THE ROADWAY ENGINEERING GROUP "ROADWAY DESIGN GUIDELINES" IS REVISED AS FOLLOWS:

THE ACCESS CONTROL LIMITS ALONG AN URBAN INTERCHANGE CROSSROAD OF A FULLY ACCESS CONTROLLED FREEWAY SHALL EXTEND A MINIMUM OF 300 FEET BEYOND THE RAMP RADIUS RETURNS ON THE CROSSROAD. THIS IS REVISED FROM THE 30M OR 100 FEET PREVIOUSLY REQUIRED IN URBAN AREAS. THIS CHANGE MAKES THE ACCESS CONTROL REQUIREMENTS ON INTERCHANGE CROSSROADS THE SAME FOR URBAN AND RURAL APPLICATIONS. WHEN THE CROSSROAD IS SKEWED, IT IS DESIRABLE TO SET THE ACCESS CONTROL LIMITS OPPOSITE AT THE SAME CROSSROAD STATION WITH THE LIMIT FURTHEREST FROM THE MAINLINE AS THE CONTROL. THE ACCESS CONTROL LIMITS SHALL BE SHOWN ON THE ROADWAY PLANS."

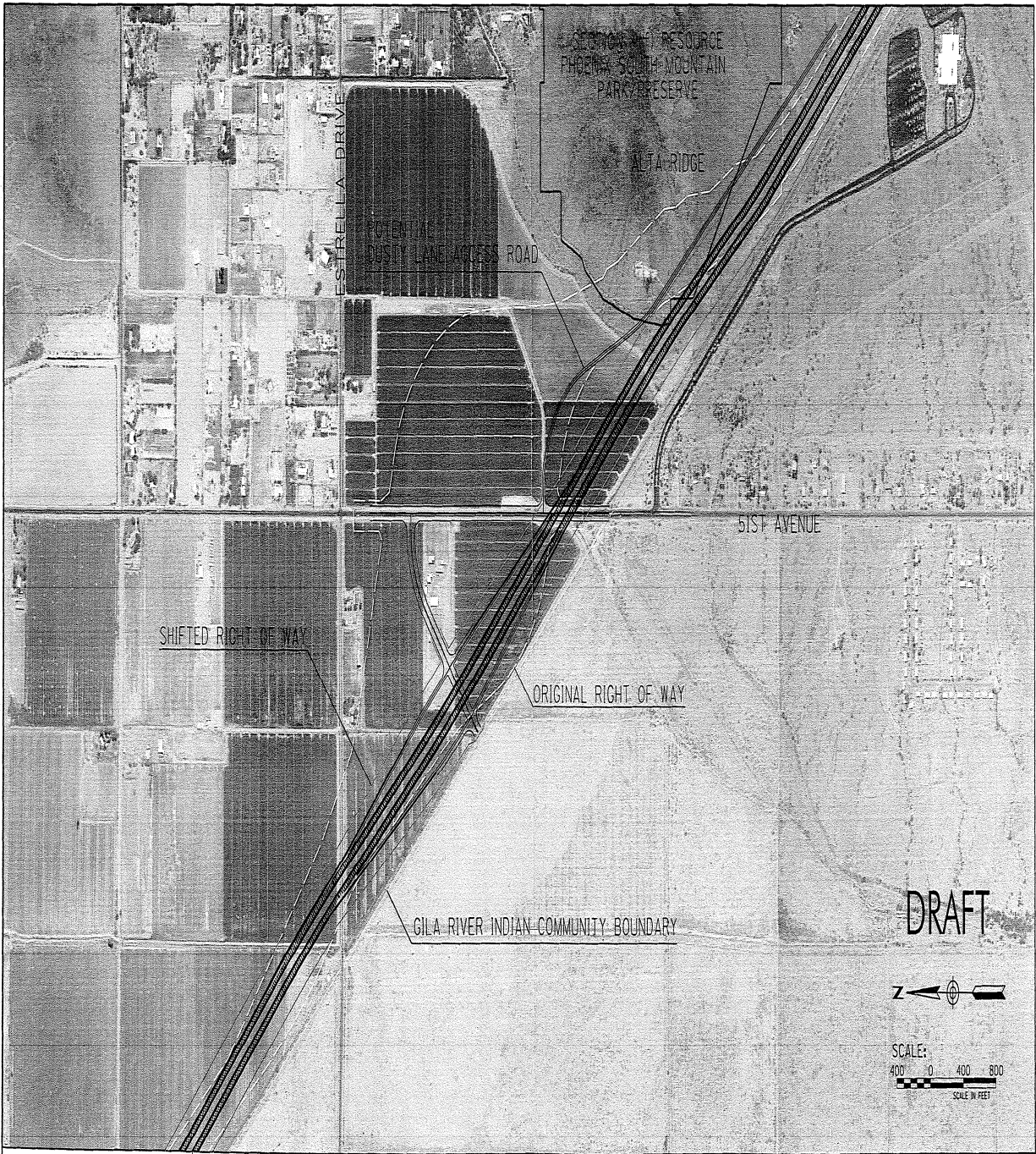
ASSISTANT STATE ENGINEER, ROADWAY ENGINEERING GROUP, JULY 30, 2001




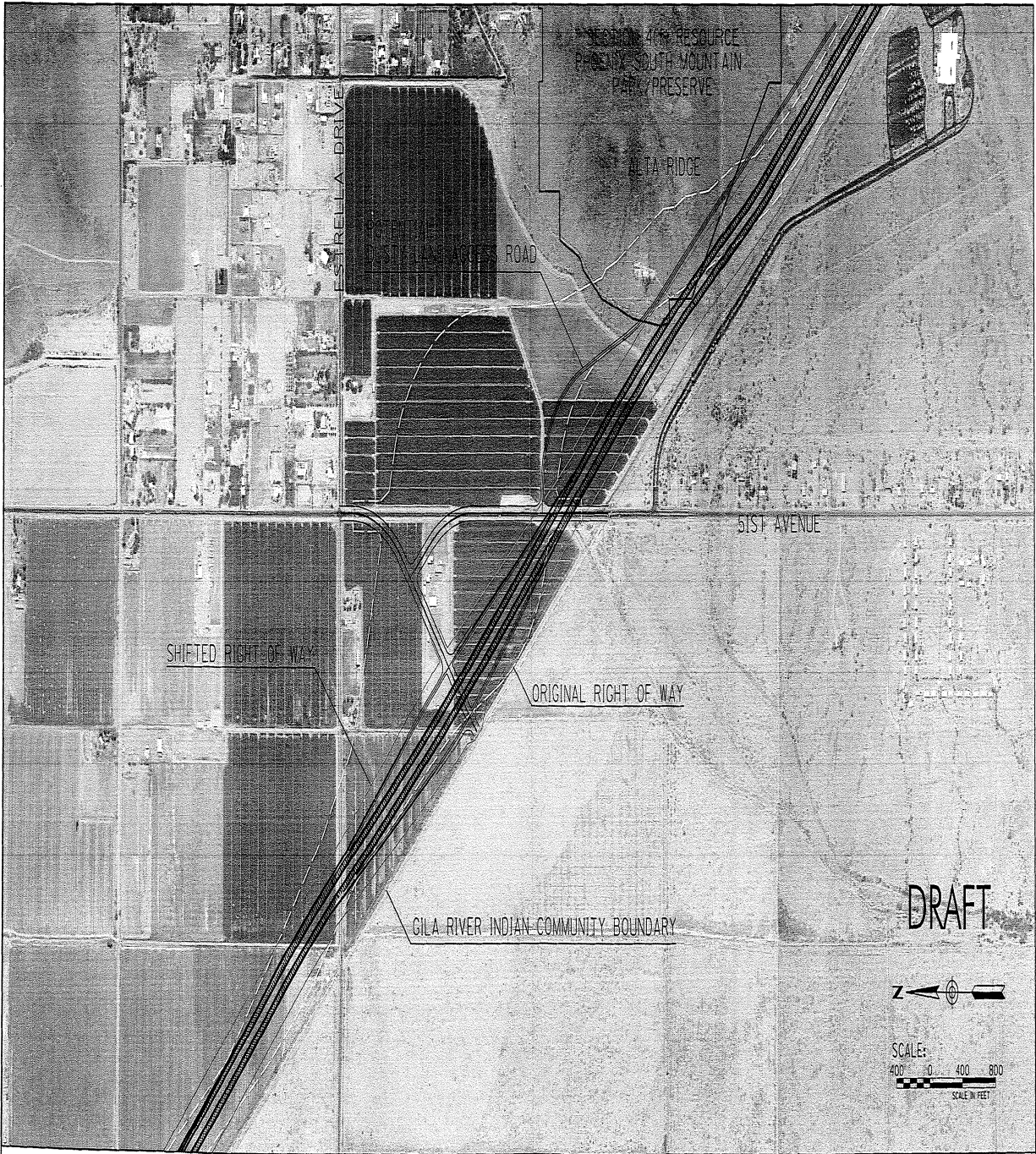
South Mountain Transportation Corridor
TRACS No. 202L MA 054 H5764 01L
FHWA Federal Project No. NH-202-D 0


SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ARTERIAL STREET ACCESS CONTROL AT TRAFFIC INTERCHANGES
PER ADOT POLICY

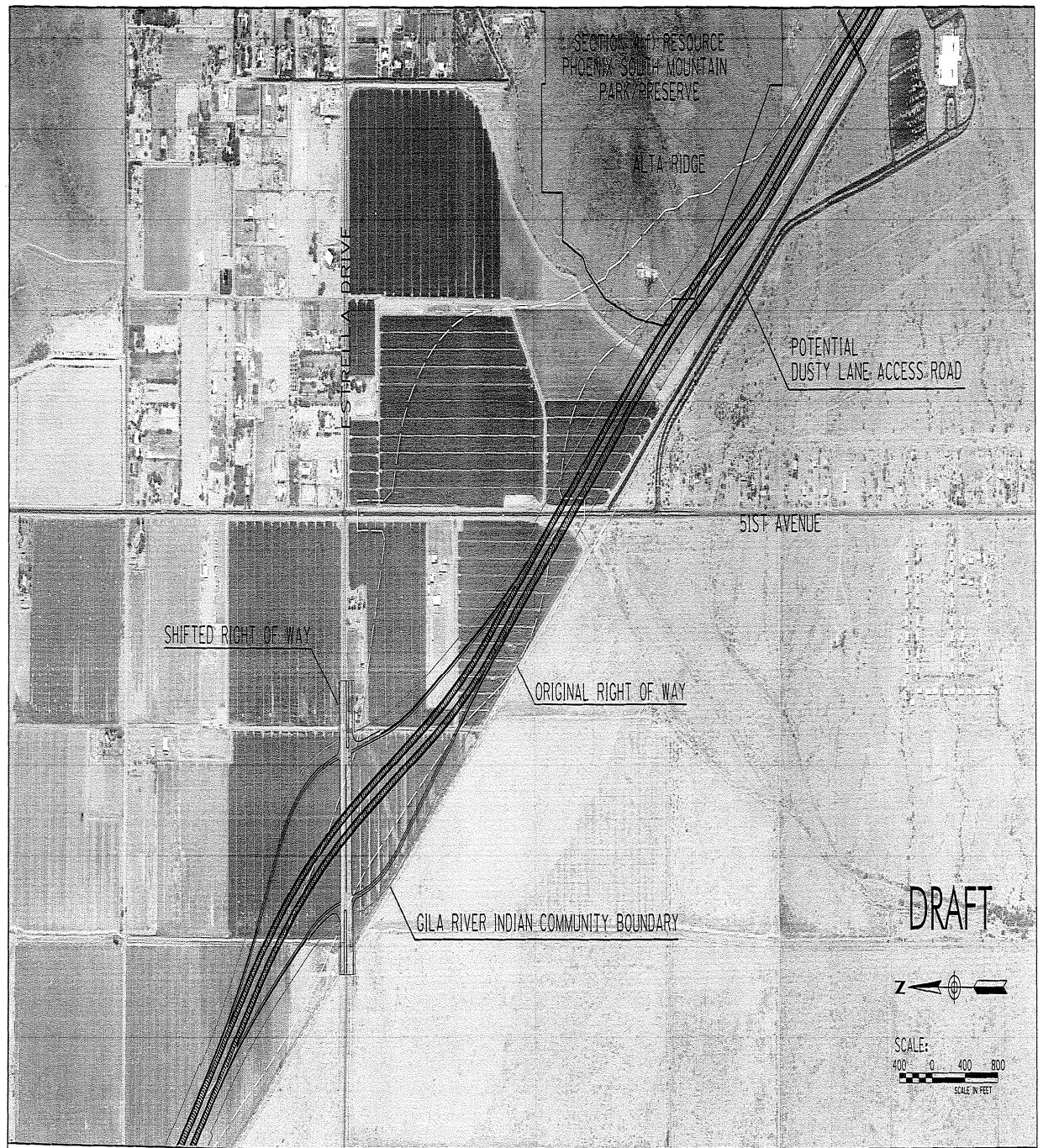
FIGURE 2




 South Mountain Transportation Corridor TRACS No. 202L MA 054 H5764 01L FHWA Federal Project No. NH-202-0 0	<p>SOUTH MOUNTAIN TRANSPORTATION CORRIDOR ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 4(f) RESOURCE PHOENIX SOUTH MOUNTAIN PARK /PRESERVE OPTION 1 – 51ST AVENUE SPUR</p>	FIGURE 3
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 South Mountain Transportation Corridor TRACS No. 202L MA 054 H5764 01L FHWA Federal Project No. NH-202-0 0	<p>SOUTH MOUNTAIN TRANSPORTATION CORRIDOR ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 4(f) RESOURCE PHOENIX SOUTH MOUNTAIN PARK /PRESERVE OPTION 2 – REALIGN 51ST AVENUE</p>	FIGURE 4
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 **SOUTH MOUNTAIN TRANSPORTATION CORRIDOR**
ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 4(f) RESOURCE
PHOENIX SOUTH MOUNTAIN PARK /PRESERVE
OPTION 3 - ESTRELLA DRIVE INTERCHANGE

South Mountain Transportation Corridor
TRACS No. 202L MA 054 H5764 01L
FHWA Federal Project No. NH-202-D 0

FIGURE 5



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

October 7, 2005

Sam Elters
State Engineer

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia,

On August 24, 2005, the Arizona Department of Transportation (ADOT) forwarded a letter to Gila River Community management and staff outlining potential interchange locations on the South Mountain Freeway and presenting three options for a 51st Avenue Traffic Interchange (TI). An error was noted in the text listing the potential interchange locations. The correct locations are, from east to west:

- | | |
|----------------------------|---------------------------------|
| ▪ 40 th Street | ▪ 25th Avenue |
| ▪ 32 nd Street | ▪ 51 st Avenue |
| ▪ 24 th Street | ▪ Elliot Road |
| ▪ Desert Foothills Parkway | ▪ Dobbins Road |
| ▪ 17 th Avenue | ▪ Baseline Road |

The original letter indicated a potential interchange location at 27th Avenue. The actual proposed location is **25th Avenue** and is accurately listed on Figure 1 attached to the original letter. Please accept our apologies for any inconvenience this oversight may have caused.

Community input is requested by October 31, 2005 on these very important matters. If you have any questions regarding this matter, please do not hesitate to contact me at 602-712-8274.

We look forward to continuing to work with you, Sandra Shade and the Community on these matters.

Sincerely,

Daniel S. Lance
Deputy State Engineer
Valley Transportation



2001 Award Recipient

The Honorable Richard Narcia
October 7, 2005
Page Two

c: GRIC Lt. Governor Thomas
GRIC Tribal Council
Shannon Wilhelmsen, ADOT
✓ Michael Bruder, ADOT
Bill Vachon, FHWA
Project File



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

David P. Jankofsky
Deputy Director

November 7, 2005

The Honorable Richard Narcia
Governor Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Thank you for continuing to communicate your concerns with ADOT. In response, I offer the following information.

1. In regards to Resolution GR-119-05, ADOT is still in the process of evaluating and assessing the Gila River Indian Community's requests. In the meantime, ADOT remain committed to working with you and will be ready to initiate negotiations with the Gila River Indian Community in the near future.
2. In reference to communication protocol with the Gila River Indian Community, ADOT is reviewing the available options and a contact person will be designated in the near future.
3. Finally, in relation to SR 347, ADOT's understanding of needs and potential improvements are outlined below:
 - SR 347 at Casa Blanca Road:
A draft Traffic Warrants Study has been completed by the Tucson District and a complete Accident History Report has been requested from the Gila River Indian Community to further analyze and update the Draft Study. ADOT is still awaiting the Accident Report Data, which could change the outcome of the Draft Study. Further discussion and coordination is expected to occur between the Tucson District and the Gila River Indian Community to finalize this issue.
 - SR 347 at Rinker Sand and Gravel Plant:
The Tucson District has received and reviewed the Traffic Impact Analysis (TIA) and it indicates that a traffic signal is not warranted at this location based on current conditions. However, a traffic signal will be warranted if the Rinker Sand and Gravel Plant completes the proposed



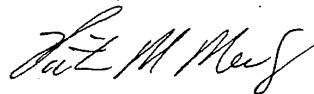
Governor Richard Narcia
November 7, 2005
Page Two

expansion of their operation. In that case, as with all new development impacts throughout the state, Rinker will be expected to pay for the traffic signal. In the meantime, ADOT will coordinate with Rinker under a cost sharing agreement to add an acceleration lane in the SB direction on SR 347 as an interim improvement and could possibly include it in an upcoming pavement preservation project in this area.

- SR 347 at Old Maricopa Road:
It is not clear to ADOT what the specific traffic concerns are at this location. However, the Phoenix Maintenance District has identified some signing improvements that consist of upgrading the stop sign at Maricopa Road to a 60-inch and the warning signs to 48 x 48 inch signs. The District is also considering adding a right turn acceleration lane and taper from the Maricopa Road to the SR 347. We believe these improvements will enhance the functionality and efficiency of this intersection. Future development will have significant impact on the operation of this intersection. ADOT remains committed to working with you and will require the necessary Traffic Impact Analysis to ensure adequate improvements are identified and constructed by such future development.

Should you have any questions, please contact my office.

Sincerely,



Victor M. Mendez

cc: The Honorable Governor Janet Napolitano
Mary V. Thomas, Lt. Governor, GRIC
Gary Bohnce, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
David Snider, Supervisor, Pinal County Board of Supervisors
GRIC Community Council
Robert Hollis, Division Administrator, FHWA
David Jankofsky, Deputy Director, ADOT
Sam Elters, State Engineer, ADOT
Dan Lance, Deputy State Engineer, Valley Transportation, ADOT
Dennis Alvarez, Tucson District Engineer, ADOT
John Hauskins, Phoenix Maintenance Engineer, ADOT
Shannon Wilhelmsen, Director, Communications and Community Partnerships, ADOT

Attachment

Richard P. Narcia
GOVERNOR



MARY V. THOMAS
LIEUTENANT GOVERNOR

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 12, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007

Dear Mr. Mendez:

A request from the Gila River Indian Community was sent to your office dated March 15, 2005 regarding traffic and safety concerns at the intersection of State Route 347 and Casa Blanca Road. At that time, a request was made to ADOT to undertake a traffic study to determine whether placing a signal at this intersection was warranted.

Correspondence dated April 4, 2005 from Mr. Dennis Alvarez, Tucson District Engineer, stated that Mr. Alvarez' staff would be in contact with our Department of Transportation staff on this matter. The correspondence also indicated that a study would be undertaken within 30 days and a full report would be completed within 90 days. It is my understanding that no follow-up occurred, and that the Community only learned of a "Draft Traffic Signal Evaluation" document, after the study had already been completed. This concern was transmitted to Mr. Alvarez, with a copy to your office, in yet another correspondence dated August 1, 2005. As a part of this transmittal, copies of traffic count comparisons and accident report data was included.

We find it unacceptable that ADOT has been unwilling to formally issue a response to our August correspondence. It was understood from our July 2005 Community Council meeting with your staff, that ADOT was committed to taking a more proactive approach in working with our Community and keeping us updated as to the transportation projects and activities within and surrounding our Community that fall within ADOT's jurisdiction.

On a similar matter, there was a separate study conducted for one of our tribal entities by Lee Engineering for a traffic signal on State Route 347 and the Rinker Sand and Gravel Plant for which a response has not been received.

We also have a traffic safety concern at the intersection of Queen Creek Road (SR 347) and "Old" Maricopa Road that we feel should also be studied by ADOT.

I am again requesting that an updated Traffic Signal Evaluation document be sent directly to my office with a courtesy copy to Ms. Sandra Shade, Director for our Community's Department of Transportation. Upon our review, we would like to meet with you regarding this matter. We would also appreciate a status update on the study conducted by Lee Engineering.

Please feel free to contact my office if you have any questions.

Sincerely,



Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
GRIC Community Council
Gary Bohnce, Chief of Staff
Sandra Shade, Director, GRIC DOT
Supervisor David Snider, Pinal County Board of Supervisors

Richard P. Narcia
GOVERNOR



MARY V. THOMAS
LIEUTENANT GOVERNOR

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 14, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007-3213

Dear Director Mendez:

On behalf of the Gila River Indian Community (the "Community"), I appreciate the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) for taking the time to meet to discuss important transportation issues that face our respective organizations.

As such, I believe the key to building a successful partnership is to develop a better communication process and protocol. Central to this effort is the need to identify a point of contact in our respective organizations that is both knowledgeable and capable of speaking in an official capacity. For the Community, Ms. Sandra Shade, Director, Gila River Department of Transportation will continue to serve as the primary contact.

Consistent with our discussion, the Community would like to have Mr. Bill Hayden serve as the ADOT's primary liaison to the Community. As a part of your current team, Mr. Hayden brings to the table the requisite experience in working with tribal governments. He has an established relationship with the Community Council, key staff, and the Bureau of Indian Affairs (BIA). Of equal importance are his experience, knowledge and respect for our tribal protocol. The Lieutenant Governor and I both feel strongly that Mr. Hayden has demonstrated the ability to work with our leadership in an effective manner and, therefore, remain unyielding in our request that he serve as the key point of contact from ADOT to work with our Community on this project. We believe Mr. Hayden will move this project forward in a positive manner in the spirit of communication and cooperation with all stakeholders.

Importantly, the Community recognizes the Interstate 10 (I-10) Widening Project is the number one statewide priority project for ADOT. As such, we feel strongly that ADOT

must bring an experienced and professional project management team who will work closely with our key staff in moving this project forward.

The Community Council adopted Resolution GR-119-05 on August 5, 2005 that identifies several priority areas regarding the alignment, improvement, operation and maintenance of, and access to Interstate 10 within the boundaries of our Community. A copy of this resolution has been provided to you and Mr. Robert Hollis of FHWA so that your respective organizations may begin the review process while we concurrently move forward with a Community outreach program and additional input and participation.

Again, it was a pleasure to have the opportunity to meet with you and Mr. Hollis and I look forward to a mutually beneficial working relationship. Your consideration of the Community's recommendations is greatly appreciated.

Sincerely,



Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Hollis, FHWA Division Administrator
The Honorable Governor Janet Napolitano



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

November 9, 2005

David P. Jankofsky
Deputy Director

The Honorable Richard Narcia
Governor Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Please accept this communication as a formal follow-up to some communication items we understand Mr. Bill Hayden has relayed to the Community. Our understanding is that you have already been informed of the following items and this communication is intended to be a more formal summary from my office.

Currently, ADOT is in the midst of an extensive public involvement effort to brief local communities, elected officials and media organizations regarding the South Mountain Freeway project in preparation for an extensive round of public meetings to be held next week.

Public Meetings

Public meetings will be held from Noon - 8 p.m. on November 15 in Avondale, November 16 in Laveen and November 17 in Ahwatukee to discuss the South Mountain Freeway study. Large aerial photographs overlayed with the freeway alignments will be on display at the meeting to illustrate the potential right of way impacts to give the public their first look at a detailed depiction of the South Mountain Freeway alignments. These meetings will generate significant comments and discussion among the public, elected officials and the media.

Local Agency Briefing

My understanding is that Mr. Hayden invited the Community to attend an agency briefing ADOT will hold on November 9, 2005 at 3 p.m. to discuss the information that will be presented at the public meetings. At this time, I have not heard whether or not Community representatives are planning on attending the briefing and my hope is that you are in attendance.

Media Briefings

On November 8, 2005 ADOT held media briefings with the Arizona Republic and the Ahwatukee Foothills News to discuss the South Mountain Freeway study.

General Communication

ADOT has produced a newsletter to provide general information about the project as well as to advertise the public meetings. We have distributed nearly 100,000 newsletters in Ahwatukee and the West Valley to homes and businesses in the study



The Honorable Richard Narcia
November 9, 2005
Page Two

area. We also have set aside several thousand brochures for distribution on the Gila River Indian Community.

My understanding is that Mr. Hayden asked representatives from the Community whether or not the brochures should be distributed to Community members and we have not yet heard whether or not the Gila River Indian Community will allow such distribution. Please let us know if you would like us to distribute the brochures.

Traffic Interchange and Drainage Issues

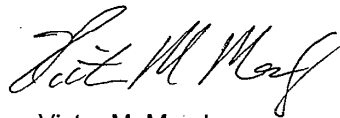
The location of future traffic interchanges along the South Mountain Freeway is another issue that we would like to have input from the Gila River Indian Community. We have written letters to the Community on August 24, 2005 and October 7, 2005 seeking input from the Community about the Community's preference for interchange locations along the South Mountain Freeway. Also, my understanding is that Mr. Hayden recently communicated to the Community the preferences stated by the City of Phoenix to eliminate the proposed South Mountain interchange at 32nd Street and to move the proposed interchange at 25th Avenue further west to match up with Chandler Boulevard at 27th Avenue. The interchange at 32nd Street has generated considerable concern among Ahwatukee residents given the number of homes that would need to be acquired if it is built and the potential increase in traffic passing by Desert Vista High School. It would be extremely helpful to know whether or not the Gila River Indian Community has a preference for an interchange at 32nd Street.

In the near future, we also will need to discuss the analysis of drainage impacts and methods to address drainage associated with the South Mountain Freeway study.

Since ADOT staff has informed me that they have not heard from Gila River Indian Community representatives on these subjects, I wanted to confirm that the information regarding developments on the South Mountain Freeway study and the project's public involvement efforts have been communicated so that the Gila River Indian Community may provide input to the study team.

I look forward to receiving information from the Community regarding the above items.

Sincerely,



Victor M. Mendez

cc: Mary V. Thomas, Lt. Governor, GRIC
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Hollis, Division Administrator, FHWA
David Jankofsky, Deputy Director, ADOT
Sam Elters, State Engineer, ADOT
Dan Lance, Deputy State Engineer, ADOT
Shannon Wilhelmsen, Director, Communications and Community Partnerships, ADOT
Bill Hayden, Life Cycle Coordinator, ADOT



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

January 19, 2006

Leslie Spencer-Snyder
Phoenix Mountain Preservation Council
P.O. Box 26121
Phoenix, AZ 85068-6121

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Ms. Spencer-Snyder

On November 7, 2005, a presentation was made to the Phoenix Mountain Preserve Council (PMPC) regarding the potential impacts on South Mountain Park/Preserve (SMPP) as a result of the proposed South Mountain Transportation Corridor (SMTC). The purpose of the meeting, in addition to updating the PMPC about the project, was to solicit input regarding measures to minimize harm to the park.

At the conclusion of the meeting, attendees were requested to complete and return a comment sheet. The following represents a summary of the comments received during the meeting and through the comment forms:

- The PMPC was in favor of the No Build Alternative
- Land in the SMPP is irreplaceable
- Another method should be found to move people
- There is a Parks Board resolution opposing use of the Park.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed the Eastern Section Alternative of the SMTC would be located as far south as possible to avoid the creation of remnant parcels.
- Sound barriers would be constructed as part of the Eastern Section Alternative on the approach to SMPP near the Foothills Reserve residential development, and just past SMPP near the Dusty Lane residential area. Although these barriers are not specifically for SMPP, they would provide partial noise mitigation to the park/preserve
- Impacts on visual character would result from the Eastern Section Alternative and associated cuts into South Mountain. The proposed freeway would be the dominant feature in the area and would introduce forms, lines, colors, and textures distinctly different from the existing ridgelines. The visual impacts of the section of freeway adjacent to SMPP could be reduced by blending the color, line, and form of the freeway with the surrounding environment.
- Vegetation buffers could be used to screen views of the freeway.
- Any retention basins and their landscape treatments could be blended into the surrounding area.

Ms. Leslie Spencer-Snider
Page 2
January 19, 2006

- Larger saguaros, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.
- Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help 'naturalize' the surrounding area.
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.
- Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
- The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.
- When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the PMPC does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

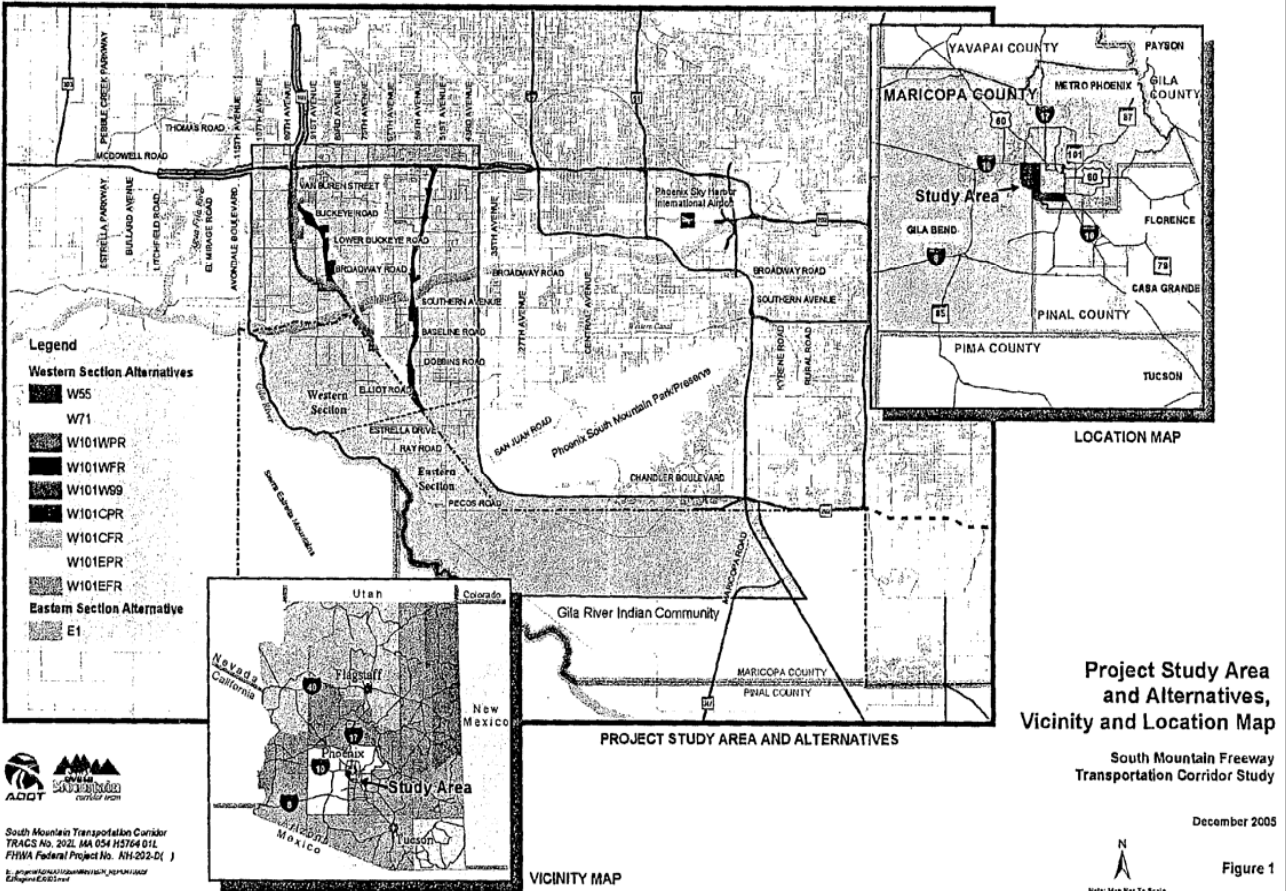
Comments regarding the meeting summary should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 19, 2006 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,

Ralph H. Ellis

Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map



This graphic was included as an enclosure to the four letters that follow in this appendix (Coover, Burke, Nowicki, Spencer-Snider).



Janet
Napolitano
Governor

Victor M.
Mendez
Director

Arizona Department of Transportati
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

January 19, 2006

Sam Elters
State
Engineer

Jim Burke
Phoenix City Hall
City of Phoenix Parks and Recreation Department
200 W. Washington Street, 16th Floor
Phoenix, AZ 85003

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Mr. Burke

On September 22, 2005, representatives from the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT), HDR Engineering, Inc. (HDR), the City of Phoenix Parks and Recreation Board (Board), and the public met at the Phoenix Zoo to discuss the potential impacts on Phoenix South Mountain Park/Preserve (SMPP) as a result of the potential South Mountain Transportation Corridor (SMTC) and to solicit input from park stakeholders regarding measures to minimize harm to the park. This correspondence serves as a summary of that meeting along with a discussion of future related actions.

The meeting commenced with an update to the Parks and Recreation Board on the progress of the SMTC Environmental Impact Statement (EIS) with a focus on the SMPP. The project team gave a presentation highlighting the freeway alternatives, the environmental study process, and the potential impacts on SMPP. A two-sided handout was distributed to the Board that included the freeway alternatives on one side and the Regional Freeway System 2003/2030 Traffic Volumes on the other. A comment form was also distributed with the intention of receiving additional suggestions to minimize harm to SMPP.

The following comments were offered by Board members:

Gila River Indian Community (GRIC) Land

- What is the status of the GRIC coordination?
 - Response: GRIC Coordination, at the time of the meeting, was ongoing.
- City of Phoenix should join ADOT/FHWA at the negotiating table and take more time to coordinate with GRIC.
 - Response: ADOT/FHWA have had continuous coordination with GRIC since the start of the study in 2000. Although GRIC continues to communicate no desire for the project on their land, ADOT will continue to communicate with GRIC.
- ADOT should slow down and allow this process and coordination to occur, noting that the GRIC process takes a longer time.
 - Response: See above. Also, the SMTC is an integral part of the Regional Freeway System (RFS) and an important link in optimizing the RFS's operation. Planned since 1985, the project remains critical. ADOT, in turn, has an obligation to be responsive to the traveling public.

Mr. Jim Burke
Page 2
January 19, 2006

- The Board unanimously passed a resolution that "strongly opposes any alignment that goes through SMPP." They also feel that the City of Phoenix and ADOT should work with GRIC "as long as it takes" to allow for alignments to be studied.
 - Response: See above responses
- There is new development in GRIC other than casinos.
 - Response: noted

Potential Freeway Alternative Through SMPP

- Board does not want to see the cuts in SMPP.
 - Response: noted
- The land at the western edge of the SMPP (nose) was purchased by ADOT/City of Phoenix as joint condemnation land to be used by the SMPP.
 - Response: noted
- The project team should work to improve the treatment of habitat and learn from the good and bad experiences of State Route 51. Cuts should blend in to the surroundings and not look like a scar.
 - Response: ADOT will prepare a proposed plan to mitigate Park impacts. The plan will include measures relevant to habitat and slope treatment.
- Options for mitigation include adding trailheads that could be accessed from the freeway interchanges, land trade-offs, and a tunnel.
 - Response: Trailhead and land tradeoffs are still under discussion as possible mitigation. At this time, for design and operational reasons, a tunnel is no longer under consideration.
- How many lanes is the freeway going to accommodate? How will the freeway work with respect to the power lines and water line that currently go through SMPP?
 - Response: Interim 3-lanes in each direction; Ultimate 4-lanes plus an HOV lane for a total of 5-lanes in each direction
- Has the Board/City approved land for the freeway through SMPP?
 - Response: We are unaware of ADOT purchasing land within the Park; however, land adjacent to the Park has been purchased by ADOT. Additionally, the 1988 City of Phoenix General Plan shows the proposed SMTC, designated as the "planned southwestern loop", going through the Park.

No comments or questions were offered by the public.

In conclusion, the Board unanimously passed a resolution that "strongly opposes any alignment that goes through SMPP." They also feel that the City of Phoenix and ADOT should continue to work with GRIC to allow alignments to be studied on GRIC land.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the SMPP are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or in relocated trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed Eastern Section Alternative of the SMTC would be located as far south as possible to avoid the creation of remnant parcels.
- Sound barriers would be constructed as part of the Eastern Section Alternative on the approach to SMPP near the Foothills Reserve residential development, and just past SMPP near the Dusty Lane residential



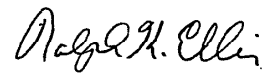
Mr. Jim Burke
Page 3
January 19, 2006

- area. Although these barriers are not specifically for SMPP, they would provide partial noise mitigation to the park/preserve
- Impacts on visual character would result from the Eastern Section Alternative and associated cuts into South Mountain. The proposed freeway would be the dominant feature in the area and would introduce forms, lines, colors, and textures distinctly different from the existing ridgelines. The visual impacts of the section of freeway adjacent to SMPP could be reduced by blending the color, line, and form of the freeway with the surrounding environment.
 - Vegetation buffers could be used to screen views of the freeway.
 - Any retention basins and their landscape treatments could be blended into the surrounding area.
 - Larger saguaros, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.
 - Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help 'naturalize' the surrounding area.
 - Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.
 - Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
 - The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.
 - When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
 - Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
 - Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Park Board does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments regarding the meeting summary should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A **response received by February 19, 2006 or sooner would be greatly appreciated.** Thank you in advance for your cooperation.

Sincerely,
Ralph Ellis



Environmental Planner
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map



Janet
Napolitano
Governor

Victor M.
Mendez
Director

Arizona Department of Transportati
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

January 19, 2006

Mr. Scott Nowicki
Chairman
Mountain Bike Association of America (Arizona)
PO Box 41255
Mesa, AZ 85274-1255

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Mr. Nowicki:

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for the proposed South Mountain Transportation Corridor (SMTC). As you know, the Eastern Section Alternative of the proposed SMTC would go through the southwestern portion of South Mountain Park/Preserve (SMPP) and would use approximately 32 acres of parkland, approximately 8.5 acres less than the original 1988 plan for the SMTC. Our consultant, HDR Engineering, Inc., spoke with Ms. Jean Anderson, a past president and active member of the Arizona State Horsemen's Association, and we understand that your organization is not in favor of the freeway going through the Park. A letter from Ms. Sara Goodnick, the President of the Association also sent a letter (11-18-05) further reinforcing that your organization is not in favor of freeway construction through SMPP.

Currently, in the Eastern Section of the Study Area, the E1 Alternative is the build alternative (see attached map). Should the E1 Alternative be selected, ADOT would like to know what specific measures could be undertaken to lessen the impacts of the freeway on members of your organization using the park's amenities.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed the Eastern Section Alternative of the SMTC would be located as far south as possible to avoid the creation of remnant parcels.
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Mr. Scott Nowicki
Page 2
January 19, 2006

- Vegetation buffers could be used to screen views of the freeway.
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- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Mountain Bike Association of Arizona does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by February 10, 2006 or sooner would be greatly appreciated.** Thank you in advance for your cooperation.

Sincerely,



Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

cc Tommy Collins, Recreational Director of MBAA

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

January 26, 2006

Ms. Leslie Spencer-Snyder
President Arizona State Horsemen's Association
P.O. Box 4690
Cave Creek, AZ 85327

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Ms. Spencer-Snyder

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for the proposed South Mountain Freeway alignment. As you know, the Eastern Alternative of the proposed South Mountain Freeway would go through the southwestern portion of South Mountain Park/Preserve (SMPP) and would use approximately 32 acres of park land, approximately 8.5 acres less than the original 1988 plan for the South Mountain Freeway. Our consultant, HDR Engineering, Inc. spoke with Ms. Jean Anderson, a past president and active member of the Arizona State Horsemen's Association, and we understand that your organization is not in favor of the freeway going through the Park. A letter from Ms. Sara Goodnick, the President of the Association also sent a letter (11-18-05) further reinforcing that your organization is not in favor of freeway construction through the SMPP.

Currently, in the Eastern Section of the freeway, the E1 Alternative (Figure 1) is the build option. Should the E1 Alternative be selected, what specific measures can ADOT undertake to lessen the impacts of the freeway to members of your organization using the Park's amenities?

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
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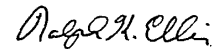
Ms. Leslie Spencer-Snider
Page 2
January 26, 2006

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- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Arizona State Horsemen's Association does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Please convey these comments and any others you wish to make to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 26, 2005 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely, Ralph Ellis



Environmental Planner
Environmental & Enhancement Group

cc. Sara Goodnick, Past President ASHA
cc. Jean Anderson, Past President ASHA

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

March 1, 2006

David P. Jankofsky
Deputy Director

The Honorable William R. Rhodes
Governor
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Rhodes:

Thank you for the opportunity to present the Pinal County Corridor Definition studies at the Gila River Indian Community Council meeting on February 15, 2006. As I stated at the meeting, I would like to have more regular interaction with the Community Council to improve coordination and communication with ADOT. My recommendation is that I appear before the Community Council once every two months to provide a status update on the ADOT projects that effect the Community. Please let me know if this is acceptable and I will have my staff work with Janice Stewart, the Community Council Secretary, to make the arrangements.

As I mentioned at the Community Council meeting, we would like to establish an appropriate communication protocol to work with the Community. I have assigned Matt Burdick, our Community Relations Director, to serve as the designated point of contact within ADOT for all communications with the Gila River Indian Community.

Matt Burdick has direct access to myself, as well as our senior leadership team, to monitor and address issues that impact the Gila River Indian Community. I would ask the Community to direct communications through him to improve coordination between ADOT and the Community. I have enclosed several copies of his business card and I encourage the Community's staff to contact Mr. Burdick directly regarding ADOT related issues.

Former Governor Richard Narciá provided me with a copy of the Community Council Resolution GR-119-05. The Resolution enumerates the Community's desires for certain collaborative strategies and improvements to be considered as part of the Interstate 10 widening project.

Over the past few months, I have worked with senior members of my staff to review and discuss each item in GR-119-05. This has been an exhaustive and time-consuming analysis, but we recognize the importance of the Resolution and felt it was imperative that we fully assess each item. We have also met with the Federal Highway Administration and the Department of Public Safety to review and discuss points made in the Resolution.



Governor William R. Rhodes
March 1, 2008
Page Two

I would like to meet with you and your designated representatives to initiate discussions to fulfill the intent of the Community Council to take "...all actions reasonably necessary ... to negotiate, agree to, arrange for and effectuate ..." the items as listed in GR-119-05. Given that the Federal Highway Administration has a direct interest in the outcome of the negotiations, I would suggest that our federal partners be an integral part of the discussions.

Please advise me regarding the appropriate venue for these discussions in order to move forward with our collective efforts to improve Interstate 10 as soon as possible.

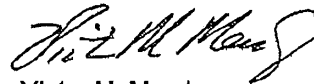
With regard to SR 347, we are making progress on the traffic signal project on Casa Blanca Road and will be working with Ms. Sandra Shade to establish a project kick-off with the Community's staff. We are also working to process the permit for the traffic signal project on SR 347 at the Rinker Sand and Gravel Plant.

As you know, we will continue to refine the corridor information with respect to the Pinal County studies. Your Community's input is critical and we will work with you on these studies. At this point in time, we do not know exactly how right-of-way issues will be impacted on State Routes 87, 187, 387 and 587. However, as the studies progress that information will become available.

I also have contacted the Maricopa County Department of Transportation and the Maricopa County Sheriff's Office about trucks failing to comply with the "No Parking" signs along Hunt Highway and the need to check the condition of the signs and for increased enforcement to cite those drivers that disregard the signs.

Again, thank you for the opportunity to meet with you and the Council.

Sincerely,



Victor M. Mendez

cc: Jennifer Allison-Ray, Lieutenant, GRIC
Gila River Indian Community Council
Greg Mendoza, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Errol Blackwater, Director, GRIC Land Use Planning & Zoning
David Jankofsky, Deputy Director, ADOT
Sam Elters, State Engineer, ADOT
Shannon Wilhelmsen, Communication Director, ADOT



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

August 13, 2008

Floyd Roehrich Jr.
Acting State Engineer

Mr. Barnaby V. Lewis, Cultural Resource Specialist
Dr. J. Andrew Darling, Coordinator
Cultural Resource Management Program
Gila River Indian Community
P.O. Box 2140
Sacaton, Arizona 85247

RE: TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
CAT Meeting August 28, 2008

Dear Mr. Lewis and Dr. Darling:

The South Mountain Freeway Citizens Advisory Team (CAT) will be meeting on August 28, 2008. The topics to be presented and discussed at this CAT meeting include cultural resources and Section 4(f) of the U.S. Department of Transportation Act of 1966 (as amended). These subjects, as they relate to the proposed South Mountain Freeway, are ones that we recognize are of considerable sensitivity and importance to your office and your Community. Therefore, on behalf of the Arizona Department of Transportation South Mountain Corridor Team, I would like to invite you to attend this meeting, as guests or as presenters. If you are interested in presenting at the meeting, please let me know before 10:00 on Monday, August 18, so that I can get you added to the agenda.

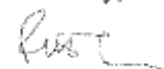
The meeting is scheduled from 6:00 to 8:30 p.m. Dinner is provided, and will be available starting at 5:30. The meeting will be held at the South Mountain Community College Student Union, located at 7050 S. 24th Street in Phoenix. I am enclosing a map that shows the location of the Student Union on the campus.

The project team has prepared a draft technical report summary that presents an overview of cultural resources, both in general and within the project area. This report summary will be sent to the CAT members in advance of the meeting. I am enclosing a copy of the draft report summary to afford you an opportunity to review it and provide comments prior to its distribution to the CAT. If you have comments that you would like taken into consideration, please let me know by Tuesday, August 19.

If you have any questions, please feel free to contact me at 602-712-6266 or by e-mail at rgreenspan@azdot.gov.

Lewis and Darling
 TRACS No. 202L MA 054 H5764 01L
 August 13, 2008
 Page 2 of 2

Sincerely,



Ruth L. Greenspan
 Historic Preservation Specialist
 Environmental Planning Group
 1611 W. Jackson Street, MD EM02
 Phoenix, Arizona 85007-3213

cc:
 Doug Torres, Director, Department of Transportation, Gila River Indian Community
 David White, Community Manager, Gila River Indian Community



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

CULTURAL RESOURCE MANAGEMENT PROGRAM

POST OFFICE BOX 2140

(520) 562-6821

(520) 562-6822

FAX: (520) 562-3268

August 18, 2008

Ruth L. Greenspan
 Historic Preservation Specialist
 Environmental Planning Group
 1611 W. Jackson Street, MD EM02
 Phoenix, Arizona 85007-3213

AZ Dept. of Transportation
 Office of Environmental Services

RE: TRACS No. 202L MA 054 H5764 01L
 South Mountain Transportation Corridor
 CAT Meeting August 28, 2008

DATE: 8/21/08

Dear Dr. Greenspan:

Thank you for providing us the opportunity to review the draft technical report summary prepared for the Citizens Advisory Team (CAT) and for your invitation to Barnaby V. Lewis and me to participate in the upcoming CAT Meeting on August 28, 2008.

I am attaching my comments to the draft technical report summary, which in general looks good to me. Because of the short time available, if Mr. Lewis has any additional comments he will contact you by phone. My main concerns are that the report singles out Native American groups as the only groups that would be affected by impacts to cultural resources. This may draw unnecessary attention to Tribes as the only group concerned about cultural resources, particularly since not all cultural resources are tribal. It is true that Tribes are the primary constituency, particularly in regard to TCPs; however from a public standpoint all other groups invested in the cultural and natural landscape should be acknowledged. Also I think it should be emphasized that mitigation as an action, recognizes the adverse effects of freeway construction, however, mitigation is not preservation but salvage. ADOT is making attempts to avoid (preserve) and mitigate (minimize effects or salvage) sites and landscapes in connection with freeway construction and design. The general public may assume that site avoidance is primarily a financial concern to ADOT, not preservation. However, I think it is reasonable to mention that ADOT (in conjunction with the GRIC CRMP and the City of Phoenix) is considering possible measures for avoiding sites or minimizing impacts to sites particularly on South Mountain as part of long-term planning.

Finally, you will see in my comments in the report text that while this is a technical report summary, I note that this is an opportunity for ADOT to assert its commitment to coordinated transportation planning and heritage preservation, recognizing that freeways

like the South Mountain Transportation Corridor are of a different order of construction with far reaching cultural impacts as compared to smaller connector routes or surface streets.

In regard to the CAT meeting, Mr. Lewis and I will consider attending on August 28th pending availability in our schedules, but we will not prepare a formal presentation or ask to be placed on the agenda. We appreciate your invitation and look forward to a future opportunity to speak to the CAT.

If you have any questions please call me at (520) 562-6824 or (480) 784-7221 [cell].

Sincerely,


J. Andrew Darling
Coordinator

cc:

Jennifer Allison-Ray, Lt. Governor, Gila River Indian Community
Doug Torres, Director, Department of Transportation, Gila River Indian Community
David White, Community Manager, Gila River Indian Community
Alia Maisonette, Director, Public Information Office, Gila River Indian Community

AZ Dept. of Transportation
Office of Environmental Services

AUG 22 2008

South Mountain Transportation Corridor Study
Citizens Advisory Team
Technical Report Summary



Draft Cultural Resources

What are Cultural Resources?

Cultural resources are the prehistoric and historic sites, structures, places, landscapes, and objects that are important to a culture or community for historic, scientific, traditional, religious, or other reasons. They are a non-renewable resource that links us with our past and defines our heritage and social identity at the local, state, and national levels. Examples of cultural resources identified in the South Mountain Transportation Corridor include prehistoric archaeological sites, historic houses and farms, railroads, and irrigation canals.

Cultural resources also include traditional cultural properties (TCP). TCPs are places considered important for their association with cultural practices or beliefs of a living community that are rooted in that community's history, and are important in maintaining the continuing cultural identity of the community. Often, TCPs are places on the landscape that are important culturally, but may not be distinguished by physical manifestations resulting from human activity. For example, TCPs could include a location associated with the traditional beliefs of a Native American group about its origins or its cultural history, or a location where Native American communities have historically gone, and are known to go today, to perform traditional cultural practices.

Why study cultural resources in the Environmental Impact Statement (EIS)?

Cultural resources hold an intrinsic value in that they provide us with a direct link to the past, and help people define and understand their own heritage, as well as the heritage of others. Cultural resources can afford opportunities to study and learn how and why our cultures and societies have developed over time. Both the federal government and the State of Arizona acknowledge the importance of Arizona's cultural heritage to its citizens and recognize that physical links to our past should be preserved for future generations. Where preservation is not possible, the mitigation of effects to these resources is warranted.

The South Mountain Transportation Corridor study is a federal undertaking requiring regulatory compliance with the National Historic Preservation Act (NHPA). Section 106 of the NHPA requires federal agencies to take into account the effects of their activities and programs on cultural resources eligible for the National Register of Historic Places (NRHP). Regulations for Protection of Historic Properties, which primarily implement Section 106, were most recently amended in 2004 (36 CFR 800). These regulations define a process for responsible federal agencies to consult with the State or Tribal

Historic Preservation Officers (S/THPO), Native American groups, other interested parties, and, when necessary, the Advisory Council on Historic Preservation in Washington D.C. to ensure cultural resources are duly considered as federal projects are planned and implemented.

To be determined eligible for the NRHP, properties must be important in American history, architecture, archaeology, engineering, or culture. They also must possess integrity of location, design, settings, materials, workmanship, feeling, and association, and must meet at least one of the following four criteria:

- Are Associated with events that have made a significant contribution to the broad patterns of our history;
- Are associated with the lives of persons significant in our past;
- Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction;
- Have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).

Properties may be of local, state, or national importance. Typically, historic properties are at least 50 years old, but younger properties may be considered for listing if they are of exceptional importance.

What kind of impacts would occur from construction?

Direct impacts on cultural resources from construction could result in their partial or total destruction. Cultural resources such as archaeological sites and historic buildings are non-renewable resources that once destroyed are lost forever. By law, adverse impacts on cultural resources that are determined eligible to the NRHP must be mitigated.

Direct impacts from construction on cultural resources deemed of religious or traditional cultural importance by Native American groups or others could result in desecration of a sacred place. A potential indirect impact might be the loss of access by Native American groups to culturally important places as a result of construction restrictions.

How do the alternative alignments differ in construction-related impacts?

All action alternatives would impact prehistoric and historic cultural resources as shown in the tables. All but one of the prehistoric sites are considered eligible to the NRHP and would require mitigation if affected by construction. Although the E1 Alternative has the highest numbers of prehistoric sites, they are typically small sites representing a limited set of activities, such as rock art and resource collecting areas. In contrast, while the Western Section Alternatives would affect fewer sites, they include the remains of large prehistoric villages with extensive archaeological deposits, some measuring over 0.5 mile in diameter. Similarly, all the alternatives would affect historic sites. Most of the historic sites are not eligible for the NRHP. All the alternatives would cross the

Archaeological Resources Affected, Action Alternatives

Action Alternatives	Number of Sites Affected	Site Type	NRHP Eligibility Criterion	Mitigation Required
Western Section				
W55	6	1 village site; 5 habitation sites	D	Yes
W71	4	2 village sites; 2 habitation sites		
W101 Western Option	3	2 village sites; 1 habitation site		
W101 Central Option	2	2 village sites		
W101 Eastern Option	2	2 village sites		
Eastern Section				
E1	8	1 artifact scatter (limited activity site); 2 lithic quarries; 1 petroglyph site; 4 trail sites	D	Yes

NRHP-Eligible Historic Properties (non-TCP) Affected, Action Alternatives

Action Alternatives	Site Affected	NRHP Eligibility Criterion	
Western Section			
W55	Roosevelt Canal	Criterion A Associated with events that have made a significant contribution to the broad patterns of our history	Yes
	Historic Southern Pacific Railroad		No
W71	Roosevelt Canal		Yes
	Historic Southern Pacific Railroad		No
W101 Western Option	Historic Southern Pacific Railroad		No
W101 Central Option			
W101 Eastern Option			
Eastern Section			
E1	No historic structures present		

historic South Pacific Railroad which is NRHP-eligible. Similarly, all the alternatives would intersect the Roosevelt Canal. The segments of the Roosevelt Canal that would be crossed by the W55 and W71 Alternatives represent the original construction of the canal, and do contribute to the canal's eligibility, whereas the segments that would intersect the W101 Alternatives do not contribute to the canal's eligibility because they are modern realignments.

What kind of freeway operational impacts (post-construction) could occur?

The continued operation of the freeway could interfere with traditional cultural practices of some Native American groups.

Effects to the surrounding cultural and natural landscapes will impact more than just Native American groups. It will impact anyone who values and engages with the historical and cultural landscapes in and around the project area.

How do the alternatives differ in operational-related impacts?

Once constructed, the Western Section action alternatives should not result in operational impacts on cultural resources. Operational impacts from the Eastern Section action alternative could affect traditional activities of Native American groups.

I'm not sure I fully understand the term "operational-related impacts." If by operational impacts you mean any or all post-construction impacts, then I don't think you can say that the freeway won't contribute indirectly to further loss of cultural resources due to the developments it will stimulate in the Western Section or along its length. Look at the growth along the eastern portion of the 203 that has already been constructed. The fact is that cultural resources will be adversely affected by freeway construction directly and indirectly both in the construction corridor and outside due to the far-reaching impacts of a facility of this magnitude. Coordinated planning for heritage preservation is a necessary part of this undertaking, which includes the construction corridor and the surrounding communities.

What if the project were not constructed?

Due to the urban growth of the Phoenix metropolitan area as it is currently planned, it is likely that cultural resources in areas zoned for development, such as in agricultural fields, would eventually be disturbed. Furthermore, if these lands are developed by the private sector, there is no federal protection afforded in the form of mitigation, although some local governments have ordinances that offer some protection to cultural resources. Cultural resources in protected areas, such as the South Mountain Park/Preserve, would be preserved.

I understand your point but this statement may be misleading to the Public. Freeway construction will adversely affect cultural resources. If the project is not constructed then the undertaking would not affect cultural resources. I don't think it is reasonable or

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accurate to state that it is better for cultural resources to build a freeway than a residential subdivision because one is federal (with protections) and the other is not.

Perhaps this can be rephrased to state that while freeway construction will have negative impacts to cultural resources, stopping freeway construction will not eliminate the continual loss of cultural properties due to urban development. Unlike certain private sector developers, the FHWA/ADOT is committed by law to minimizing cultural resource impacts through the development of coordinated transportation infrastructure that improves the quality of life while sustaining core cultural and historical values of local communities and constituencies.

Even though this is a technical report, wouldn't it be useful to emphasize that transportation is about people and for FHWA/ADOT to renew its commitment as a public agency to support communities and culture? Just a thought.

Are there any specific and/or unique impacts from the build alternatives?

Archaeological sites and places considered culturally important by Native American groups would be affected by any of the build alternatives. The Gila River Indian Community and the Salt River Pima-Maricopa Indian Community have both passed Tribal Resolutions designating the South Mountains as a TCP. FHWA and ADOT recognize the South Mountains as a TCP, and Section 106 consultations regarding the South Mountains TCP are on-going.

Further, the South Mountain Park/Preserve is NRHP-eligible as an historic property for its National Park Service master plan design that set historical precedent in planning natural parks and its associations with Civilian Conservation Corps New Deal programs in Phoenix during the Depression era.

Are there things that could be done to reduce or avoid impacts?

Much has already been undertaken to avoid direct impacts on cultural resource sites throughout the Study Area. For example, adjustments to the W55, W71, and W101 alternatives have been made to avoid such resources. However, it appears that not all cultural sites could be avoided by the action alternatives. There are a range of activities ADOT could undertake to reduce impacts during construction and operation of the freeway. Below are some measures ADOT could undertake. Measures will be presented in the Draft EIS and finalized during the final design process after the EIS process is completed.

The degree of impact on cultural resources could be reduced by minimizing the construction footprint to the greatest extent possible. Impacts on historic buildings could be reduced through relocation of the structures. Impacts on cultural resources in the construction footprint that could not be relocated could be reduced through mitigation, such as archaeological excavations and architectural/engineering documentation prior to construction.

If cultural resources cannot be avoided, what is the process for mitigating the adverse impacts?

Specific mitigation strategies will vary depending on the type cultural resource being treated. For prehistoric sites, work plans and research designs are developed that describe research questions, methods, and excavation strategy that will be used for site excavation. In addition, a burial agreement with Arizona State Museum and concerned Native American tribes is developed that outlines the procedures for proper and respectful removal, treatment, and reburial of any human remains and associated funerary objects that might be encountered.

The mitigation field work is typically performed in two phases. The first phase involves conducting test excavations of a sample of a site to assess the type, condition, and distribution of features present below the ground surface, and in turn, to determine if there is a need for a more extensive program of data recovery excavations. This is typically accomplished in the Phoenix area by excavating a series of backhoe trenches sometimes coupled with some limited excavation units dug by hand (see Photo 1). If warranted, a second phase involves data recovery excavations where large excavation units are opened up over targeted features (see Photo 2). Sediments overlaying features are sometimes stripped away mechanically. The features are then excavated by hand in horizontal levels.

Mitigation strategies for historic cultural resources can be varied. For historic artifact deposits, such as an historic trash dump, where the cultural material is below ground, a phased mitigation strategy is used similar to that of prehistoric sites. Mitigation for buildings typically involves a combination of architectural assessments, historical research, and archival quality photographic documentation. Mitigation for historic structures, such as canals and bridges, involve a similar approach, usually with the preparation of an Historic American Engineering Record (HAER) which follows the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation.



Photo 1: Phase I archaeological testing.
Photo courtesy of Archaeological Consulting Services Ltd.

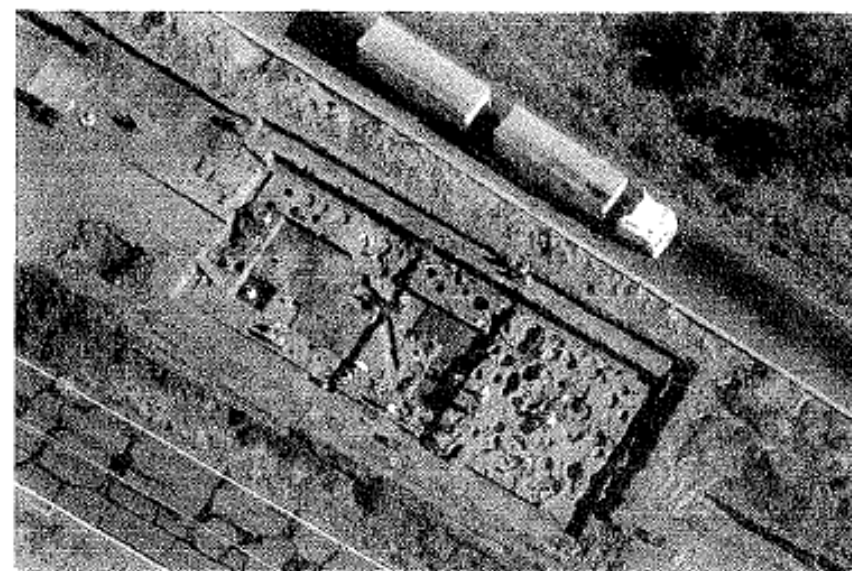


Photo 2: Phase II Data Recovery Excavation.
Photo by Adriel Heisey

Are the conclusions presented in this summary final?

The conclusions in this summary are not final. Consultation with Native American communities and the State Historic Preservation Office regarding the evaluation of TCPs within the project area is ongoing. In addition, many of the agricultural fields in the alternative footprints have been in production with crops such as alfalfa, and have therefore prevented the inspection of the ground surface for cultural resources. Future cultural resources surveys of these parcels could result in the identification of additional sites.

In situations such as this, where the effects of a project to cultural resources cannot be fully determined prior to the approval of the undertaking, a Programmatic Agreement (PA) is prepared that specifies the steps and procedures that will be taken to address the effects as they become known. A PA for the South Mountain Freeway project has been developed and executed. To date, this document has been signed by the Federal Highway Administration, the Arizona State Historic Preservation Office, the Arizona Department of Transportation, the Salt River Project, the Maricopa Department of Transportation, the Flood Control District of Maricopa County, the City of Phoenix, the Arizona State Museum, the Fort McDowell Yavapai Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

As a member of the Citizens Advisory Team, how can you review the entire technical report?

The cultural resources technical reports are confidential due to the cultural importance and sensitivity of their content. In accordance with state and federal law, these reports are not available for public review.



Janice K. Brewer
Governor
John S. Halikowski
Director

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

John A. Bogert
Chief of Operations

John McGee
Executive Director
for Planning & Policy

November 9, 2009

Representative John McComish
House of Representatives
Arizona State Legislature
1700 W. Washington Street, Room 217
Phoenix, AZ 85007

Re: Proposed South Mountain Freeway

Dear Representative McComish,

On behalf of the Arizona Department of Transportation (ADOT), I would like to provide you with a brief overview of the ongoing study for the proposed Loop 202 South Mountain Freeway:

Study Process

As part of the proposed South Mountain Freeway Study, ADOT is following the federal process, as defined in the National Environmental Policy Act (NEPA), by completing an Environmental Impact Statement (EIS) on behalf of the Federal Highway Administration (FHWA). The Draft EIS will present information about the study's purpose and need; alternatives developed and studied in detail; potential impacts to the social, economic and natural environment, including measures to avoid, reduce or otherwise mitigate impacts; Section 4(f) evaluation¹; and public and agency outreach.

ADOT is currently revising the Administrative Draft EIS; to include analysis of the Maricopa Association of Government's (MAG) proposed changes to the *Regional Transportation Plan*. These changes include reducing the overall "footprint" of the freeway to eight lanes (three general-purpose lanes and one High Occupancy Vehicle [HOV] lane in each direction) and evaluating a proposed modification to the I-10 connection in the West Valley at 59th Avenue.

Upon completion of the Administrative Draft EIS, the document will be reviewed by FHWA and other governmental agencies. ADOT's timeline for release of the Draft EIS and the associated public hearing is largely based on this review process. At this time, ADOT anticipates publication of the Draft EIS and the public hearing will occur in summer 2010, with an associated 90-day public comment period (twice the federal requirement). The Final EIS will be available for public review during a 60-day comment period. After considering any comments received on the Final EIS, FHWA will issue a Record of Decision (ROD). The ROD will identify the selected alternative for the proposed action. If a build alternative is selected, MAG will allocate funding.

While potential impacts associated with the proposed freeway, such as The Foothills' well, are disclosed in the Draft and Final EIS, mitigation measures presented would become formal ADOT commitments (if a build alternative is selected) when published as part of the ROD.

¹ Section 4(f) of the U.S. Department of Transportation Act protects the use of public recreational land, historic resources and traditional cultural properties (TCPs). This includes an evaluation of Section 4(f) resources, a determination of impacts and an evaluation of measures available to minimize impacts, when warranted.



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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Mesa Office, 7200 E. University, Mesa, Arizona 85207 (602) 981-9400

October 31, 2001

Mary Viparina, P.E.
Project Manager
HDR Engineering
2141E. Highland Ave., Suite 250
Phoenix, AZ 85016

Re: Scoping for South Mountain Corridor Location/Design Concept Report and Environmental Impact Statement

Dear Ms. Viparina,

Thank you for inviting us to the Agency Scoping and Field Review Workshop held on October 30 and 31. We are providing our initial comments herein.

Arizona Revised Statutes Title 17 gives the Arizona Game and Fish Department the authority for wildlife management in Arizona, except on Indian Reservations. We also have authorities under the federal Fish and Wildlife Coordination Act to provide federal agencies recommendations to minimize impacts to fish and wildlife and their habitats that may result from federal projects that relate to water. This Act comes into play in this project due to the necessity of the highway to cross washes and the Salt River. Although the Endangered Species Act mandates certain considerations for federally protected species which are also managed by the state, the Fish and Wildlife Coordination Act mandates that consideration be given to all other fish and wildlife species.

The following information on special status species that may be present in the project vicinity is from our Heritage Information System Database. Please consider these species, as well as all state wildlife in planning your project. Keep in mind that this information is based on past occurrence records in the general vicinity of the proposed project. Some of these species may not be affected by the proposed project. However, other special status species not listed here may be present. To better assess whether your project would impact special status wildlife or other species, more current and thorough surveys at the proper time of year need to be conducted in the project area.

Ms. Viparina
11/07/01
2

Special Status Species in the area of Proposed I-10 Loop

NAME	COMMON NAME	ESA	USFS	BLM	WSCA	NPL
ATHENE CUNICULARIA HYPUGAEA	WESTERN BURROWING OWL	SC		S		
COCCYZUS AMERICANUS	YELLOW-BILLED CUCKOO	C	S		WC	
DENDROCYGNA AUTUMNALIS	BLACK-BELLIED WHISTLING-DUCK				WC	
IXOBRYCHUS EXILIS HESPERIS	WESTERN LEAST BITTERN	SC			WC	
RALLUS LONGIROSTRIS YUMANENSIS	YUMA CLAPPER RAIL	LE			WC	

No Critical Habitats within Project Area

Arizona Game and Fish Department, Heritage Data Management System, November 6, 2001.

The most significant wildlife and habitat resources that exist within the study area are in the riparian and wetland zones along the Salt River. As the Salt flows west the amount of water in the river, and thus the amount of wetland and riparian habitat, increases. The Salt River on the western end of the study area supports some highly developed riparian habitat that is habitat for many species of fish and wildlife. The broadleaf riparian and mesquite bosque communities along the Salt River support a diverse community of migratory songbirds. The Yuma clapper rail is a federally listed Endangered species that occurs in the emergent vegetation habitats along the Salt River. Other high priority species in the area include the yellow-billed cuckoo (federal candidate species), the black-crowned night heron, and the osprey. Xeriparian habitats (desert washes) also have high value to many species of wildlife not only due to the vegetation, but as movement corridors. Burrowing owls may be present in open upland areas along proposed highway alignments. If these areas are to be disturbed, the Department recommends that the owls be captured and relocated by experienced personnel. The following is a summary of the issues of concern to the Department:

Riparian and other Habitat: The Department would support an alternative that minimizes impacts to the riparian habitats along the Salt River. Crossing locations over the Salt River on the eastern end of the project study area would minimize disturbance to these key riparian areas. The Department would prefer an alignment that utilizes previously disturbed areas, existing highway corridors or farmland. The Department wishes that the NEPA analysis quantifies and compares the relative impact of the alternatives under consideration to riparian habitats. This would be best presented with a matrix showing the relative quantity and quality of habitat that would be disturbed by the alternatives under consideration.

Habitat Loss Replacement: The Department wishes to ensure that all habitat losses are replaced per the Department policy I2.3 (enclosed). Through the 404 permitting process the Corps of Engineers usually requires replacement of habitat within the waters of the United States. Our compensation policy, as well as that of the U.S. Fish and Wildlife Service, seek replacement of upland habitat as well. The Department would prefer that

Ms. Viparina
11/07/01
3

habitat losses be replaced either through improvement of existing habitat through fencing or other projects, or by acquisition and preservation of lands that are destined for development.

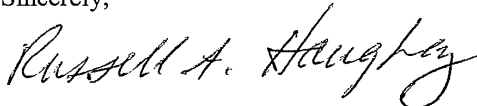
Wildlife Movement Corridors: The proposed project has the potential to cut off wildlife’s access to water and interrupt wildlife movement corridors. The Department would like to meet with the project planners to identify key movement areas and ensure that drainage crossing are adequately sized to accommodate wildlife movement where necessary. Further, we would like to identify areas where the highway may cut off access to water. In such situations if water is provided on both sides of the road, this would eliminate wildlife crossings and vehicle/wildlife collisions.

Wildlife Fencing Specifications: The Department’s wildlife fencing specification are enclosed. These specifications are designed to prevent livestock from crossing the fence, while ensuring that deer and other wildlife can cross without becoming entangled in the fence.

Access: The Department wishes that access to roads onto public lands and State trust lands be maintained for hunters, wildlife enthusiasts, off-highway vehicle users and other users of these lands. If access is cut off, it is likely that historical users will cut fences to access these roads, and this will result in livestock getting on the highway creating severe safety hazards. We would like to meet with the project planners to specifically identify key access points to maintain and develop safe and sensible designs to provide access from the new highway or other points.

Non-interruption of Flows: The Department wishes to ensure that highway construction does not cut off or divert flows that currently support native wash vegetation downstream.

Thank you for the opportunity to provide input into the planning of this highway. Please contact me at (480)981-9400 X 222 to set a time to discuss in more detail issues we have identified. We are looking forward to working with you and the agencies involved in the development of this highway.

Sincerely,

Russell A. Haughey
Habitat Program Manager, Region VI

Ms. Viparina
11/07/01
4

RH:rh

cc: Rod Lucas, Region VI Supervisor
Bob Broscheid, Habitat Branch
Josh Hurst, Wildlife Manager

Arizona Game and Fish Department Operating Manual
Section I: Wildlife, Habitat and the Environment
Chapter 2: Habitat and the Environment



12.1 Races, Rallies, Enduros *Effective: 01-01-91*

Department Policy: The Game and Fish Department will closely scrutinize and assist in regulation and control, where possible, of those activities involving all-terrain motor powered vehicles that may affect wildlife or create conflicts among competing users of the land resource.

Procedures: While recognizing a segment of the population accrues enjoyment from involvement in road/trail races, rallies, enduros, and similar events, organized or otherwise, the Department's primary concern is protection of wildlife resources and habitat.

Department employees are requested to be alert to such activities and inform management.

Where these activities involve public lands, the Department requests that the agency or group involved limit such activities primarily to washes and established roads and that the use of trails be minimal and confined to trails where no habitat damage will result. Further, the Department requests that it be notified of the planned activities and offered an opportunity to review the route, comment and advise on any effects that the activity may have on wildlife and its habitat with reference to the Wildlife and Wildlife Habitat Compensation Policy and Procedure, and recommend alternate routes if considered necessary.

12.2 National Environmental Act Compliance
Effective: 01-01-91

Department Policy: The Arizona Game and Fish Department will comply with the National Environmental Policy Act of 1969. This requires that every proposed Federal Aid (Pittman-Robertson and Dingell-Johnson) project be examined objectively to determine the effects it will have on the environment in accordance with NEPA in Federal Aid NEPA Guidelines. Further, the Department will comply with the objectives of NEPA on any other project or program that may have an effect on the environment. (Contact the Habitat Branch for procedures and guidelines for NEPA compliance.)

12.3 Wildlife and Wildlife Habitat Compensation
Effective: 06-04-94

Department Policy: It shall be the policy of the Department to develop adequate compensation plans for actual or potential habitat losses resulting from land and water projects in accordance with State and Federal laws. Habitat compensation plans will seek compensation at a 100% level, where feasible, and will be developed using

habitat resource category designations. See Commission Policy A2.16.

Authority: The Director of the Arizona Game and Fish Department is authorized under A.R.S. Title 17-211, Subsection D, to perform the necessary administrative tasks required to manage the wildlife resources of the State of Arizona. Pursuant to those duties and in accordance with federal environmental laws and resource management acts, such as the National Environmental Policy Act, Fish and Wildlife Coordination Act, and Endangered Species Act, the Director is further charged with cooperating in the determination of potential impacts to Arizona's wildlife resources resulting from federally funded land and water projects. In addition, a Commission M.O.U. assigns similar responsibilities for evaluating proposed projects on lands administered by the State Land Department. An integral part of this process is the development of adequate compensation measures aimed at eliminating or reducing project-associated impacts.

Procedure: Criteria used to identify general compensation goals are as follows:

A. Resource Category I.

1. **Designation Criteria.** Habitat in this category are of the highest value to Arizona wildlife species, and are unique and/or irreplaceable on a statewide or ecoregion basis.
2. **Compensation Goal.** No loss of existing in-kind habitat value.
3. **Guideline.** The Department will recommend that all potential losses of existing habitat values be prevented. Insignificant changes that would not result in adverse impacts to habitat values may be acceptable provided they will have no significant cumulative impact.
4. **Habitat Types.** Habitat types associated with Resource Category I shall include, but not limited to the following examples:
 - a. Perennial Stream Habitats.
 - b. Westlands and Riparian habitats of at least one acre in size which are associated with perennial waters. Biotic communities included in this classification follow descriptions provided in Brown (1982) and Henderson and Minckley (1984).
 - c. Key utilization areas for species listed or proposed for listing under the Endangered Species Act of 1973 as Threatened or Endangered and Endangered State Threatened Native Wildlife species.

B. Resource Category II.

1. **Designation Criteria.** Habitats in this category are of high value for Arizona wildlife species and are



Arizona Game and Fish Department Operating Manual
Section I: Wildlife, Habitat and the Environment
Chapter 2: Habitat and the Environment

relatively scarce or becoming scarce on a statewide or ecoregion basis.

2. **Compensation Goal.** No net loss of existing habitat value, while minimizing loss of in-kind value.
3. **Guideline.** The Department will recommend that all potential losses of Resource Category II habitat values be avoided or minimized. If significant losses are likely to occur, the Department will recommend alternatives to immediately rectify, reduce, or eliminate these losses over time.
4. **Habitat Types.** Habitat types associated with Resource Category II shall include, but not limited to, the following examples:
 - a. Key utilization areas for antelope and bighorn sheep.
 - b. Key utilization areas for Threatened and Candidate State Threatened Native Wildlife species, candidate species for federal listing as Threatened or Endangered (Categories I and 2).
 - c. Actual or potential reintroduction sites for species that are listed as Extirpated or Endangered on the State Threatened Native Wildlife list.
 - d. Blue ribbon fishing areas (i.e., Lee's Ferry and Becker Lake).
 - e. Isolated mountain ranges providing Subalpine-coniferous forest habitats (i.e., Pinaleno Mountains).
 - f. State and federally operated game preserves, refuges or wildlife areas.
 - g. Montane meadows.

C. Resource Category III.

1. **Designation Criteria.** Habitats in this category are of high to medium value for Arizona wildlife species, and are relatively abundant on a statewide basis.
2. **Mitigation Goal.** No net loss of habitat value.
3. **Guidelines.** The Department will recommend ways to minimize or avoid habitat losses. Anticipated losses will be compensated by replacement of habitat values in-kind, or by substitution of high value habitat types, or by increased management of replacement habitats, so that no net loss occurs.
4. **Habitat Types Involved.** Habitats in this category are of a natural, undisturbed condition or they involve bodies of water of economic importance and shall include, but not be limited to, the following examples:
 - a. Chihuahuahua, Great Basin, Mohave, and Sonoran Desert habitat types.
 - b. Desert-grasslands and Chaparral zones.
 - c. Oak and coniferous woodlands and coniferous forests.
 - d. Reservoir habitats.

D. Resource Category IV.

1. **Designation Criteria.** Habitats in this category are of medium to low value for Arizona wildlife species, due to proximity to urban developments or low productivity associated with these lands.
2. **Mitigation Goal.** Minimize loss of habitat value.
3. **Guideline.** The Department will recommend ways to avoid or minimize habitat losses. Should losses be unavoidable, the Department may make a recommendation for compensation, based on the significance of the loss.
4. **Habitat Types Involved.** Habitat types associated with Resource Category IV shall include, but not be limited to, the following examples:
 - a. Agricultural Lands.
 - b. Undeveloped urban areas (i.e., land proximal to waste water treatment facilities, municipal mountain preserves, and undeveloped lands in proximity to municipal and industrial areas).
 - c. Habitats exhibiting low wildlife productivity as a result of man's influence.

12.4 Land Protection Evaluation Process

Effective: 11-01-93

Stage List:

A. Proposal Submittal. Conservation Supervisor (Habitat Branch) receives all lands protection proposals on an open and continuous basis, whether they are generated internally or externally.

Responsibilities: Date stamp proposals on receipt; retain original proposals in files; send letters to proponents acknowledging receipt; and distribute proposals and relevant information from the lands files (e.g. previous protection proposals for the same general area) to the Proposal Screening Committee.

Time: 5 days from receipt for acknowledgement to proponent.

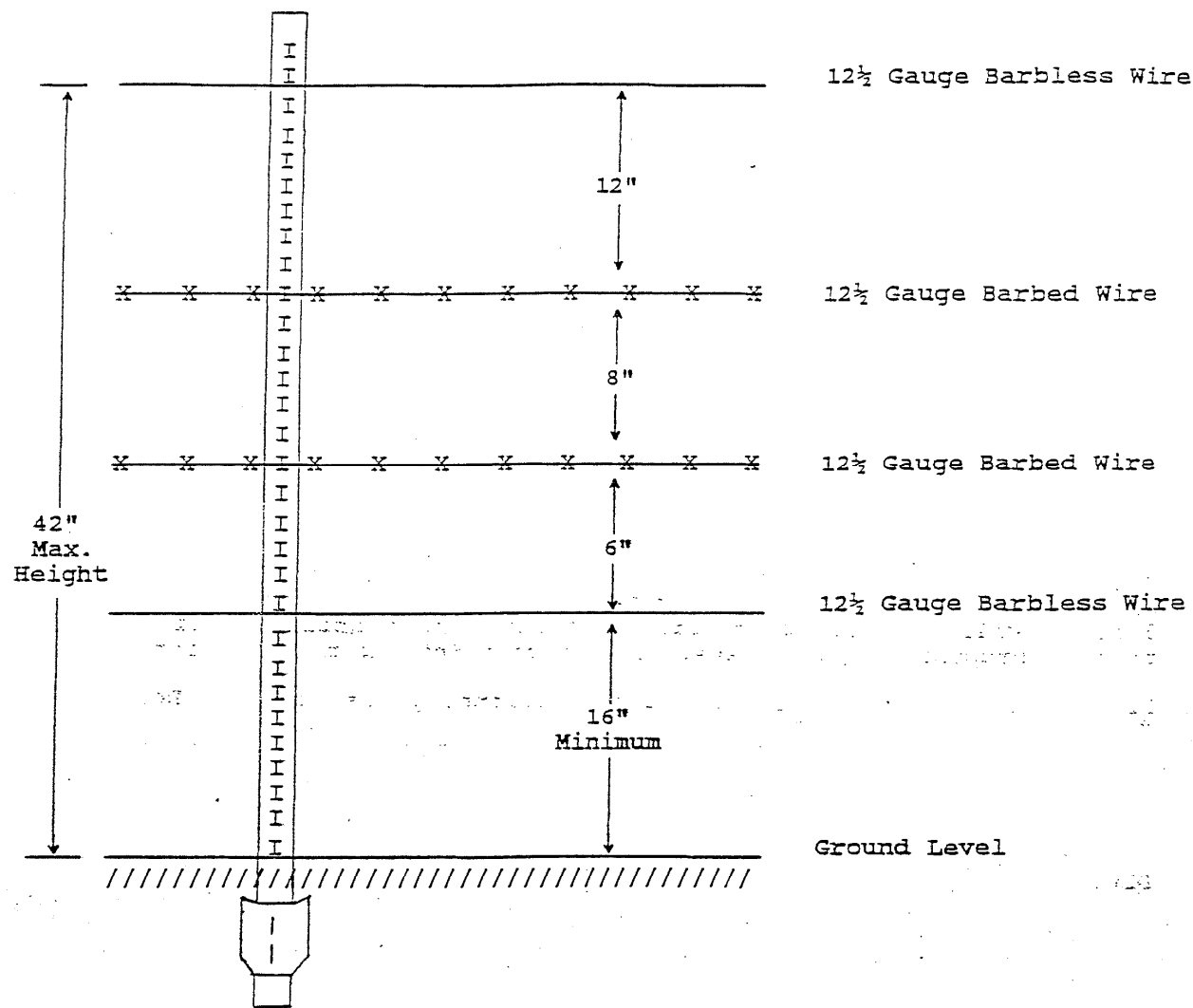
B. Proposal Screening Committee. Conservation Supervisor, chair; Development Branch Chief, Nongame Branch Chief, and Field Operations Coordinator.

Responsibilities: Screen proposals on a monthly basis to determine adequacy and appropriateness; return inadequate proposals to proponents for remedy; Conservation Supervisor prepares State 3 briefing and routes adequate proposal(s) to Assistant Director, Wildlife Management Division (WMD).

Time: Director's Office briefing presentation occurs the Tuesday immediately following the monthly meeting; return to proponent (RTP) or forwarding to Assistant Director, WMD, to occur within 5 days of monthly meeting.

C. Director's Office Briefing Presentation. Conservation Supervisor presents summary of which proposals were returned to proponents (and why they were returned) and which were routed for biological review.

ARIZONA GAME AND FISH DEPARTMENT
STANDARD GAME FENCE SPECIFICATIONS



Additional Specifications:

- 20 - 25 feet between T-posts.
- At least 3 equally spaced stays between each post.
- Modifications to this design may be requested for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn.

Revised 11/93
Habitat Branch
DLW:RAC:nc

ARIZONA GAME AND FISH DEPARTMENT
STANDARD GAME FENCE SPECIFICATIONS

The following are fence specifications on cattle allotments intended to facilitate safe movements by wildlife.

Standard AGFD Recommended Fence Specifications.

Wire	Type	Position
1st	smooth	16" above ground
2nd	barbed	6" above bottom wire
3rd	barbed	8" above second wire
4th	smooth	12" above third wire

Total Fence Height - 42"

Additional Specifications: 20-25 feet between T-posts, with at least three equally spaced stays in between each post.

Most Important Specifications:

- total fence height
- height of bottom wire
- space between 3rd and 4th wire
- fence stays and spacing between posts
- smooth bottom wire

Negotiable Points:

- smooth top wire
- space between 2nd and 3rd wire
- space between 1st and 2nd wire
- total height up to 44"

Fence Specifications in Bighorn Sheep Range

Wire	Type	Position
1st	smooth	20" above ground
2nd	barbed	15" above bottom wire
3rd	smooth or barbed	4" above second wire

Total Fence Height - 39"

Burro Exclusion Fence Specifications in Bighorn Sheep Range

Wire	Type	Position
1st	rail	20" above ground
2nd	rail	16" above bottom rail
3rd	barbed	8" above second rail
4th	barbed	4" above third wire

- OR -

1st	rail	20" above ground
2nd	rail	16" above bottom rail
3rd	rail	6" above second rail

Total Fence Height - 42 - 48"

Fence Specifications for Pronghorn Habitat

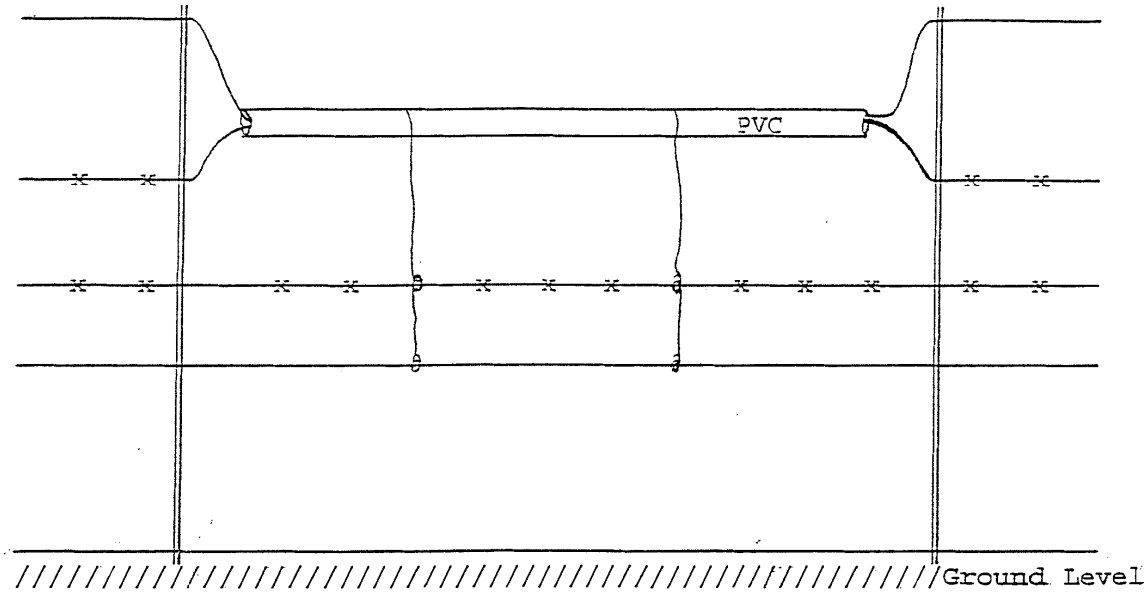
Wire	Type	Position
1st	smooth	16" above ground
2nd	barbed	14" above bottom wire
3rd	barbed	12" above second wire

Total Fence Height - 42"

Additional Specification: Sixteen to thirty feet between posts; no fence stays between posts that are less than 20 feet apart, only one stay between posts greater than 20 feet apart.

Note: The AGFD standard recommended fence is an adequate alternative. However, stays should be omitted, or reduced in number if deer are generally absent from the area.

ARIZONA GAME AND FISH DEPARTMENT
PVC FENCE CROSSING FOR ELK
April 11, 1994



Materials: 10' Length 1½" or 1¾" PVC
Boundary Fence
Wire Cutters
Leather Gloves

Instructions:

1. Remove fence stays between two primary fence posts.
2. Cut the top two wires approximately 18-24 inches from one of the primary posts.
3. Run both wires through the PVC. Then re-stretch and re-tie both wires.
4. Use smooth wire to form wire stays that hold down the PVC to the bottom two wires.

Notes: Time to install = 10-15 minutes.
Cost = \$2.50-\$5.00 for PVC.

Revised 4/11/94
Habitat Branch
BV:nc



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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January 18, 2002

Ms. Fiona Goodson
HDR
2141 E. Highland Ave.
Suite 250
Phoenix, AZ 85016-4736

Re: Special Status Species Information for **Township 2 North, Range 1 East, Sections 33-36; Township 2 North, Range 2 East Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East Sections 3-10, 15-22, 27-34; Township 1 South, Range 1 East Sections 1, 12; Township 1 South, Range 2 East Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East Sections 31-33, ADOT South Mountain Corridor Study.**

Dear Ms. Goodson:

The Arizona Game and Fish Department (Department) has reviewed your request, dated January 10, 2002, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project area. In addition, this project does not occur in the vicinity of any proposed or designated Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation.

Ms. Fiona Goodson
January 18, 2002
2

The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

If you have any questions regarding the attached species list, please contact me at (602) 789-3618. General status information and county distribution lists for special status species are also available on our web site at:
http://www.azgfd.com/frames/fishwild/hdms_site/Home.htm.

Sincerely,

Sabra S. Schwartz
Heritage Data Management System, Coordinator

SSS:ss

Attachment

cc: Bob Broscheid, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD #1-11-02(03)

STATUS DEFINITIONS
ARIZONA GAME AND FISH DEPARTMENT (AGFD)
HERITAGE DATA MANAGEMENT SYSTEM (HDMS)

FEDERAL US STATUS

- ESA** Endangered Species Act (1973 as amended)
US Department of Interior, Fish and Wildlife Service (<http://arizonaes.fws.gov>)
- Listed**
- LE** Listed Endangered: imminent jeopardy of extinction.
 - LT** Listed Threatened: imminent jeopardy of becoming Endangered.
 - XN** Experimental Nonessential population.
- Proposed for Listing**
- PE** Proposed Endangered.
 - PT** Proposed Threatened.
- Candidate** (Notice of Review: 1999)
- C** Candidate. Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.
 - SC** Species of Concern. The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).
- Critical Habitat** (check with state or regional USFWS office for location details)
- Y** Yes: Critical Habitat has been designated.
 - P** Proposed: Critical Habitat has been proposed.
- [\N No Status: certain populations of this taxon do not have designated status (check with state or regional USFWS office for details about which populations have designated status)].
- USFS** US Forest Service (1999 Animals, 1999 Plants: corrected 2000)
US Department of Agriculture, Forest Service, Region 3 (<http://www.fs.fed.us/r3/>)
- S** Sensitive: those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.
- BLM** US Bureau of Land Management (2000 Animals, 2000 Plants)
US Department of Interior, Bureau of Land Management, Arizona State Office (<http://azwww.az.blm.gov>)
- S** Sensitive: those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
 - P** Population: only those populations of Banded Gila monster (*Heloderma suspectum cinctum*) that occur north and west of the Colorado River, are considered sensitive by the Arizona State Office.

Status Definitions 3 AGFD, HDMS

STATE STATUS

- NPL** Arizona Native Plant Law (1999)
Arizona Department of Agriculture (<http://agriculture.state.az.us/PSD/nativeplants.htm>)
- HS** Highly Safeguarded: no collection allowed.
 - SR** Salvage Restricted: collection only with permit.
 - ER** Export Restricted: transport out of State prohibited.
 - SA** Salvage Assessed: permits required to remove live trees.
 - HR** Harvest Restricted: permits required to remove plant by-products.
- WCSA** Wildlife of Special Concern in Arizona (1996 in prep)
Arizona Game and Fish Department (<http://www.azgfd.com>)
- WC** Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department's listing of Wildlife of Special Concern in Arizona (WCSA, in prep). Species indicated on printouts as WC are currently the same as those in **Threatened Native Wildlife in Arizona** (1988).

Revised 10/3/01, AGFD HDMS
J:\HDMS\DOCUMENT\NBOOKS\TEMPLATE\EORDEFS\STATDEF

Special Status Species within .5 Miles of T2N,R1E Sec 33-36; T2N,R2E Sec 31-34;
T1N,R1E Sec 1-36; T1N,R2E Sec 3-10, 15-22, 27-34; T1S,R1E Sec 1, 12;
T1S,R2E Sec 17, 18, 20, 27, 28, 34, 35; T1S,R3E Sec 31-36; T1S,R4E Sec 31-33

Arizona Game and Fish Department, Heritage Data Management System
January 18, 2002

Scientific Name	Common Name	ESA	USFS	BLM	WSCA	NPL
ATHENE CUNICULARIA HYPUGAEA	WESTERN BURROWING OWL	SC		S		
COCCYZUS AMERICANUS	YELLOW-BILLED CUCKOO	C	S		WC	
DENDROCYGNA AUTUMNALIS	BLACK-BELLIED WHISTLING-DUCK				WC	
GOPHERUS AGASSIZII (SONORAN POPULATION)	SONORAN DESERT TORTOISE	SC			WC	

No Critical Habitats in project area. AGFD #01-11-02(03), ADOT South Mountain Corridor Study.



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May 6, 2002

Ms. Sirena Brownlee
HDR
Park One
2141 E. Highland Ave.
Suite 250
Phoenix, AZ 85016-4736

Re: Special Status Species Shapefiles for South Mountain Area

Dear Ms. Brownlee:

Enclosed is the information requested in your April 19, 2002, email for species shapefiles for the South Mountain area (shapefile provided by HDR Engineering). The data is provided in ArcView shapefiles in NAD 27, Zone 12 projection. It is my understanding that the information is to be used to identify areas of high biodiversity for project components.

Per your request, enclosed is a diskette with a shapefile for species tracked by the Heritage Data Management System (HDMS). The HDMS focuses its efforts on special status or otherwise rare species. The data set are not intended to include potential locations, but are actual point observation or collections. The locations are one-mile radius polygons, but no names of the species are included. The areas are where special status species have been documented. The status information is included (i.e. listed endangered, BLM sensitive), but no other identifier is included, such as name or taxonomic group.

These data are still considered to contain sensitive information that if used inappropriately could worsen the situation of already sensitive species. For this reason, please consider these data as property of the Arizona Game and Fish Department (Department), and as such, are confidential. Consequently, the Department is providing the requested data with confirmation of your understanding and acceptance of the following conditions:

- HDMS data provided by the Department will be used solely for the purpose of analyzing areas of high biodiversity, **and no other project**, and will be used solely by your office to conduct analysis.
- HDMS data provided by the Department will not be distributed to other organizations, to individuals, or the public, or put on the Internet.

Ms. Sirena Brownlee
May 6, 2002
2

- No HDMS data provided by the Department will be retained after the completion of your analysis as hard or soft copy. HDMS data provided by the Department will be deleted from any and all computers used in this project and returned to the Department upon completion of the analysis.
- Site locality data will not be included in or as part of any product released to the public. The site data maps are to be used solely for internal planning efforts. Only correlation or statistics and interpretations will be made public. No maps or tables of point locations will be included in any product for external use. Any maps used for this project will be at such a scale as to cover a minimum of more than one square mile.
- All 3rd party requests for access to this data will be referred to the HDMS at the Department.
- The information being provided by the Department is for general planning purposes only, and is not to replace any future correspondence requesting special status species information for a specific project.

Previous conduct of applicants is considered in processing requests for information. Because general release of site-specific data will negatively impact sensitive species, the Department will only release this information if it can assure adequate protection to the species. If the above agreed upon terms are violated, it will be considered a breach of agreement and you will be denied site specific level information in the future.

Please feel free to contact me at (602) 789-3618 if you have any questions with the data being provided. A hard copy field definition list is also provided with the data. .

Sincerely,



Sabra S. Schwartz
HDMS Coordinator

SSS:ss

Enclosure



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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October 12, 2004

Ms. Andrea Love
HDR Engineering, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, AZ 85018-2311

Re: South Mountain Transportation Corridor in Maricopa County, Draft Biological Technical Report, dated October 2003

Dear Ms. Love:

The Arizona Game and Fish Department (Department) has reviewed the Draft Biological Technical Report for the South Mountain Transportation Corridor (Report). The Department appreciates the opportunity to provide comments for the technical study and looks forward to reviewing the Draft Environmental Impact Statement (DEIS) when it becomes available. The following specific comments are provided for your consideration:

Affected Environment and Environmental Consequences

Wildlife Resources:

Page 3-6; The species list associated with the South Mountain Park/Preserve should include other nocturnal species such as owls and various species of bats.

Paragraph 3; the statement that the agricultural fields "have little value for native plants or wildlife", should be modified. Burrowing owls (state species of concern) are frequently located on the perimeter of agricultural fields utilizing fields for hunting and irrigation dikes for nesting. A brochure is enclosed for further information on burrowing owls.

Last sentence; this pertains to the sand and gravel pits along the Salt River riverbed and their potential use as wildlife habitats. The Report states, "...unlike natural ecosystems, the steep sides of the pits create less important zonal habitat that natural aquatic systems like rivers or lakes." If the gravel pits are non-active they could have their slopes modified to create shallow water habitats which would provide more suitable habitat to wildlife.

Last paragraph; this section only addresses those washes that have been or will be directly impacted by the project. A description of intact washes, including their functionality and ability to support wildlife should be included in the Report.

Ms. Andrea Love
October 12, 2004
2

Environmental Consequences: Impacts Associated with All Action Alternatives:
Page 3-6 (last line on page); impacts are referenced as being largely restricted to a limited number of roadkills and disturbances caused by traffic noise (USDOT 2000). Roadkill and noise disturbances can result in major impacts to wildlife species. We recommend that any sections pertaining to road disturbances and how roads may be made more permeable for wildlife be expanded. Much research is being done nationwide (California, Florida, Colorado) regarding road design and their ability to support wildlife movement and the Department recommends that these studies be considered.

Wildlife movement corridors between the South Mountain Park area and the Sierra Estrella Mountains should be elevated in importance within the document. The establishment of wildlife crossings should be incorporated into the document in more detail and with a greater level of emphasis. This would allow for the potential dispersal of species between the two ranges despite the current level of degradation of the native habitats to prevent the establishment or further development of a “population sink” effect in habitats adjacent to the park. Potential locations and designs for movement corridors should be provided in the DEIS and should be included in the *Measures to Minimize Harm* section of the Report.

Measures to Minimize Harm:
Paragraph 2; the Report states that the Arizona Department of Transportation (ADOT) will landscape disturbed areas with native plants but does not indicate if there will be any monitoring to measure the success of the planting effort. Please indicate what steps will be taken to keep exotic species out of the revegetated areas and if there are any plans to replant if the revegetation is unsuccessful.

Paragraph 3; plans should be included on how the equipment wash water will be disposed of to avoid dispersing nonnative seeds to another location.

Paragraph 5; raised roadbeds (overpasses) allow for the maintenance of more natural vegetation, require less fill and have been demonstrated to have a higher rate of usage for more species than the standard drainage or box culvert crossing. This recommendation relates back to the above section regarding wildlife movement corridors.

Threatened and Endangered Species:
The Report should include a complete evaluation of all wildlife species, including special status species that are represented in the study area and within the 5-mile boundary. The DEIS should contain a thorough review, including potential impacts and mitigation of impacts for all species located within the 5-mile boundary. The Department utilizes boundaries that extend beyond the study area to account for wildlife movement. An evaluation should be made regarding potential impacts to each species considering their range, habitat use, breeding periods, etc.

Ms. Andrea Love
October 12, 2004
3

All wildlife species identified are either diurnal or crepuscular in nature. Obligate nocturnal species should also be identified, such as bats, owls, etc.

For any species where you are indicating that there are no current records, “current” should be defined. In addition, the state acronym for Wildlife Species of Concern is WSC, rather than WC.

P. 3-13, paragraph 1; please indicate the WSC species that the Report refers to as being “documented in the vicinity of alternative T02 and options T02A and T02B.

Environmental Consequences: Impacts Associated with All Build Alternatives:
Page 3-13; states that, “Tres Rios is in the vicinity, less than 1 mile to the west, and it is likely that the birds would relocate to that area.” An explanation of how Tres Rios can support the influx of displaced wildlife whether birds, or other species, should be provided.

Cumulative Impacts

The increase in non-native plants is identified, as well as the additional impacts associated with the species such as increases in non-native wildlife which are known to displace native species, e.g. European starling vs. Gila woodpecker. The document should provide potential alternatives for mitigating these foreseeable impacts to the environment. As non-native species become established in close proximity to relatively native habitat such as that in south Mountain Park, these native areas become increasingly stressed and therefore more susceptible to invasion by non-native species.

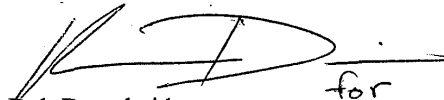
This section should also address the cumulative impacts that may occur to Tres Rios in relation to all project activities. This description should include the influx of wildlife as previously discussed and the impacts of noise and disturbance to wildlife at Tres Rios.

The Department appreciates the opportunity to provide comments for this project and we would be interested in working with your team to address the comments provided herein as part of your range of alternatives and your preferred alternative. The Department is committed to partnering with agencies and managers to maintain wildlife permeability across the state of Arizona as habitat fragmentation is a serious issue that can cause species decline when important habitat components such as breeding sites or food sources can no longer be accessed. Populations can decline in the long term from lack of genetic variability that can eventually lead to species being federally listed as endangered or threatened.

Ms. Andrea Love
October 12, 2004
4

The Department looks forward to coordinating with your planning team as needed, when identifying the locations of alternative wildlife crossings. Please coordinate with Rebecca Davidson, Project Evaluation Program Supervisor at (602) 789-3602, if you have any questions regarding these comments.

Sincerely,


Bob Broscheid
Habitat Branch Chief

BB:ea

Enclosure

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD# 03-30-04 (01)



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
(602) 942-3000 • AZGFD.COM

GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
CHAIRMAN, SUSAN E. CHILTON, ARIZONA
W. HAYS GILSTRAP, PHOENIX
JOE MELTON, YUMA
MICHAEL M. GOLIGHTLY, FLAGSTAFF
WILLIAM H. MCLEAN, GOLD CANYON
DIRECTOR
DUANE L. SHROUFE
DEPUTY DIRECTOR
STEVE K. FERRELL



October 25, 2004

Ms. Andrea Love
HDR Engineering, Inc.
3200 E. Camelback Rd.
Suite 350
Phoenix, AZ 85018

Re: Special Status Species Information for **Township 2 North, Range 1 East, Section 33-36; Township 2 North, Range 2 East, Section 31-34; Township 1 North, Range 1 East, Section 1-36; Township 1 North, Range 2 East, Section 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Section 1 and 12; Township 1 South, Range 2 East, Section 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Section 31-36; Township 1 South, Range 4 East, Section 31-33: Proposed Freeway Connection.**

Dear Ms. Love:

The Arizona Game and Fish Department (Department) has reviewed your request, dated October 6, 2004, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project vicinity (2-mile buffer). In addition this project does not occur in the vicinity of any Designated or Proposed Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation. The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

Ms. Andrea Love
October 25, 2004
2

If you have any questions regarding this letter, please contact me at (602) 789-3619. General status information, county and watershed distribution lists and abstracts for some special status species are also available on our web site at <http://www.azgfd.com/hdms>.

Sincerely,



Ginger L. Ritter
Heritage Data Management System, Data Specialist

SSS:glr

Attachment

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD #10-21-04 (01)

Special Status Species within 2 Miles of T2N, R1E Sec. 33-36; T2N, R2E Sec. 31-34; T1N, R1E Sec. 1-36; T1N, R2E Sec. 3-10, 15-22, & 27-34; T1S, R1E Sec. 1 & 12; T1S, R2E Sec. 17, 18, 20, 27, 28, 34, & 35; T1S, R3E, Sec. 31-36; T1S, R4E Sec. 31-33

NAME	COMMON NAME	ESA	BLM	USFS	STATE
<i>Athene cunicularia hypugaea</i>	Western Burrowing Owl	SC	S		
<i>Coccyzus americanus occidentalis</i>	Western Yellow-billed Cuckoo	C		S	WSC
<i>Dendrocygna autumnalis</i>	Black-bellied Whistling-duck				WSC
<i>Gopherus agassizii</i> (Sonoran Population)	Sonoran Desert Tortoise	SC			WSC
<i>Ixobrychus exilis</i>	Least Bittern				WSC
<i>Lasiurus blossevillii</i>	Western Red Bat				WSC
<i>Rallus longirostris yumanensis</i>	Yuma Clapper Rail	LE			WSC

No Critical Habitats in project area. AGFD # 10-21-04(01). Proposed Freeway Connection.

Arizona Game and Fish Department, Heritage Data Management System, October 25, 2004.

STATUS DEFINITIONS
ARIZONA GAME AND FISH DEPARTMENT (AGFD)
HERITAGE DATA MANAGEMENT SYSTEM (HDMS)

FEDERAL US STATUS

- ESA** Endangered Species Act (1973 as amended)
US Department of Interior, Fish and Wildlife Service (<http://arizonaes.fws.gov>)
- Listed**
- LE** Listed Endangered: imminent jeopardy of extinction.
 - LT** Listed Threatened: imminent jeopardy of becoming Endangered.
 - XN** Experimental Nonessential population.
- Proposed for Listing**
- PE** Proposed Endangered.
 - PT** Proposed Threatened.
- Candidate** (Notice of Review: 1999)
- C** Candidate. Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.
 - SC** Species of Concern. The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).
- Critical Habitat** (check with state or regional USFWS office for location details)
- Y** Yes: Critical Habitat has been designated.
 - P** Proposed: Critical Habitat has been proposed.
- [\N** No Status: certain populations of this taxon do not have designated status (check with state or regional USFWS office for details about which populations have designated status)].
- USFS** US Forest Service (1999 Animals, 1999 Plants: corrected 2000)
US Department of Agriculture, Forest Service, Region 3 (<http://www.fs.fed.us/r3/>)
- S** Sensitive: those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.
- BLM** US Bureau of Land Management (2000 Animals, 2000 Plants)
US Department of Interior, Bureau of Land Management, Arizona State Office (<http://azwww.blm.gov>)
- S** Sensitive: those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
 - P** Population: only those populations of Banded Gila monster (*Heloderma suspectum cinctum*) that occur north and west of the Colorado River, are considered sensitive by the Arizona State Office.

Status Definitions 3 AGFD, HDMS

STATE STATUS

- STATE:**
- Plants - NPL** Arizona Native Plant Law (1999)
Arizona Department of Agriculture (<http://agriculture.state.az.us/PSD/nativeplants.htm>)
- HS** Highly Safeguarded: no collection allowed.
 - SR** Salvage Restricted: collection only with permit.
 - ER** Export Restricted: transport out of State prohibited.
 - SA** Salvage Assessed: permits required to remove live trees.
 - HR** Harvest Restricted: permits required to remove plant by-products.
- Wildlife - WSCA** Wildlife of Special Concern in Arizona (in prep)
Arizona Game and Fish Department (<http://www.azgfd.com>)
- WSC** Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department's listing of Wildlife of Special Concern in Arizona (WSCA, in prep). Species indicated on printouts as WSC are currently the same as those in **Threatened Native Wildlife in Arizona** (1988).

Revised 8/24/04, AGFD HDMS
J:\HDMS\DOCUMENT\NBOOKS\TEMPLATE\EORDEF\STATDEF

The Burrowing Owl Project

The Burrowing Owl is a beneficial raptor that lives in underground burrows and eats mice and insects. Because the owl is active during the day, nearby residents become very attached to them and protective of their welfare.



Unfortunately, in the past, heavy equipment has been used to pre-

pare a site while the owls were still living there, in many cases killing the adult owls and burying baby owls in the nest. No one would deliberately chop down a tree with an eagle on a nest, yet that is what is happening to the Burrowing Owl. Because this bird lives underground, it is not immediately apparent that there are protected birds in danger. Moving the birds out of the way is very inexpensive compared to a project delay. A licensed specialist, such as Wild At Heart in Cave Creek, Arizona, can remove the owls and relocate them to an area that won't be developed.

For More Information

- To report the location of a Burrowing Owl burrow that lies in the path of development, or to request help in removing an owl, contact:
Bob Fox
Wild At Heart
31840 North 45th Street
Cave Creek, Arizona 85331
(480) 595-5047
- To request help in finding or evaluating a site for artificial burrows, contact:
Greg Clark
Burrowing Owl Project
650 South 79th Street
Chandler, Arizona 85226
(480) 961-4047
- Visit the Burrowing Owl Project web site at <http://mirror-pole.com> for details about owl removal, relocation and burrow installation locations.
- For more information about Arizona Partners in Flight contact:
Jennifer Martin
Arizona Partners in Flight
Arizona Game and Fish Dept.
2221 W. Greenway Road
Phoenix, Arizona 85023-4399
(602) 789-3576
jmartin@gf.state.az.us

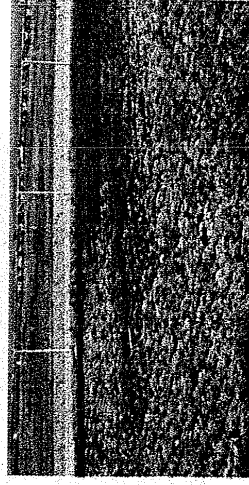
DEVELOPMENT AND BURROWING OWLS IN ARIZONA

Don't let poor planning cause delays and cost you money!

If you do not move this owl well in advance, grading begins. It could delay your project, make enemies of the neighbors, and possibly subject your company to fines for breaking a federal law, the Migratory Bird Treaty Act of 1918.

Where Are the Owls Found?

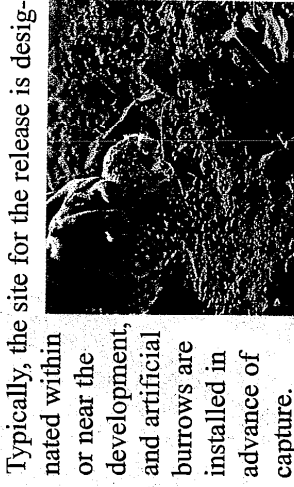
It is possible to find Burrowing Owls anywhere in Arizona where the land is flat and open. The most likely locations are near agricultural fields where the burrows are found in dirt canal banks



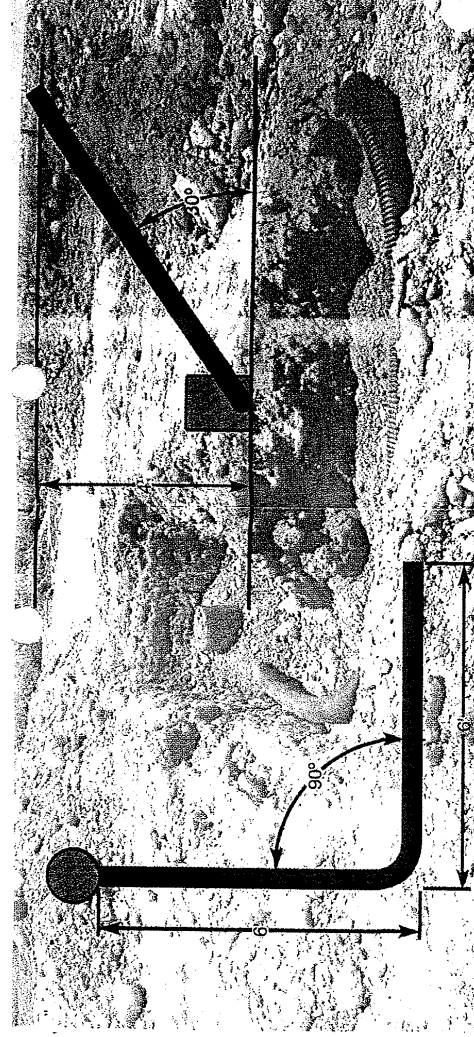
and culvert pipes. Burrowing Owls are also found in undisturbed desert and grassland areas where the vegetation is sparse and there are very few big trees.

What is Relocation?

Burrowing Owls can be safely captured by an expert and held for later release. Typically, the site for the release is designed within



or near the development, and artificial burrows are installed in advance of capture. The cost of materials for a burrow is only \$10, and digging the hole for installation is quick and easy with a backhoe.



An artificial burrow consists of one five-gallon plastic bucket and 12 feet of perforated drain pipe.

Be Part of the Solution

Burrowing Owls are a valuable addition to a development. Wholly beneficial, they catch insects, such as scorpions, and rodents that most people would rather not have around. In addition, the owls can be an important educational resource for schools and children.

The builder provided a backhoe and operator to excavate the hole for an artificial burrow.



ASU students digging a hole for an artificial burrow.

Partners in Flight

Partners in Flight

is an international cooperative program of agencies, organizations, and individuals committed to conserving our neotropical migratory and native land birds.

Arizona Partners in Flight

(APIF) is a subgroup of this international program. Its goal is to maintain healthy populations of Arizona's birds and their habitats.

This brochure was created as part of the Partners in Flight Conservation Initiative. Through improved habitat management and environmental awareness, Partners in Flight strives to reverse the declining numbers of many North American bird species and to work toward keeping common birds common.

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES ENCOUNTERED ON DEVELOPMENT PROJECTS

Arizona Game and Fish Department
Revised January 17, 1997

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

Desert tortoises of the Sonoran population are those occurring south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position at all times and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 105 degrees Fahrenheit unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to two miles, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 105 degrees Fahrenheit, the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. *Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises.* Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mohave population of desert tortoises (north and west of the Colorado River). Mohave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.
- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.
- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

RAC:NLO:rc



JANET NAPOLITANO
GOVERNOR

STATE OF ARIZONA
Office of Homeland Security
1700 W. Washington Street Phoenix, AZ 85007
(602) 542-7030 Facsimile: (602) 364-1521



FRANK F. NAVARRETE
DIRECTOR

June 15, 2006

Victor M. Mendez
Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135 A
Phoenix, Arizona 85007

Dear Director Mendez:

The intent of this letter is to document the Arizona Office of Homeland Security's position concerning the proximity of the South Mountain Freeway to the tank farm at 55th Avenue and Van Buren Street.

The security of the tank farm will not be compromised by the alignment and design of the freeway as long as the changes outlined by City Manager Fred Fairbanks in a June 2, 2006 letter are made.

These changes include:

- Shift freeway alignment as far west as possible, while remaining in the vicinity of the 55th Avenue corridor;
- Minimize the take of land from the tank farm site;
- Build a screen wall or barrier that will block the line of sight from trucks on the freeway mainline and northbound off-ramp into the tank farm. The ramp barrier should be designed to prevent a heavy vehicle from penetrating into the tank farm; and
- Collaborate with representatives from the Arizona Counter-Terrorism Information Center in developing appropriate protection solutions for the tank farm in relation to potential effects from the freeway right-of-way.

Sincerely,

Frank F. Navarrete, Director
Office of Homeland Security

GILA RIVER INDIAN COMMUNITY
SACATON, AZ. 85247

ADMINISTRATIVE OFFICES
P.O. Box 97—(602) 562-3311

December 2, 1986

Mr. Charles Miller
Director, Arizona Department of Transportation
206 South 17th Avenue
Phoenix, Arizona 85007

Dear Mr. Miller,

As the design stage of the Southwest and Southeast Loops nears, it is important to restate the Tribe's concern that adequate north-south access will serve Gila River Indian Community lands. Although it is still the Tribe's position that a Queen Creek alignment would better serve all parties than the Pecos Road alignment recommended by the Maricopa Association of Governments, we have been actively and beneficially involved in route reconnaissance stage activities with ADOT's consultant teams, HDR, Inc. and Dames and Moore, and with ADOT liaison person Steve Miller. Through them, we have indicated that we will require access at the following points:

- A full T.I. at 59th Avenue;
- A grade separation at 51st Avenue;
- A T.I. at 35th Avenue;
- A T.I. at 19th Avenue;
- A T.I. at 7th Street;
- A T.I. at 32nd Street;
- A T.I. at 40th Street;
- A grade separation at 48th Street;
- A grade separation at 56th Street;
- A grade separation at Kyrene Road;
- A T.I. at McClintock Road.

These locations were developed in conjunction with the City of Phoenix Department of Transportation to assure compatibility with South Mountain developments while serving Tribal needs in a meeting held June 17, 1985, and have been discussed with City of Chandler staff on a number of occasions.

In addition to the above access points, the Tribe must maintain full access to Reservation lands at the freeway-to-freeway

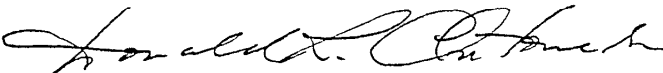
interchanges at I-10 and at Price Road. We believe that the complexity of the interchange at I-10 as presented in the concept stages has negative impacts on access to Pima-Chandler Industrial Park, one of the Tribe's most important economic resources. Similarly, the interchange at Price Road, as presented in concept, did not provide direct access to the south to Tribal lands. These concerns have been stated to both consultants and ADOT representatives.

Because of the proposed freeway location approximately one-quarter mile north of the Reservation boundary, there is a gap between the freeway and Reservation lands that must be acquired as right of way to provide access from the freeway to the Reservation boundary. It is of utmost concern to the Tribe that this access be guaranteed as part of the right of way reservation activities presently being undertaken by ADOT. Further, it is equally important that commitment to the type and location of access points be made at this time so that the Tribe can begin the necessary steps to plan and reserve right of way, drainage, and other facilities on the Reservation.

Before consultants and ADOT staff begin final design recommendations, it is imperative that the Tribe have a commitment from ADOT designating the type and location of access points, and a commitment that ADOT will acquire right of way and fund construction of roads from those access points across the gap between the Reservation lands and the freeway.

Please feel free to contact me if you have any questions.

Sincerely,


DONALD R. ANTONE, SR. - GOVERNOR
GILA RIVER INDIAN COMMUNITY

DRA/dh

- cc: Mr. James Stevens, Director, Bureau of Indian Affairs, Phoenix Area Office
Mr. Vernon Palmer, Acting Superintendent, Pima Agency
Mr. Steven Martin, ADOT
Mr. Eric Keen, Dames and Moore
Mr. Bill Korf, HDR Infrastructure, Inc.



John Louis

GILA RIVER INDIAN COMMUNITY
SACATON, AZ. 85247

ADMINISTRATIVE OFFICES
P. O. Box 97
(602) 562-3311 or 963-4323

July 12, 1989

Mr. Larry Landry
Landry Associates
2 N. Central #1950
Phoenix, Arizona 85004

Dear Mr. Landry,

During our recent meeting discussing roads development plans on the reservation, you requested clarification of the Gila River Indian Community's north-south access points to the Southwest Loop freeway. We indicated that the tribe's master plan for the northern border area identifies 7th Street as critical and necessary to service existing and planned development. However, 7th Avenue is not needed for access to Community lands, as staff has made clear on a number of occasions during Technical Advisory Committee sessions with ADOT and its consultant, HDR, Inc.

I hope this clarifies the tribe's position on 7th Street, rather than 7th Avenue, being the requested point of access. If you have any further questions, please do not hesitate to contact me.

Sincerely,

Thomas R. White
THOMAS R. WHITE - Governor
GILA RIVER INDIAN COMMUNITY

cc: CAntone, Land Use Planning
DHalloack, OP&E



ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

July 3, 1989

THOMAS A. BRYANT, II
State Engineer

Dorothy Hallock
Comprehensive Planner
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

RE: South Mountain Freeway

Dear Dorothy:

Recent statements made by Gila River Indian Community (GRIC) staff at various meetings indicate that there is some confusion regarding location of the South Mountain Freeway and access afforded the GRIC to the freeway.

For your information, I have attached one of our handouts depicting the alignment, design features and approximate right-of-way for the South Mountain Freeway.

I should point out that sheet 5 of 11 fails to show the proposed Estrella Drive grade separation which is part of the design concept. Otherwise, these handouts are consistent with the Design Concept Report, Design Concept Report Plans Set, and Final Environmental Assessment transmitted to GRIC July 27, 1988.

If you have any questions or need further clarification, please do not hesitate to contact me.

Sincerely,

John L. Louis
JOHN L. LOUIS
Assistant Urban Highway Engineer
Urban Highway Section

JLL:SAM:vlb

Attachment

cc: Ed Wueste, FHWA





GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

*Executive Office of the
Governor and Lt. Governor*

315 West Casa Blanca Road
Post Office Box 97

July 12, 1999

(520) 562-6000
Fax: (520) 562-6010

The Honorable Mayor Skip Rimsza
City of Phoenix
200 West Washington Street
Phoenix, AZ 85003

Dear Mayor Rimsza:

The Gila River Indian Community (the "Community") has received a draft copy of the **South Mountain Parkway Specific Plan** which was prepared by the City of Phoenix's Planning Department. Members of my staff have completed a preliminary review of this draft plan that proposes an alternative alignment through our Community.

While this proposed plan would obviously benefit the City of Phoenix's limited access to the west valley, the Community does not see any benefits to having this alignment on our lands. We do not desire to see the proposed state highway proceed through any portion of South Mountain due to cultural and religious significance. However, there are several disadvantages to Alternative "B".

- There is no guaranteed access which would be provided to the Community through the development of this proposed highway. We would require access.
- The alignment, as proposed, is not eligible for the \$85 million in parkway funds unless the Maricopa Association of Governments (MAG) approves the new alignment. Which entity would pursue parkway funds and the change of alignment?
- ADOT would be required to complete environmental studies in this area according to regulations.
- ADOT's State Transportation Board would have to approve this alignment as a new state highway, and according to ADOT, this would be a limited access highway.
- The plan discusses proposed noise and visual mitigation elements which would only benefit the residents of the Ahwatukee Foothills area. There appears to be no positive aesthetic enhancements for the Community. Therefore, the Community would be subject to negative noise and visual impacts from the proposed highway. This is not acceptable.
- The proposed alignment creates the potential for incompatible development opportunities for the Community's landowners in the area. Therefore, the proposed highway alignment may not meet mutual objectives. Our future development in this area would be limited.

The Honorable Mayor Skip Rimsza
July 12, 1999
Page 2

Since the toll road concept has been abandoned, the Community has not pursued further discussions as to any alternative alignment(s) on our land. However, ADOT has recently requested the Community's consideration on an alignment south of South Mountain. The Community's Gila Borderlands Plan conveyed a conceptual plan for an alternative alignment if the toll road concept had proved feasible and advantageous to our Community.

We remain very concerned that your office did not communicate its intent to circulate a plan of this nature, prior to distribution, given the key role the Community would have in the proposed project. If a project of this magnitude were to occur, it would be on a government to government relationship. However, a planner within the City of Phoenix's Planning Department distributed it to two staff members of mine who are not directly involved in transportation planning issues. In the future, I strongly suggest that documents of this nature be provided directly to my office with copies to Ms. Sandra Shade, Director of our Community's Department of Transportation via the Mayor's office.

In closing, our Community has roadways within our respective areas which we consider to be a priority. The dilemma currently confronted by the City of Phoenix is not a priority our Community desires to undertake at this time. Should the Community desire to entertain this matter further, we will contact your office.

Sincerely,

Mary V. Thomas
7-12-99

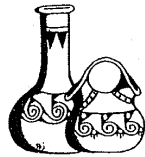
Mary V. Thomas
Governor

MVT:ss

cc: Cecil F. Antone, Lt. Governor, GRIC
Community Council, GRIC
I-10 & Pecos Landowners Association, GRIC
Districts 6 & 7 Communities, GRIC
Sandra Shade, Director, GRIC DOT
Mary Peters, Director, ADOT
Sal DiCiccio, Councilman, City of Phoenix



GILA RIVER INDIAN COMMUNITY



DISTRICT 7 SERVICE CENTER
RURAL ROUTE 4, BOX 186
LAVEEN, ARIZONA 85339

(520) 430-4780
FAX (520) 430-3224

Memorandum

To: Mr. John D. Godec
South Mountain Corridor Team Leader

Fr: Keith R. Fohrenkam, Chairperson *KRF*
GRIC District Seven

Date: December 11, 2001

Re: South Mountain Freeway

Upon the District review of your presentation on the proposed routes for the South Mountain Freeway, it is the majority ruling of the District Seven Community members to write this letter in opposition of the Freeway coming through the District Seven Community.

If you should have any further questions, please call the telephone numbers listed above. Thank-you.

xc: file

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor



Richard P. Narcia
Lieutenant Governor

January 10, 2002

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, AZ 85007

Re: Reduced Corridor Study for the South Mountain EIS

Dear Mr. Mendez:

The Gila River Indian Community (the "Community") appreciates being included as a key stakeholder for the South Mountain Corridor EIS. As you know, this corridor has been the subject of several studies during the past fifteen years. Several of these studies considered freeway alignments on our Community's lands and these studies all concluded that freeway alignments more than a few miles south of Pecos Road are not feasible.

The Community is not interested in revisiting alignments South of the Ocotillo Road section line, as referenced with the accompanying map to the Right of Entry Permit No. RE-02-01 that was granted by our Community Council on September 5, 2001.

As recently as 1996, studies showed such alignments to be infeasible. In light of the above considerations, the Community Council has indicated that the study area on Community land be limited to the area North of the Ocotillo Road section line and North of the Gila River. We do not wish to preclude options, however, we do not believe there is value in studying alignments outside this area.

We looked forward to a continued working relationship with the South Mountain EIS project team.

Sincerely,

Donald R. Antone, Sr.
Governor

Victor Mendez, Director
January 10, 2002
Page 2

Reduced Corridor Study for the South Mountain EIS

cc: Richard P. Narcia, Lt. Governor
Sandra Shade, Director, GRIC DOT
Fred Ringlero, Director, GRIC LUP&Z
Bill Hayden, Special Assistant to Director, ADOT
Mary Viparini, Project Manager, ADOT
Steve Martin, Project Manager, HDR
Bill Vachon, Engineer, FHWA
Davis Pecusa, Superintendent, BIA Pima Agency

GILA RIVER INDIAN COMMUNITY
Executive Office of the Governor & Lieutenant Governor

Donald R. Arnone, Sr.
Governor



Richard P. Narcia
Lieutenant Governor

April 25, 2002

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
234 N. Central Avenue, Suite 330
Phoenix, AZ 85004

**Re: Development of Alternative Alignments for a South Mountain Transportation Corridor
on Gila River Indian Community Lands**

Dear Mr. Hollis:

As you are aware, staff from our Community have partnered with members of your staff, Arizona Department of Transportation, and the consultant team regarding the Environmental Impact Statement and Design Concept Report for the South Mountain Transportation Corridor Study. In addition, we have initiated a Gila Borderlands Task Force that is currently working on updating development plans along our northern boundary which is adjacent to the proposed transportation corridor.

Our Community Council adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Therefore, until such time that our Council revisits this resolution and modifies or rescinds it, the Community can not offer any alignments for inclusion into the above study.

The Gila Borderlands Task Force has had preliminary internal discussions regarding potential alignments which may be advantageous to the Community and allotted landowners. The Task Force, as a recommending body, will continue to discuss the matter at future meetings. Should the resolution issue be resolved and the alignments forwarded to our Natural Resources Standing Committee, the Committee will determine whether the proposed alignments have merit which warrant their support for a favorable recommendation to our Community Council. In the meantime, the Community appreciates your understanding that only the Community government has the right to designate alignment alternatives within its boundaries.

Mr. Robert E. Hollis
April 25, 2002
Page 2

EIS/DCR South Mountain Transportation Corridor

Members of my staff will continue to work with your staff during this study process. We look forward to a continued mutually beneficial working relationship.

Sincerely,



Donald R. Antone, Sr.
Governor

cc: Richard P. Nacchia, Lt. Governor
Victor Mendez, Director, Arizona Department of Transportation
Davis Pecusa, Superintendent, BIA, Pima Agency
Sandra Shade, Director, GRIC DOT

Richard P. Nacchia
GOVERNOR



Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

April 11, 2003

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004-2285

Re: HDA-AZ File #: NH-202-D(ADY)

Dear Mr. Hollis:

This correspondence is in response to your March 6, 2003 letter in which you have requested the Community to identify a corridor for study for the Environmental Impact Statement Study for the South Mountain Corridor Study.

As you will note from the attached letter to ADOT dated January 10, 2002 and accompanying map to the Right of Entry Permit, a reduced corridor study was outlined as the area North of the Ocotillo Road section line and North of the Gila River.

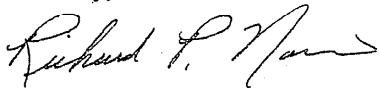
For the Community to offer an "alignment(s)" for study, we would have to undertake a similar process that ADOT's consultant, HDR, is currently undergoing with regarding to the Environmental Impact Statement Study. If the Community were to "dictate" an alignment for study, this might defeat the purpose of the study.

As also conveyed in a letter to FHWA dated April 25, 2002 our Community Council has adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Until such time that our Council revisits this resolution, the Community staff, as a part of the monthly EIS meetings, cannot offer any alignments for consideration.

Robert E. Hollis
April 11, 2003
Page 2

At this time, we feel that you have a corridor to study alignments. Any alignments for consideration must be ultimately approved by our Community Council.

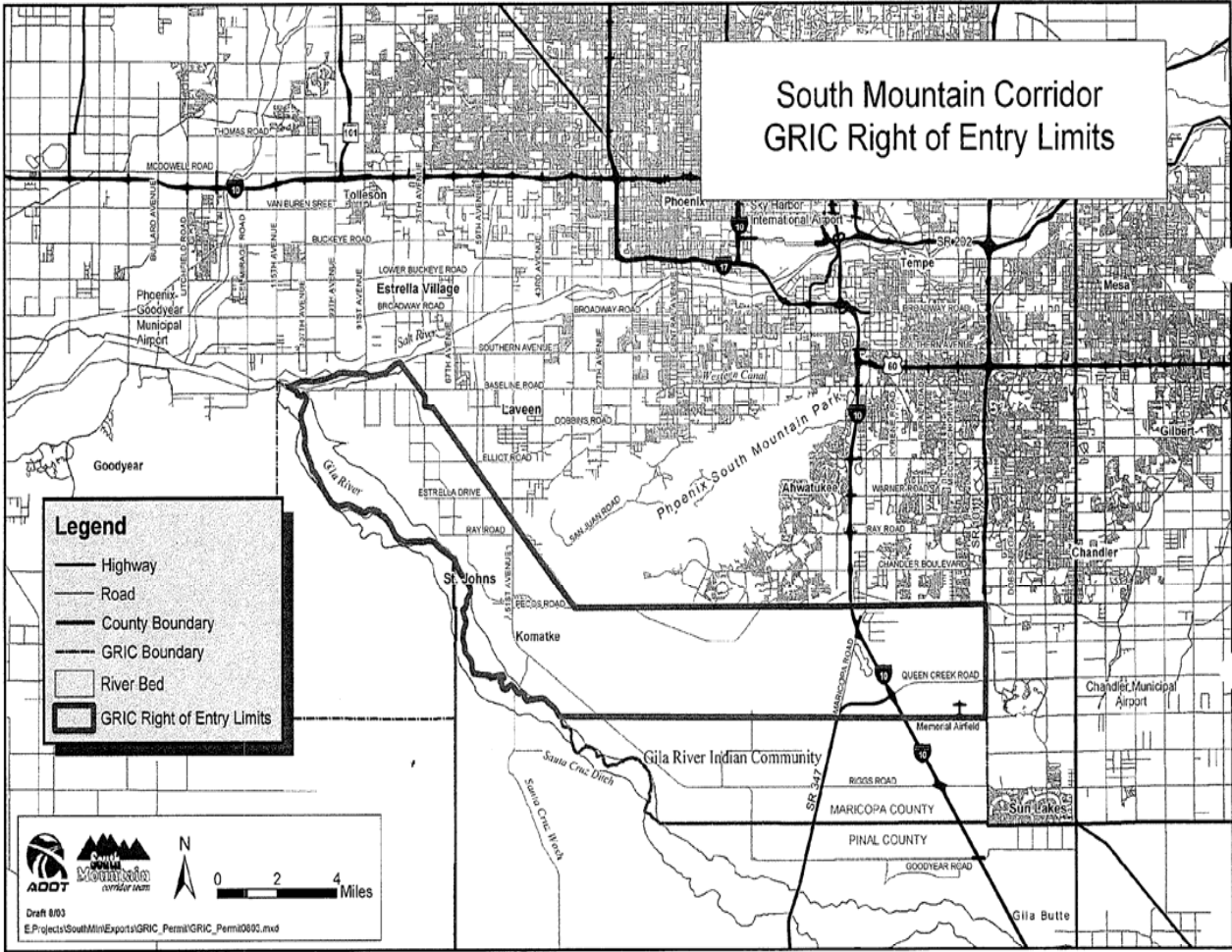
Sincerely,



Richard P. Narcia
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council , GRIC
Victor Mendez, Director, ADOT

attachments: Correspondence dated January 10, 2002 to ADOT Director
Correspondence dated April 25, 2002 to FHWA Division Administrator





GILA RIVER INDIAN COMMUNITY

DISTRICT NO. 6 SERVICE CENTER

Post Office Box 54
 Laaveen, Arizona 85339
 (520) 550-3805
 (520) 550-3806
 FAX: (520) 550-2900

April 23, 2003

Governor Richard P. Narcia
 Gila River Indian Community
 P. O. Box 97
 Sacaton, Arizona 85427

Re: South Mountain Freeway

Dear Governor Narcia:

During this past year the Federal Highway Administration and the Arizona Department of Transportation began an Environmental Impact Study for the Future South Mountain Freeway. Meetings were held in the Districts to discuss the study with their residents and several articles appeared in the Gila River Indian newspaper. As a result of these activities, our District Six residents began to inquire as to where the future freeway might be and if it would impact their property.

As you are aware, our District Six Community and the Community Council had adopted a resolution in August 2000 which did not support construction of new highways within our District boundaries.

Based upon increased interest and requests from District Six residents, a meeting was scheduled in December 2002 to provide an opportunity to update the District Six Community and respond to questions from landowners, community residents, and District Community Council members. ADOT and HDR staff and answering many questions from our residents, the District Six Community voted to permit ADOT to proceed with their study. The Community emphasized that approval did not replace the 2000 resolution.

This is a letter of support, on behalf of the District Six Community, for ADOT to proceed with the Environmental Impact Study for the future South Mountain Freeway and to abide by the resolution enacted in the year 2000.

Page 2
 Governor Richard Narcia
 April 23, 2003

Sincerely,

Albert Pablo
 Chairman, District Six Community

Cc: District Six Councilmen (3)
 File

Richard P. Narcia
GOVERNOR



Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

May 5, 2003

Honorable Mayor Skip Rimsza
City of Phoenix
200 West Washington
Phoenix, AZ 85001

Re: Extension of 48th Street South to the Boundary of the Gila River Indian Community

Honorable Mayor Rimsza:

This is to apprise you of the concerns of the Gila River Indian Community (the "Community") regarding the extension of 48th Street South to the Community's boundary. In June 1998, Mr. Frank Fairbanks, Phoenix City (the "City") Manager, along with other City staff met with then Governor Mary Thomas and members of her staff. The purpose of the meeting was to discuss 48th Street and how vital the connection to the Community will be for our development plans in our North Central area which encompasses over 2,000 acres. A copy of our Gila Borderlands Study was provided which depicts development along 48th Street. During that meeting assurances that 48th Street would be constructed to our common boundary were conveyed by Mr. Fairbanks to the Community. Based upon this discussion, we proceeded with the development of this area. This included making investments in excess of \$200,000,000 for our Wild Horse Pass Resort and Casino and rezoning the area South of Ahwatukee for commercial use. This was done on the premise and understanding that 48th Street would be our "signature" entrance into our development area. The appraisals and rental contracts for these developments are based on access to 48th Street that is connected through the City of Phoenix.

The February 24, 2001, Arizona Republic article on "Battle of 48th Street" indicates that "after the meeting with the City of Phoenix and the Community, the Pecos connection to I-10 was redesigned, elevating one ramp and depressing the other below street level so that 48th Street could be extended to the Gila River Community border."

Since the meeting in 1998, we have relied on the commitments made by City officials. As you will note from the attached correspondence, over the past few years we have continued to communicate our intent to the City. We have never been officially informed to the contrary of any changes. We are also aware that the City requested an amendment to the General Plan allowing it to make 48th Street into a four-lane arterial road and take the street from where it ends now just South of Chandler Boulevard through Pecos Park, and into our Community. We understand that the City often extends arterial streets into other jurisdictions and requires developments to be planned around those streets.

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

Honorable Mayor Skip Rimsza
May 5, 2003
Page 2

As recently as April 3, 2003 members of my staff met with staff from the City along with a representative from the Arizona Department of Transportation (the "ADOT") to again discuss common access points within the City. In that meeting a Park plan, approved in 1999, was provided to our staff which showed 48th Street as a dead end road North of the boundary. During this meeting, City staff indicated that if the Community wanted to pay an estimated \$3,000,000, which would include widening the bridge and providing a grade separation, then perhaps Ahwatukee residents may agree that the roadway be extended. The future roadway is on a section line and constitutes a major arterial for both the Community and the City.

ADOT also has been aware of our plans and they too have ignored the Community's plans to extend this roadway to four lanes, given their construction of a two lane bridge over the freeway. A four-lane structure will be required for our plans to come to fruition. In addition, neither the City nor ADOT has indicated a willingness to share in the above referenced costs.

The Community never received official notice that a retention basin would become a park and that this factor would preclude the construction of 48th Street to our boundary. This is contrary to our written request of June, 1998, in which we requested that we be advised of any actions that may impact our Community.

We need to know if the City is still committed to the extension of 48th Street South to our boundary as a major arterial. I therefore request an opportunity to meet with you and the City Manager to discuss this matter. Please have a member of your staff contact Mr. Jose Solarez, Economic Development Planner, at (520) 562-6131 to schedule this meeting.

Sincerely,

GILA RIVER INDIAN COMMUNITY

Richard P. Narcia
Richard P. Narcia
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council, GRIC
Wild Horse Pass Development Authority
✓Victor Mendez, Director, ADOT

attachments: Correspondence dated June 18, 1998 to Phoenix City Manager
Correspondence dated August 18, 2000 to Phoenix City Manager



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

*Executive Office of the
Governor and Lt. Governor*
315 West Casa Blanca Road
Post Office Box 97

(520) 562-6000
Fax: (520) 562-6010

June 18, 1998

Mr. Frank Fairbanks
City Manager
City of Phoenix
200 W. Washington
Phoenix, AZ

Dear Mr. Fairbanks,

I appreciate the visit by you and your staff members to discuss our mutual planning and transportation issues.

As you are aware the Community has development plans our lands south of Pecos Road, that we consider essential to our long term economic prosperity. Enclosed is a copy of the Gila Borderlands Study, recently adopted by the Community Council, that reflects our current planning for our lands that border your City.

The City's agreement to extend the 48th Street right-of-way to the Community boundary, and to work with the Community in determining the mutual agreed upon alignment was very encouraging. We are currently constructing 48th Street about 1/4 mile south of Pecos Road, and will be locating some utilities in the corridor to the north. I would like to have our staff work with your staff as soon as possible to determine the exact location. Sandra Shade, our Department of Transportation Director, will be coordinating our 48th Street alignment.

I hope the City of Phoenix and the Gila River Indian Community can work cooperatively in planning and developing our mutual boundary. Please keep us informed of any actions that may impact our Community.

Cecil F. Antone
Mary V. Thomas, Governor
Gila River Indian Community

cc: Cecil F. Antone, Lt. Governor
Sandra Shade, Transportation Director

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor



Richard P. Narcia
Lieutenant Governor

August 18, 2000

Mr. Frank Fairbanks
City Manager
City of Phoenix
200 W. Washington
Phoenix, AZ 85001

Dear Mr. Fairbanks:

In June of 1998 representatives from the Gila River Indian Community and the City of Phoenix met to discuss mutual planning and transportation issues regarding the extension of 48th Street south to our Community's boundary. It is my understanding that the City agreed to extend 48th Street and to work with our staff in determining the mutual agreed upon alignment of the roadway.

We are still interested in pursuing this important project because as the Community conveyed during the earlier meetings, our long range plans include a variety of economic and commercial developments on over 2,000 acres that will surround our Wild Horse Pass Casino.

We would like to request a meeting with you and representatives of the City's transportation staff to discuss the 48th Street extension. Please have a member of your staff contact Ms. Carol Buckles, Executive Assistant, at (520) 562-6040 to schedule a date and time. Should your staff have any questions or desire additional information they may contact Ms. Sandra Shade, Director for our Community's Department of Transportation at (520) 562-6110.

Sincerely,

Richard P. Narcia

Richard P. Narcia
Lt. Governor

cc: Donald R. Antone, Sr., Governor
Sandra Shade, Director, GRIC DOT
Dale Gutenson, Consultant, GRIC

Richard P. NARCIA
GOVERNOR



Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

September 10, 2003

Honorable Mayor Neil Giuliano, Chair
Transportation Policy Committee
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, AZ 85003

Dear Chairman Giuliano:

Recently, representatives from the Maricopa Association of Governments (MAG), a member of the Transportation Policy Committee (TPC), and a City of Phoenix representative met with members of my staff to discuss the possibility of our Community supporting a motion at an upcoming TPC meeting regarding the South Mountain Freeway.

During the past two years, the Gila River Indian Community has participated, as a key stakeholder, in the Environmental Impact Statement (EIS) Study for the South Mountain Freeway Corridor. Meetings have been held with the administrators for the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to inform them of the Community's position regarding the proposed freeway. In addition, our Community Council adopted a Resolution in August 2000, which in essence, does not support any freeway alignment on Tribal lands within the proposed study area. Therefore, until such time that our Council revisits this Resolution, the Community will not support or endorse any proposed alignments within our boundary.

We feel strongly that it is premature for any freeway alignment to take precedence over another given that the EIS study is still two years away from a Record of Decision. Further, we feel that any alignments identified outside the Community's boundary should not be precluded from the study and must also include the original Pecos Road alignment that was identified in MAG's Long Range Transportation Plan in 1985.

Honorable Neil Giuliano, Chair
September 10, 2003
Page 2

Members of my staff will continue to work with the study team for the EIS; however, any alignments for consideration or approval must be ultimately approved by our Community Council.

Sincerely,

Richard P. NARCIA
Governor

cc: Mary V. Thomas, Lt. Governor
Gila River Community Council Members
Urban Giff, Community Manager
Gary Bohnee, Executive Assistant, GRIC
Sandra Shade, Director, GRIC DOT
Davis Pecusa, Superintendent, BIA Pima Agency
Victor Mendez, Director, ADOT
Bill Hayden, Special Assistant to Director, ADOT
Robert Hollis, Division Administrator, FHWA
Dennis Smith, Executive Director, MAG

Richard P. Narcia
GOVERNOR



MARY V. T.
LIEUTENANT G

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 14, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007-3213

Dear Director Mendez:

On behalf of the Gila River Indian Community (the "Community"), I appreciate the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) for taking the time to meet to discuss important transportation issues that face our respective organizations.

As such, I believe the key to building a successful partnership is to develop a better communication process and protocol. Central to this effort is the need to identify a point of contact in our respective organizations that is both knowledgeable and capable of speaking in an official capacity. For the Community, Ms. Sandra Shade, Director, Gila River Department of Transportation will continue to serve as the primary contact.

Consistent with our discussion, the Community would like to have Mr. Bill Hayden serve as the ADOT's primary liaison to the Community. As a part of your current team, Mr. Hayden brings to the table the requisite experience in working with tribal governments. He has an established relationship with the Community Council, key staff, and the Bureau of Indian Affairs (BIA). Of equal importance are his experience, knowledge and respect for our tribal protocol. The Lieutenant Governor and I both feel strongly that Mr. Hayden has demonstrated the ability to work with our leadership in an effective manner and, therefore, remain unyielding in our request that he serve as the key point of contact from ADOT to work with our Community on this project. We believe Mr. Hayden will move this project forward in a positive manner in the spirit of communication and cooperation with all stakeholders.

Importantly, the Community recognizes the Interstate 10 (I-10) Widening Project is the number one statewide priority project for ADOT. As such, we feel strongly that ADOT

must bring an experienced and professional project management team who will work closely with our key staff in moving this project forward.

The Community Council adopted Resolution GR-119-05 on August 5, 2005 that identifies several priority areas regarding the alignment, improvement, operation and maintenance of, and access to Interstate 10 within the boundaries of our Community. A copy of this resolution has been provided to you and Mr. Robert Hollis of FHWA so that your respective organizations may begin the review process while we concurrently move forward with a Community outreach program and additional input and participation.

Again, it was a pleasure to have the opportunity to meet with you and Mr. Hollis and I look forward to a mutually beneficial working relationship. Your consideration of the Community's recommendations is greatly appreciated.

Sincerely,

Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Hollis, FHWA Division Administrator
The Honorable Governor Janet Napolitano

Richard P. Narcia
GOVERNOR



Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

December 20, 2005

Mr. Victor Mendez
Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, AZ 85007

Dear Director Mendez:

As you are aware, there has recently been considerable public debate on the future of the proposed South Mountain Loop 202. In an effort to clarify the position of the Gila River Indian Community ("the Community") on this issue please accept this letter to reaffirm that the Community does not support any freeway alignment on tribal lands.

Consistent with a Community Council resolution (GR-126-00) adopted in August 2000 and, more recently, a motion that was adopted by the Council on December 8, 2005 to reaffirm the August 2000 resolution, the Community remains steadfast in its position on the proposed South Mountain Loop 202. Importantly, it is the authority of the Community Council to determine the transportation policy of the Community. Therefore, until such time that the Community Council revisits the actions, the Community will not support or endorse any proposed alignment within the boundaries of the reservation.

While the Community appreciates being a key stakeholder in the Environmental Impact Statement ("EIS") process to date, with the heightened level of public debate on this issue it is important for the Community to convey its position as clearly as possible. In any public forum it is our hope the Community's position is enunciated accurately. Indeed, on behalf of the Community we look forward to working with you on other significant transportation projects that are of common interest.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Richard P. Narcia
Governor

cc: Community Council, GRIC
Robert Hollis, Division Administrator, FHWA
Sandra Shade, Director, GRICDOT
Cecilia Martinez, Acting Superintendent, BIA, Pima Agency

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us



May 23, 2006

FOR MORE INFORMATION CONTACT: Jeri Thomas
Community Public Information Officer
Gila River Indian Community
(520) 562-6000
(520) 562-6030

Executive Office of the Governor and Lieutenant Governor
-- Media Advisory --

**Governor William R. Rhodes States
The People of Gila River Indian Community
Are Entitled to Vote on Loop 202 Issue**

Sacaton, Arizona – William R. Rhodes, Governor of the Gila River Indian Community, who in the past several weeks has raised speculation among off-reservation residents, politicians, and highway transportation officials that building the South Mountain Freeway on reservation land may still be a possibility, despite past rejection of such a proposal by the Community Council, says his suggestion that the freeway issue should be decided by tribal members in a voter referendum is out of concern that all affected landowners and community residents be heard on the matter.

Rhodes said he acknowledges that the community's District Six council passed district legislation opposing building the freeway on district land, and that the Gila River Community Council reaffirmed that opposition last year. "District Six, they have a legal resolution, and the Community Council resolution reaffirming the District Six resolution is legal," he said, but he noted that during his campaign for governor land owner groups approached him with concerns about not having a voice when opposition was raised.

"The landowners are saying, 'We didn't get a chance to vote.' That's true, if you're not from that District (Six), you didn't get to vote," Rhodes said. He explained that tribal members who have land interest in the affected area of the proposed South Mountain Freeway aren't necessarily members of District Six;

they may be enrolled members in any of the other six districts of the Gila River Indian Community.

This oversight can be remedied, he said, "Their right to vote can come through a voter referendum. This issue has been going on for the past three to four administrations, we will get an answer, and the way get an answer is by a referendum vote. I'm doing this to protect the peoples' rights. They have a right to a referendum."

Rhodes said the bylaws and constitution of the Gila River Indian Community outlines two ways that such a referendum can be held—one, it can be called by a resolution of the Community Council; two, it can called if at least 10 percent of the registered voters in the community sign a petition.

Article 13-Referendum, of the Community's Constitution reads, "A referendum on any enacted or proposed ordinance or resolution or other action of the Council shall be called by a petition of 10 percent or more of the qualified voters of the Community or by resolution of the Council. Such referendum may be held at a special election called for that purpose or may be held at the same time as and concurrent with any other election. The result of such referendum shall be immediately noted in the Council minutes by the Secretary and shall be conclusive and binding upon the Council."

Rhodes said in pursuit of such a referendum, "We can go through the Community Council, ask them for a referendum vote to get an answer from the voters. If the Council feels it doesn't want to do a special election, then we'll have to go get signatures. The people have a right to a referendum, it's in the Constitution. The landowners have a right to express yes or no."



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

LAND USE PLANNING & ZONING

Fred Ringlero, Director

Planning & Zoning Commission
Ordinance Enforcement Office
Tribal Homesite Office
Livestock Office
Survey & Engineering

POST OFFICE BOX E

(520) 562-3301

(480) 899-0092

(520) 836-7291

FAX (520) 562-4008

NATURAL RESOURCES STANDING COMMITTEE

RIGHT-OF-ENTRY

PERMIT NO. RE-02-01

THIS RIGHT-OF-ENTRY is hereby granted to:

HDR Engineering, Inc.
2141 East Highland Avenue
Suite 250
Phoenix, Arizona 85016-4736
Telephone (602) 508-6600

*Contact Person: Stephen A. Martin, P.E., Project Manager

THIS RIGHT-OF-ENTRY, has been granted for the following purpose: To perform the following general types of work:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

THIS RIGHT-OF-ENTRY, will encompass the general alignment studies already approved for consideration through prior Tribal Council Resolution. The study area is a three-mile wide corridor starting with the eastern boundary line being the Interstate Highway I-10, northern boundary is the GRIC northern boundary line or commonly known as Pecos Road alignment to a point known as the 35th Ave alignment and turns northwest to the Salt River, the western boundary line is the Gila River and runs north to the Salt River. Please see the attached map of the approved study area.

THIS RIGHT-OF-WAY, will commence **September 6, 2001** and end **September 5, 2003**

THIS RIGHT-OF-WAY, was approved at a duly held meeting of the Gila River Tribal Council meeting on September 5, 2001 in which Gila River Tribal Council approved granting a blanket right-of-entry for a three (3) year period beginning September 6, 2001 and ending September 5, 2004.

THIS RIGHT-OF-ENTRY, is granted with the following conditions:

1. Individuals granted entry into the Gila River Indian Community (the "Community"), but found in other areas outside of their job sites may be cited for civil trespassing by tribal Rangers and/or tribal law enforcement officers. In addition, individuals cited for civil trespass could be fined and have their vehicles and/or equipment confiscated.
2. Activities which are not related directly for the purpose stated above is a violation of the granting for this Right-of- Entry permit and may be cause for the permit to be revoked.
3. Individuals granted access into the Community are prohibited from carrying firearms onto tribal lands. (Tribal Law prohibits hunting and fishing activities).
4. Individuals granted access into the Community must be aware that there are ordinances protecting archaeological and historical sites, as well as the protection of native plants. In the event any ground disturbance is conducted contact with the Land Use Ordinance Office has to be made prior to the activity. Individuals granted access into the Community should make an earnest effort to become knowledgeable of these ordinances, or make inquiries to the GRIC/Land and Water Resources Department when in doubt about situations relating to them.
5. The individuals identified in this permit will notify the Land Use Ordinance Office 24 hours in advance when visits will be made into the Community.
6. Individuals granted access into the Gila River Indian Community must keep this Right-of-Entry in their possession at all times (copies of this permit may be made). Further, it will be understood that the participants of this activity will abide by the laws and

ordinances of the Gila River Indian Community.

THIS RIGHT-OF-ENTRY, in no way holds the Gila River Indian Community liable for

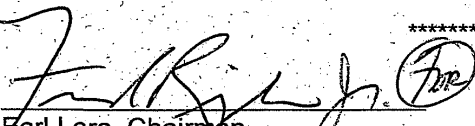
any thefts, damages or injuries while on the Gila River Indian Community Reservation.

Vehicles: See attached vehicle information.

Personnel: See attached personnel information

Notes:

1. Current Business License is required for all consultants doing work within the Gila River Indian Community, including sub consultants.
2. Any additions to field personnel and field vehicles will need to be reported/faxed to the Land Use Ordinance Office.
3. Maps attached identifying areas where work will be conducted.


Earl Lara, Chairman
Natural Resources Standing Committee

11/9/01
Date

cc: Donald Antone, Sr., Governor
Richard Narica, Lt. Governor
Davis Pecusa, Pima Agency Superintendent
GRIC Rangers
Elaine Blackwater, Land Use Ordinance Officer

5/1996



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

RESOLUTION GR-64-96

A RESOLUTION DESIGNATING POSSIBLE ROUTES ON COMMUNITY LANDS FOR THE PROPOSED SOUTH MOUNTAIN FREEWAY (LOOP 202)

WHEREAS, the Gila River Indian Community (the "Community") desires to enhance and further economic development within the northern borderlands area of the Community, specifically including land in District #6; and

WHEREAS, the Gila River Indian Community Council (the "Community Council") approved the Borderlands Master Plan on May 17, 1990 which includes a major east-west regional transportation corridor connecting Interstate-10 (I-10) east to 51st Avenue; and

WHEREAS, the Arizona Department of Transportation ("ADOT") is currently seeking proposals from private entities to construct and operate a toll road for a portion of State Route 202, known as the South Mountain corridor; and

WHEREAS, the ADOT proposal describes alternative alignments which may be considered up to approximately one mile south of Pecos Road between I-10 east and 59th Avenue, and specifically within the Community; and

WHEREAS, the previously designated alignment along Pecos Road outside the exterior boundaries of the Community, presents negative impacts for the Community, as well as residents along the City of Phoenix' southern boundary; and

WHEREAS, District #6 of the Community has agreed that Community values preclude degradation of any portion of South Mountain by cutting, blasting or changing South Mountain, due to its religious significance to the Community; and

WHEREAS, routing the proposed South Mountain Freeway through the Community can also help mitigate the high volume of truck traffic and other through traffic in the 51st Avenue residential corridor; and

WHEREAS, District #6 Community concurred with exploring the opportunity for developing the South Mountain Freeway on Community lands, and continues to convene its Toll Road Advisory Committee on a continuing basis, thus participating in the ongoing process; and

WHEREAS, the Community Council recognized this initiative by adopting Community Resolution GR-05-96 on the 3rd day of January 1996, in support of the concept for development of the South Mountain Freeway on Community lands, whether by private toll or public construction; and

GILA RIVER INDIAN COMMUNITY RESOLUTION GR-64-96 PAGE 2

WHEREAS, the Toll Road Advisory Committee and District #6 Community have reviewed two Community lands designated routes (attachments A&B); and are willing to cooperate with and be involved in negotiating efforts concerning either of these routes; and will work with the Community government and other interested agencies, as long as the Community is allowed to review and approve design, routing and negotiations necessary for the project to move forward.

NOW THEREFORE BE IT RESOLVED, that the Community Council adopts the designated routes (attachments A&B) as having sufficient merit to pursue as the South Mountain Freeway alignment and to begin negotiations with ADOT and its designated proposers.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (9), (13), (18), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted this 15th day of May, 1996, at a Regular Community Council Meeting held in District #3, Sacaton, Arizona, at which a quorum of 12 Members were present by a vote of 8 FOR; 4 OPPOSE; 0 ABSTAIN; 4 ABSENT; 1 VACANCY.

GILA RIVER INDIAN COMMUNITY

Mary V. Thomas
GOVERNOR 5-15-96

ATTEST:

Doreen V. Allen
COMMUNITY COUNCIL SECRETARY



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

RESOLUTION GR-126-00

RESOLUTION OPPOSING THE USE OF 51ST AVENUE FOR THE PROPOSED TRUCK BYPASS ROUTE AND ANY FUTURE BYPASS PLANS FOR THE PROPOSED SOUTH MOUNTAIN PARKWAY THROUGH THE DISTRICT SIX COMMUNITY OF THE GILA RIVER INDIAN COMMUNITY

- WHEREAS**, the Maricopa County Department of Transportation (the "MCDOT") completed a 51st Avenue Corridor Truck Route Analysis Study that projected traffic volumes of 7,000 vehicles per day on 51st Avenue in 1997 with volumes projected to increase to 23,000 vehicles per day by the year 2020;
- WHEREAS**, MCDOT has proposed a truck bypass route that would redirect traffic and reduce current and future congestion on 51st Avenue in Laveen;
- WHEREAS**, the City of Phoenix completed a South Mountain Parkway Specific Plan in 1999 to address the limited access to the west valley from Interstate 10 east;
- WHEREAS**, the Maricopa Association of Governments (the "MAG") has formed a South Mountain Agency Stakeholders group for the purpose of developing a recommendation for the alignment for the proposed South Mountain Parkway;
- WHEREAS**, the Arizona Department of Transportation (the "ADOT"), MCDOT, City of Phoenix, and MAG plan on extending Pecos Road west around the South Mountain with an option of crossing across lands of the Gila River Indian Community (the "Community");
- WHEREAS**, the District Six community has experienced the negative impact of increasing traffic through the residential areas along 51st Avenue south of the Community's boundary;
- WHEREAS**, 51st Avenue is essential to the Community because it serves as the principal arterial from Riggs Road-Beltline road and is a significant east/west travel route to the western portion of the Community;
- WHEREAS**, the District Six Community is concerned with the safety and welfare of its members, as well as other members of the Community who utilize this roadway, due to excessively speeding vehicles on 51st Avenue, which has residential areas, churches, a health clinic, a school, a Boys and Girls club, and a convenience store within its area;

GILA RIVER INDIAN COMMUNITY RESOLUTION GR-126-00 PAGE 2

- WHEREAS**, the District Six Community has concerns of increasing traffic, excess speeding vehicles, the safety and welfare of its members, the area's significant cultural and religious importance to the entire Community, the deterioration of the pristine natural environment, and the increase negative noise and visual impacts;
- WHEREAS**, because of its concerns, the District Six Community strongly opposes the proposed parkway, truck bypass route, or any future bypass plans through portions of the South Mountain and across Community land;
- WHEREAS**, on June 12, 2000, the District Six Community voted to strongly oppose future transportation of hazardous waste and materials through its community; and
- WHEREAS**, the District Six Community strongly requests that the Community Council oppose any future development of roadways from ADOT and MCDOT through the District Six Community.
- NOW THEREFORE BE IT RESOLVED**, that the Community Council strongly opposes the development plans by ADOT, MCDOT, and MAG for a truck bypass route or any future bypass plans for the proposed South Mountain Parkway across Community lands.
- BE IT FINALLY RESOLVED**, that the Governor, or in the Governor's absence the Lieutenant Governor, is hereby authorized to take necessary action to effectuate the intent of this Resolution.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (7), (9) and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted by this 2nd day of August, 2000 at a Regular Community Council Meeting held in District 3, Sacaton, AZ at which a quorum of 15 Members were present by a vote of 15 FOR; 0 OPPOSE; 0 ABSTAIN; 2 ABSENT; 0 VACANCY.

GILA RIVER INDIAN COMMUNITY

GOVERNOR

ATTEST

COMMUNITY COUNCIL SECRETARY

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor



Joseph Manuel
Lieutenant Governor

January 27, 2010

Director John Halikowski
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski,

The purpose of this letter is to inform the Arizona Department of Transportation (ADOT) that the Gila River Indian Community (the "Community") is willing to assist in conducting a study of the effects of an On-Reservation Loop 202 alignment consistent with the Community's land use plans (i.e., the Borderlands Study) and the desire to mitigate cultural impacts to Muadag (South Mountain). The Community's assistance in this matter should not be construed as our approval of an On-Reservation alignment. The Community's official position remains the same: (a) we oppose any desecration of Muadag (i.e., oppose the current Off-Reservation alignment), and (b) we oppose an On-Reservation alignment. Despite our desire for a no-build option, we recognize that there is a high likelihood that the Loop 202 South Mountain will be built. Therefore, it is in our best interests to explore all options to mitigate any negative impacts to our culture and land; including a potential On-Reservation alignment.

The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, trash, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community's traditional routes and wildlife corridors between Komadk (the Estrella Mountain) and Muadag; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51st Avenue and Beltline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

525 West Gu u Ki • P.O. Box 97 • Sacaton, Arizona 85147
Telephone: 520-562-9840 • Fax: 520-562-9849 • Email: executivemail@gric.nsn.us

further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

W.R. Rhodes 1-28-10
William R. Rhodes, Governor
GILA RIVER INDIAN COMMUNITY

September 20, 2001

Ms. Rita Walton
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 85003

Subject: South Mountain Corridor L/DCR & EIS
Demographic Data Request

Dear Ms. Walton:

ADOT is undertaking a study to assess the environmental impact and to perform a DCR on proposed improvements within the South Mountain Corridor from the I-10/Santan Freeway interchange vicinity to I-10 west between 43rd Avenue and 107th Avenue. To begin the evaluation, we are requesting the following demographic data in ARC/INFO or ArcView files for the corridor:

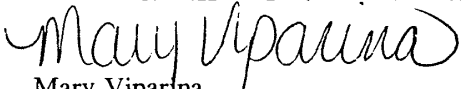
- TAZ 2000
- DF1 2025 (TAZ demographic data for the horizon year 2025)
- Development data
- Employment data
- General plans for Phoenix, Tolleson, Avondale, and Goodyear
- MPA Boundaries

These data files will be used in the review of the model demographic input files and employed in the alternative evaluation.

Thank you for your continuing cooperation.

Sincerely,

ARIZONA DEPARTMENT OF TRANSPORTATION


Mary Viparina
Project Manager

cc: Steve Martin, HDR
Patrizia Gonella-Ramos, Lima & Associates



302 North 1st Avenue, Suite 300 ▲ Phoenix, Arizona 85003
Phone (602) 254-6300 ▲ FAX (602) 254-6490
mag@mag.maricopa.gov

May 31, 2000

TO: Members of the MAG South Mountain Parkway Stakeholders Group

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: CONFIRMATION OF ACTION RECOMMENDED BY THE SOUTH MOUNTAIN AGENCY STAKEHOLDERS GROUP

At the last meeting of the South Mountain Agency Stakeholders Group held on May 2, 2000, it was the consensus of the group that a Federal environment impact statement be undertaken for the entire corridor. Also, there was a recognized need to protect right-of-way for this facility.

These recommendations require action by MAG and ADOT. To ensure that the consensus of the South Mountain Agency Stakeholders Group is fully addressed, a draft memorandum is enclosed for your review.

Please provide any comments to me or Stuart Boggs at (602) 254-6300 by June 12, 2000. Do not hesitate to call us if you have any questions.

A Voluntary Association of Local Governments In Maricopa County

City of Avondale ▲ Town of Buckeye ▲ Town of Carefree ▲ Town of Cave Creek ▲ City of Chandler ▲ City of El Mirage ▲ Town of Fountain Hills ▲ Town of Gila Bend ▲ Gila River Indian Community ▲ Town of Gilbert
City of Glendale ▲ City of Goodyear ▲ Town of Guadalupe ▲ City of Litchfield Park ▲ Maricopa County ▲ City of Mesa ▲ Town of Paradise Valley ▲ City of Peoria ▲ City of Phoenix ▲ Town of Queen Creek
Salt River Pima-Maricopa Indian Community ▲ City of Scottsdale ▲ City of Surprise ▲ City of Tempe ▲ City of Tolleson ▲ Town of Wickenburg ▲ Town of Youngtown ▲ Arizona Department of Transportation

DRAFT

May 31, 2000

TO: MAG Transportation Review Committee

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: RECOMMENDATIONS TO UNDERTAKE AN ENVIRONMENTAL IMPACT STATEMENT AND PROTECT RIGHT-OF-WAY FOR SOUTH MOUNTAIN PARKWAY

The South Mountain Agency Stakeholders Group was formed by action of the MAG Regional Council on January 19, 2000. At a meeting of this Group on May 2, 2000 there was a consensus to move forward with a Federal Environmental Impact Statement (EIS) for the entire corridor. Also, it was recognized that the right-of-way for this facility needs to be protected. Accordingly, the following actions are recommended:

- Amend the MAG and ADOT FY 2001 programs to include \$6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.
- Authorize right-of-way protection funds to be used in the South Mountain corridor.

HISTORY

The South Mountain Parkway extends 22 miles from the Papago Freeway in west Phoenix to south of South Mountain and then eastward along the Pecos Road alignment to the Maricopa freeway in Chandler. Funding for this parkway was approved by the voters of Maricopa County in 1985.

The South Mountain Parkway has been part of the MAG Long Range Transportation Plan since 1985, however, target dates for completion have varied. In 1997, \$85 million was included in the funded ADOT Life Cycle Program for construction of an interim facility between 19th Avenue and Baseline Road. This level of funding remains part of the currently approved Life Cycle Program. Completion of this facility is now targeted for after 2007.

ISSUES

In 1985, the South Mountain Corridor was located just north of the Gila River Indian Community. As a result, the Parkway cuts the edge of the southwest corner of South Mountain Park.

Since the adoption of the original corridor location in 1985, the Pecos corridor has experienced

intense development activity. ADOT has purchased 243 acres in this corridor and the City of Phoenix has helped to protect this corridor by requiring dedication of 110 feet of right-of-way. However, homes are now located along the edge of this planned facility.

Development activity is also occurring along the north/south leg of the corridor. A red letter notification was received by MAG in June 1999 concerning a new subdivision with 148 homes in the Parkway alignment near Broadway Road. MAG and ADOT committees assessed this notification and as a result the Regional Council formed the South Mountain Agency Stakeholders Group that includes representatives from:

- The Gila River Indian Community
- Arizona Department of Transportation
- Maricopa County
- City of Tolleson
- City of Glendale
- City of Phoenix

ENVIRONMENTAL IMPACT STATEMENT

Preliminary engineering for the original alignment for the South Mountain Parkway was completed by ADOT in 1988. A state environmental assessment was completed in association with this work.

At the meeting of South Mountain Agency Stakeholders Group on May 2, 2000, the consensus of the group was that a full Federal environmental impact statement should be completed for this entire corridor. Reasons include:

- Ensure eligibility for Federal funding
- Need to fully address environmental issues
- Possibility of an alignment change that would be located on the Gila River Indian Community to avoid South Mountain Park

At this meeting, interest was expressed in fully addressing related issues including:

- A truck bypass route
- Design of the South Mountain/Papago Interchange to limit congestion on 59th Avenue
- Need for interim solutions, including a bypass route around the Laveen area
- Need to protect right-of-way
- Need for a strategic plan to program near-term funds and ensure completion of the parkway

ACTION

In order to proceed with the consensus of the South Mountain Agency Stakeholders Group, the following is recommended:

- Amend the MAG and ADOT FY 2001 programs to include \$6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.
- Authorize right-of-way protection funds to be used in the South Mountain corridor.

This additional \$6.0 million in FY 2001 can be absorbed within the existing cash flow. This is a minor project so a public hearing is not required. Also, as an exempt project a regional conformity analysis is not required. The current freeway Life Cycle Program includes \$5.0 million per year for the protection of right-of-way. Once the environmental and preliminary engineering work has been completed the existing \$85 million on the South Mountain Parkway may need to be reprogrammed to be in accord with a new strategic plan to complete the corridor.

For additional information please call me or Stuart Boggs at (602) 254-6300.



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December 19, 2005

The Honorable J.D. Hayworth
House of Representatives
2434 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Hayworth:

Thank you for meeting with Mayor Hawker, and staff from the Maricopa Association of Governments and the Arizona Department of Transportation (ADOT) to discuss the issues surrounding the Environmental Impact Statement being conducted by the ADOT on the South Mountain Freeway. We appreciate your candor regarding the concerns of the residents in the Ahwatukee area and believe that with your involvement the best solution for this facility can be attained.

In our meeting, we discussed the history of the project and the need to address regional mobility. Your staff requested that we address the specific questions that you forwarded to our office and we have worked with the Arizona Department of Transportation regarding these issues. A copy of the answers is enclosed. To augment the answers to your questions, we would gladly work with your staff to further discuss the issues regarding the project.

Again, we are looking forward to working with you and your staff on the South Mountain Freeway Project. Thank you for taking time out of your busy schedule to discuss these issues.

If you have any questions, please contact me at the MAG office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Smith".

Dennis Smith
Executive Director

c. Mayor Keno Hawker
Brian Murray
Eric Anderson

A Voluntary Association of Local Governments in Maricopa County

City of Apache Junction • City of Avondale • Town of Buckeye • Town of Carefree • Town of Cave Creek • City of Chandler • City of El Mirage • Fort McDowell Yavapai Nation • Town of Fountain Hills • Town of Gila Bend
Gila River Indian Community • Town of Gilbert • City of Glendale • City of Goodyear • Town of Guadalupe • City of Litchfield Park • Maricopa County • City of Mesa • Town of Paradise Valley • City of Peoria • City of Phoenix
Town of Queen Creek • Salt River Pima-Maricopa Indian Community • City of Scottsdale • City of Surprise • City of Tempe • City of Tolleson • Town of Wickenburg • Town of Youngtown • Arizona Department of Transportation

Date of Projections	Study	Projection Year	Daily Traffic Forecast
1985	Central Area Transportation Study	2015	92,000
1988	Southwest Loop Environmental Assessment and Design Concept Report (Arizona SR-218)	2015	97,000
2003	Initiation of South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report (Arizona SR-202L)	2025	155,000
2005	Continuing study efforts for the South Mountain Freeway EIS and L/DCR (Arizona SR-202L)	2030	164,000

Copies of the 1985 and 1988 studies are available for review from MAG. Please contact us for copy information.

Inquiry:

2. Your most current estimates on commercial truck traffic versus noncommercial traffic.

Response:

The MAG travel demand model incorporates a commercial vehicle model to estimate this type of traffic on the MAG freeway system. Current projections indicate the SR-202L/South Mountain Freeway will carry approximately 12,000 commercial vehicles daily, or approximately seven percent, in the 2030 forecast horizon. By contrast, this volume is lower than the present commercial vehicle volume along the US-60/Superstition Freeway, where more than 17,000 commercial vehicles can be found east of its traffic interchange with the Interstate 10/Maricopa Freeway. This volume is approximately eight percent of the existing traffic on US-60. Thus, MAG believes the SR-202L/South Mountain Freeway forecasts are in-line with the commercial vehicle demand for other freeways on the regional network.

It is also important to note that the commercial vehicles using the proposed freeway dramatically reduce their use of existing surface streets in this portion of the metropolitan area. Most notably, this includes the Beltline Highway/51st Avenue corridor where MAG believes commercial vehicle traffic through the Gila River Indian Community and Laveen Village activity centers will drop by as much as 80 percent when compared to traffic projections for the No-Build scenario. We believe this drop in commercial vehicle traffic on these arterial streets will considerably reduce the crash potential, especially between vehicles and pedestrians, in these activity centers.

- Studies have shown that travel time will be less from travel along Interstate 10 between the current Pecos Road and Washington Street interchanges if the SR-202L/South Mountain Freeway is constructed. Without the freeway, the study team estimates the travel time would be 37 minutes for this trip. If SR-202L is constructed, then the travel time for this trip decreases to 28 minutes.

Inquiry:

5. What are the reasons the Phoenix Parks Board opposes the construction of the freeway and how you plan to mitigate all of their concerns.

Response:

From the ADOT Study Team: The City of Phoenix Parks and Recreation Board unanimously passed a resolution to strongly oppose any alignment going through South Mountain Park/Preserve. As part of that resolution, the Board encourages ADOT to continue coordination with the Gila River Indian Community to construct the freeway on tribal lands. The board has concerns that if the freeway is built, then there could be impact from the proposed construction cuts through the mountain ridges that includes treatment of habitat and visual impacts they would have. If ADOT is unsuccessful in coordinating with the Gila River Indian Community, then the Parks and Recreation Board suggests mitigation in the form of additional trailheads that could be accessed from freeway interchanges, other land trades, and possibly a tunnel instead of cuts.

ADOT continues to try and coordinate with the Gila River Indian Community for potential construction of the SR-202L/South Mountain Freeway on tribal lands. However, these talks are at a standstill. ADOT believes the community is not interested in any construction of the freeway on their land. As a result, given the need for the roadway, ADOT will use the Environmental Impact Statement and Location/Design Concept Report study process to develop appropriate mitigation to minimize the potential natural and built environment impacts. ADOT's team is in the process of meeting with various stakeholder groups associated with South Mountain Park and Preserve, per the direction of the City of Phoenix Parks and Recreation Department, to determine the concerns surrounding the freeway use of park/preserve land and potential mitigation efforts that may be considered. A mitigation plan will be developed and presented to these stakeholder groups prior to inclusion in the Draft Environmental Impact Statement.

Inquiry:

6. Effects on groundwater supplies to Ahwatukee, including mitigation efforts for wells that service the area.

Response:

From the ADOT Study Team: The study of potential impacts to the Ahwatukee groundwater is continuing. ADOT believes if construction results in water that cannot be accessed by drilling a new well, then mitigation will include a plan for getting water from elsewhere by other techniques. These may include directional drilling, or building a vault under the freeway for allowing access to an existing well. ADOT notes that this information was presented to the project's Citizen Advisory Team in November 2005.

Inquiry:

10. An analysis of all NEPA concerns and mitigation proposals.

Response:

From the ADOT Study Team: This is the purpose of an Environmental Impact Statement project. Prior to publishing the EIS draft and final reports, the ADOT Study Team is preparing more than 20 technical reports addressing specific environmental topics and potential mitigation measures for public review and comment. Presently, these reports are at different stages of completion.

Prior to public publication, these reports undergo review by appropriate ADOT staff, the Federal Highway Administration, and the affected agencies responsible for overseeing a particular environmental topic. While this task is a continuing effort by the study team, ADOT will be more than pleased to distribute copies to any interested party as they become available. The party may contact ADOT's project manager, Mr. Mike Bruder (602 712-6836) for details.

Inquiry:

11. Copies of all draft technical reports, including the detailed mitigation options, not just executive summaries. Of greatest interest among these would be reports on traffic operations, air quality, costs, total impacts and secondary impacts.

Response:

From the ADOT Study Team: As noted in the previous inquiry, the ADOT Study Team is completing the technical studies. Please feel free to contact ADOT's project manager, Mr. Mike Bruder (602 712-6836) for details on how to obtain copies of these reports as they become available.

The Maricopa Association of Governments appreciates the opportunity to assist in the understanding of the study results and process for the freeway proposal. If additional information is needed, or if our staff can provide additional assistance to facilitate further understanding about the regional need for the SR-202L/South Mountain Freeway, please feel free to contact me or Eric Anderson, MAG Transportation Director, for assistance.



City of
Avondale

525 North Central Avenue
Avondale, AZ 85323-1999
Phone: (623) 932-2400
Fax: (623) 932-2205
Website: www.avondale.org

January 27, 2003

MAYOR
Ronald J. Drake

VICE MAYOR
Marie Lopez Rogers

COUNCIL MEMBERS
Albert Carroll, Jr.
Peggy Jones
Stephanie Karlin
Betty S. Lynch
Raymond H. Shuey

CITY MANAGER
Todd Hileman

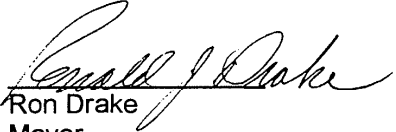
Floyd Roehrich
Project Manager
ADOT
205 S. 17th Avenue, Suite 614E
Phoenix, AZ 85007

Dear Mr. Roehrich:

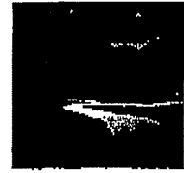
This letter is to inform you of my strong objection to the proposed alignment of the South Mountain Freeway at 107th Avenue. I understand 107th Avenue was offered as an option to the study consultants, and therefore ADOT feels obligated to study the alignment. The City of Avondale staff made it clear in December when they met with HDR representatives that 107th Avenue was not a viable option, due to the current and proposed residential and commercial property in the area.

I am disturbed that despite our objections, and without any consultation of our staff, the 107th Avenue alignment was added to the study list. HDR and ADOT should not be making an important planning decision like this without the consent or consultation of the affected municipality. I and the City Council are the planning authority for Avondale, and we have properly planned our future according to the best interest of our community, and with the participation of our residents. I am distressed that we have been put in a situation where we must fight ADOT for our right to plan our City.

Please understand that I will bring a resolution to the City Council asking them to adopt a formal position of opposition to the 107th Avenue alignment, and would appreciate more consideration of our City in the future.


Ron Drake
Mayor

c.c. David Anderson, V.P. HDR
Victor Mendez, Director, ADOT



City of
Avondale

525 North Central Avenue
Avondale, AZ 85323-1999
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CITY MANAGER
Todd Hileman

April 22, 2003

The Honorable Janet Napolitano
Governor, State of Arizona
1700 W. Washington
Phoenix, AZ 85007

Re: South Mountain Freeway Corridor Study

Dear Governor Napolitano:

This letter is to express our strong objections regarding the proposed 105th Avenue alignment for the proposed South Mountain Freeway (Loop 202) interchange with the I-10. We respectfully request this alignment be removed from any future consideration.

The proposed interchange and alignment would certainly have a damaging impact on the City of Avondale's primary commercial and employment area, causing severe financial hardship for this City, as there are limited areas within the city limits of Avondale for said commercial, retail or employment opportunities.

The 105th Avenue alignment would eliminate nearly 100 acres of prime land designated for employment and virtually eliminate the Avondale AutoMall, our primary economic engine. Gross sales generated by the AutoMall are expected to be over \$1 billion per year, bringing much needed revenue to the City of Avondale, the State of Arizona and other taxing entities to help sustain programs and services in these lean economic times. Employment at the AutoMall will be well over 1,000 people, most of who will live and shop within a 10 mile radius. The AutoMall currently exists with three operating dealerships, three more under construction and five more in the process of negotiations/planning. The decision not to eliminate the 105th Avenue corridor threatens important pending locations to our Auto Mall and other economic opportunities for the city. The remote possibility of this alignment coming to fruition will certainly impede our opportunities with potential investors; causing them to question whether to invest their resources in our community.

The area just south of the AutoMall at 105th and Van Buren is currently zoned for Planned Area Development including employment and retail

sales and was recently selected as the site for a major employer. This user has committed to build a 260,000 SF facility that will employ 250 people earning an average salary of over \$55,000. An independent financial analysis of this user demonstrated that this user will generate well over \$70,000,000 in taxable sales annually, 5% of which will go directly to the State. This project is expected to be completed within the next 12 to 18 months. However, there is a very *high probability that the user would abandon this site should they discover the proposed 105th Avenue freeway alignment and interchange.*

The selection process for this user was very competitive one, involving the City of Avondale and the City of Rancho Cucamonga, California. Fortunately we were the successful candidate, largely based upon location, and are working diligently to finalize the deal points. We are very concerned that *should the proposed 105th Avenue alignment move forward, the user will decide to move to their second choice—California.* If this were to happen, the State of Arizona and the City of Avondale would both lose much needed revenue.

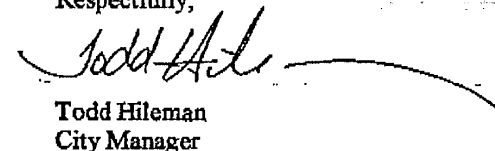
The proposed interchange footprint will also impact the employment/commercial land north of I-10. We are currently in discussions with a major educational institution interested in locating a west valley site. They have been searching for a suitable site for several years and recently put down earnest money on a site directly impacted by the proposed interchange. *They will also abandon the site if they discover the proposed alignment.*

The mere fact that this alignment is included in the preliminary studies will cause delay in the development of our primary employment and commercial corridor. The evaluation process undertaken by ADOT will take a minimum of two more years, and even then there is a great deal of uncertainty as to the outcome. Avondale cannot afford to wait, nor afford to run the risk of losing potential tax generating developers while the process moves forward.

We respectfully request that the 105th alignment be removed from the study immediately, to prevent any further economic impacts to our city.

Thank you for your consideration of this request. Please contact me at the above address or by telephone if you have any questions or need further clarification.

Respectfully,


Todd Hileman
City Manager

Attachments

CC: Floyd Roelrich, Jr., Senior Project Manager
Valley Project Management Group
205 S. 17th Avenue
Mail Drop 614E
Phoenix, AZ 85007

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue
MD100A
Phoenix, AZ 85007



Phone: (623) 932-2400
Fax: (623) 932-2205
Website: www.avondale.org

May 19, 2003

Frank Fairbanks
City Manager, City of Phoenix
200 W. Washington Street
Phoenix, AZ 85003

Dear Frank,

This letter is to inform you that the City of Avondale has notified Governor Napolitano and ADOT officials, including Victor Mendez, that Avondale supports the City of Phoenix in its desire to have the Interstate 10 connection of the South Mountain Freeway along the original proposed alignment.

City of Avondale staff have steadfastly opposed any alignment of the South Mountain Freeway that is further west of the 1985-proposed 51st-69th Ave alignment. The City Council passed a resolution opposing alignments in the City of Avondale, and has written letters to the Governor stating our position. We also have informed the Governor and ADOT that we continue to support Phoenix in its bid to assure the Freeway connects west of downtown.

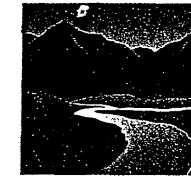
As a related matter, Avondale hopes to secure funding, either federally or through the half cent sales tax extension, for a parallel Interstate 10 route that would relieve traffic from west central Phoenix to MC-85. This reliever route would parallel I-10 south of the freeway, and would connect to the South Mountain alignment. This reliever will have the greatest effect, and therefore makes the most sense, if the South Mountain Freeway alignment is closer to the center of congestion in Phoenix.

Please let me know if we can be of assistance on the South Mountain Freeway matter. We will continue to work to oppose alignments in our city, but also look forward to working cooperatively with the City of Phoenix to assure an alignment that is beneficial to all.

Sincerely,

Todd Hileman

MAYOR
Donald J. Drake
VICE MAYOR
Marie Lopez Rogers
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Betty S. Lynch
Raymond H. Shuey
CITY MANAGER
Todd Hileman



City of
Avondale

Administration
11465 W. Civic Center Drive, Suite 220
Avondale, Arizona 85323-6806
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Fax: (623) 478-3802
Website: www.avondale.org

MAYOR
Ronald J. Drake

VICE MAYOR
Betty S. Lynch

COUNCIL MEMBERS
Albert Carroll, Jr.
Jason M. Earp
Marie Lopez Rogers
Raymond H. Shuey
Charles M. Wolf

CITY MANAGER
Todd Hileman

May 21, 2004

Mr. Victor Mendez
Director, Arizona Department of Transportation
2006 S. 17th Avenue, MD100A
Phoenix, Arizona 85007

Dear Mr. Mendez:

Attached please find the report you had requested recently from our Economic Development Department outlining staff's concerns regarding the 99th Avenue alignment of the South Mountain corridor and the potential negative impacts to Avondale's employment base and economy as a result thereof.

Please feel free to contact me if you have any questions.

Thank you for your support and attention.

Sincerely,

Todd Hileman
City Manager

Attachment



City of
Avondale

Administration
11465 W. Civic Center Drive, Suite 220
Avondale, Arizona 85323-6806
Phone: (623) 478-3001
Fax: (623) 478-3802
Website: www.avondale.org

June 22, 2004

MAYOR
Ronald J. Drake

VICE MAYOR
Betty S. Lynch

COUNCIL MEMBERS
Albert Carroll, Jr.
Jason M. Earp
Marie Lopez Rogers
Raymond H. Shuey
Charles M. Wolf

CITY MANAGER
Todd Hileman

Ms. Mary E. Peters, Federal Highways Administrator
Office of the Federal Highway Administrator
400 7th Street, S.W.
Washington, D.C. 20590

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue Rm 135
Phoenix, Arizona 85007

Dear Ms. Peters and Mr. Mendez:

On June 21, 2004 the Avondale City Council voted unanimously to oppose the 99th Avenue alignment for the South Mountain Freeway Extension. Although the Council and Avondale City staff is very aware of and supports the Environmental Impact Statement and preliminary design process that is currently underway, the City vehemently opposes the 99th Avenue option due to the severe and potentially devastating impact it would have on the Avondale AutoMall and other existing and future businesses on 99th Avenue.

Attached is a copy of the approved resolution (attachment 1) by the Avondale Mayor and Council and a report prepared by the staff (attachment 2) to support this decision. If you have any questions or would like to further discuss this topic, please contact me or our City Manager, Todd Hileman at 623-478-3001.

Respectfully,

Ronald J. Drake
Mayor

Cc: Dan Lance, ADOT

Attachments

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, OPPOSING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 99TH AVENUE.

WHEREAS, the City of Avondale (the "City") has been made aware that the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), included 99th Avenue as an alignment study, in addition to numerous other alternatives, for the connection between Interstate 10 and the planned South Mountain Freeway; and

WHEREAS, the Council of the City of Avondale (the "City Council") is the planning authority for the City and has planned the future of the area around 99th Avenue according to the best interest of the community, which does not include a freeway along 99th Avenue; and

WHEREAS, the citizens of Avondale overwhelmingly approved the 2002 General Plan for the City, clearly indicating a vast majority of business park and light industrial uses along 99th Avenue and specifically not including a freeway; and

WHEREAS, the proposed 99th Avenue alignment would seriously impact (i) the City's ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the City staff, through meetings and correspondence with HDR and ADOT, has repeatedly opposed the proposed 99th Avenue alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. That the City hereby adamantly opposes the proposed alignment for the South Mountain Freeway along 99th Avenue.

SECTION 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to work to defeat any efforts by ADOT to align the South Mountain Freeway along 99th Avenue.

[SIGNATURES ON FOLLOWING PAGE]

ORDINANCE NO. 1011-04

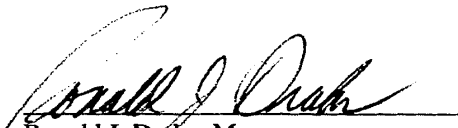
AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE SALE OF REAL PROPERTY TO MEHLHORN PROPERTIES, LLC.

BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

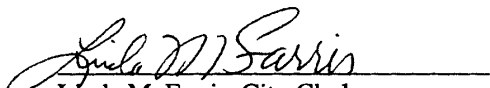
SECTION 1. That the City of Avondale hereby approves the sale of ± .15 acres of real property, of which it is the record owner, generally located south of Western Avenue, west of Central Avenue, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, for \$6,426.00 to Mehlhorn Properties, LLC, in accordance with the terms and conditions described in the purchase contract.

SECTION 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.


PASSED AND ADOPTED by the Council of the City of Avondale, June 21, 2004.


Ronald J. Drake, Mayor

ATTEST:


Linda M. Farris, City Clerk

APPROVED AS TO FORM:


for Andrew J. McGuire, City Attorney



Memorandum

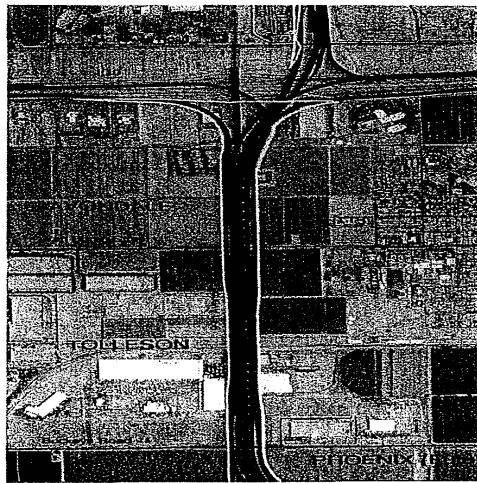
Date: June 22, 2004
To: Todd Hileman, City Manager (623) 478-3012
Through: Jeff Fairman, Economic Development Director (623) 478-3141
From: Rachel Burke, Research & Marketing Analyst (623) 478-3143
Subject: Impact of the South Mountain Transportation Corridor's 99th Avenue Alignments on Avondale's Economy

Introduction

As you requested, here is an overview of the potential negative impacts to the Avondale employment base and economy assuming a 99th Avenue alignment of the South Mountain Freeway. 99th Avenue alternatives E, F, and G of the South Mountain Transportation Plan strongly and negatively impact Avondale's emerging economy. Due to current land use patterns and past entitlements, the I-10 Corridor is the only remaining area in the City for commercial uses, job creation, and sales tax generation. This area is critical to the future local economic base and vital to the City's ability to provide services for Avondale's growing population.

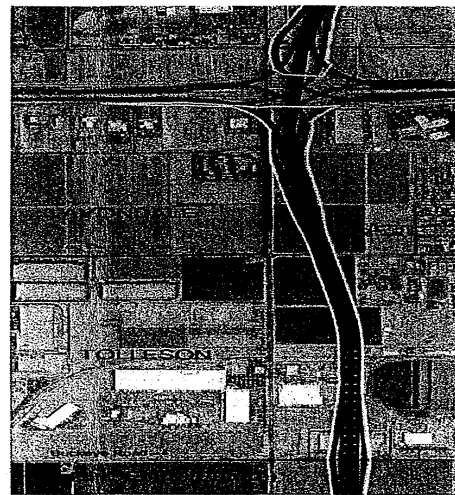
At the heart of the I-10 Corridor is the Avondale AutoMall, and it is conservatively estimated that a 99th Avenue alignment could result in at least a \$500 million loss in annual taxable sales to as many as five auto dealers, Gateway Pavilions, the Interstate Commerce Park, Pilot Travel Center, and a proposed retail center at the SWC of 99th Avenue and McDowell Road. Additionally, a 12-acre site in this area is currently in escrow, with a national client that would sell to and service the transportation industry with estimated annual sales of \$35 million and employ over 100 skilled and semi-skilled workers from Avondale, Tolleson, and surrounding communities.

Also with regard to employment, 99th Avenue Alternatives E, F, and G would eliminate, at the very least, 600 existing jobs and many more future ones. Southward along 99th Avenue, portions of the Avondale AutoMall, the Interstate Commerce Park, and Pilot Travel Center, would be completely eliminated or made inaccessible. In actuality, any 99th Avenue alignment would restrict access and visibility to all existing and future businesses and decimate an area crucial to Avondale's economic well-being.



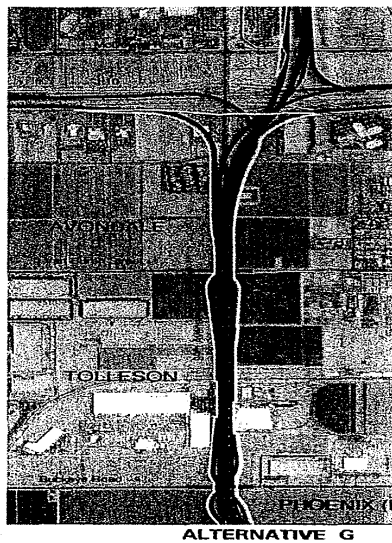
ALTERNATIVE E

Alternative E travels in a north-south direction along 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road and a half diamond service at Van Buren Street. Two-lane, one-way frontage roads are provided on both sides of the freeway, beginning ¼ mile south of I-10 and ending approximately ¼ mile south of Buckeye Road. This alternative seeks to maintain as much of the existing I-10/ SR 101L system interchange as possible. By proposing only a half service interchange in the City of Avondale, major access problems would negatively affect thriving businesses like the Avondale AutoMall.



ALTERNATIVE F

Alternative F travels primarily in a north-south direction between 99th Avenue and ¼ mile east of 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road but no service interchange at Van Buren Street. As proposed, 99th Avenue would be a six lane arterial with a 16-foot median that maintains the existing roadway limits on the western side. This alternative proposes a fourth level movement and no interchanges within the City of Avondale, thus restricting access to current and future economic development efforts on and around 99th Avenue. Alternates without full diamond service access to Van Buren and McDowell would have severe negative economic implications.



Alternative G travels in a north-south direction along 99th Avenue. 99th Avenue would exist largely in its current location, with the freeway elevated at the second level above 99th Avenue. This alternative provides full diamond service interchange at Buckeye Road and half diamond service interchange at Van Buren Street. This option would severely impair visibility to the Avondale AutoMall and surrounding businesses, and the half service interchange at Van Buren Street would restrict access to businesses in the area.

Existing Development

The City of Avondale is today characterized by rapid growth, young families, and emerging retail and job centers. Just 15 miles west of Phoenix, Avondale has been undergoing a transition from an agricultural economy to one based on retail, office and commercial enterprises. The challenge for Avondale is building and diversifying its local economic base while continuing to maintain the character and quality of the City. Another challenge that exists is the limited amount of developable land to create jobs for all of its residents.

Commercial development is mainly located along the Interstate 10 Corridor bounded by Dysart Road to the west and 99th Avenue to the east and north of McDowell Road to Van Buren Street. The 99th Avenue alternatives proposed in the South Mountain Transportation Corridor plan would restrict access and visibility, limiting development opportunities for a significant amount of land in this area. At least five dealerships in the Avondale AutoMall, the Pilot Travel Center, and over 120 acres for business park employment would be directly affected by a 99th Avenue alignment. Demand for commercial growth is high and major users are interested in coming to the I-10 corridor, even the possibility of this alignment has caused several developments to question the viability of locating in the area and have put projects on hold until the location decision is played out.

Market Analysis

Avondale is a city of 60,000 residents, with a small town appeal, while offering many big-city cultural and recreational activities. Avondale has an exceptional regional location to serve California and other Southwest markets. Interstate 10, which is a major east-west freeway, runs through the community. In addition to excellent interstate access, state highway 85, and Sky Harbor Airport also serve Avondale. Avondale’s location is close to markets to move services and people. Estrella Mountain Community College, Universal Technical Institute, and Phoenix International Raceway are located in Avondale, which contribute to its vitality. Building the employment base within the City will improve the quality of life for area residents by offering more places to work and shop. However, due to past entitlements, mostly to residential uses, the City has less than 10 % of the total land area left for quality job creation and sales tax generation. Without building the sales tax base, the City of Avondale would not be able to meet the growing needs of its increasing population.

Demographic and Economic Context

Avondale’s 2004 estimated population is approximately 4.7% of Maricopa County population but has been growing almost twice as fast as the County’s average. Most households are middle-income, although the higher income households have been increasing. There are pockets of high or extremely low-income households. According to the 2000 Census, 8,100 jobs existed. Avondale had largely centered on government and service industries; however, the economy is expected to grow steadily in all sectors, and employment is estimated to reach over 91,500 at build out. Unemployment consistently remains below that of the nation and state.

Retail Market

There is currently about 2.3 million SF of retail space in Avondale, of which 1.6 Million was built between 2001 and 2003. Rents have a large variance; midpoint figures range from \$14.50 PSF for community centers to \$26 PSF for regional centers. Since retailers often follow residential development, growth in this sector is flourishing.

Any 99th Avenue alignment would predominantly affect the Avondale AutoMall. The Chevrolet dealership would be razed; it would render the Toyota dealership inaccessible, and it would strongly inhibit access to at least the Chrysler, Dodge, and Honda dealerships. The end result: a negative affect to over 59.6 acres of thriving businesses, a loss of millions in sales, and hundreds of jobs.

Pilot Travel Center and 101 Truck and Auto Wash would either be eliminated or made inaccessible if a 99th Avenue alignment is selected. Also, Gateway Pavilions, a thriving 600,000 SF Power Center in the immediate vicinity would be adversely affected.

The proposed connection could also make the AZ Tile project unfeasible. AZ Tile has proposed to build a 270,000 SF retail center at the SWC of 99th and McDowell. This project has attracted national attention and would create a significant amount of new jobs.

Industrial Market

Industrial space is not yet a major component of the Avondale economy, yet there are over 400 acres set aside for this use, most would be negatively affected by any of the 99th Avenue alignments. There is less than 25,000 SF of industrial space; rents are between \$.45-1.05 PSF, with relatively no vacancy. Regional estimates call for about 50,000-100,000 SF multi-tenant new space to catch up with the significant pent up demand.

The Interstate Commerce Park, 40 acres slated for light industrial-type uses, on 99th Avenue, is filling up with new users. Cummin's Diesel is considering building a \$10 million facility needing at least 100 employees, averaging \$55,000/ year. 99th Avenue Alternatives E, F, and G could render this commerce park virtually inaccessible.

Office Market

There is approximately 375,000 square feet of office space planned or completed in Avondale, of which an overwhelming majority is in the I-10 Corridor. Currently this area has a vacancy rate far below the regional average. Median Class A rent ranges between \$18-28 PSF; Office land prices average \$3-12 PSF and building costs range \$70-200 PSF. The current inventory, however, does not come close to meeting the future demand. Two new West Valley hospitals are creating the need for more medical office space. With little developable land to meet these growing needs, the I-10 Corridor, as it exists today, may not have enough developable land to satisfy the demand.

Residential Market

Avondale is one of the Valley's fastest growing communities and expects to continue to experience rapid residential, commercial and industrial development. The balance between jobs, housing, and services is key to ensure long-term community viability. With 27,041 housing units in the planning stages and issue approximately 2,000 housing permits annually, the need to attract quality employment opportunities for the City's residents has never been greater.

Just over 91% of Avondale's 15,729 housing units are single-family homes. Values primarily range between \$120,000 and \$250,000; new units sell for an average of about \$150,000. Median rents range from about \$500 to \$1,100; rents are comparable to regional averages.

Market Summary

Middle-income households have and will continue to move to Avondale and surrounding areas, and there is an untapped potential for higher income residents. New retail establishments will want to follow household migration/ growth. As it stands, there is barely sufficient office space and land to build upon to meet the current and future demand.

All projects that have been targeted, marketed, and located in the City of Avondale for their sales tax contributions, which go to fund everything from general government to police and fire, are threatened by these alternatives. South of Interstate 10 consists of land that has been allocated in the general plan for employment uses. This collection of properties is the largest area of open land within the

City's jurisdiction for job creation. When developed, this area will greatly strengthen Avondale's commercial tax base, and provide the community with its greatest remaining opportunity to affect positive change in the pursuit of a more memorable, sustainable, livable, and fiscally sound future.

The City of Avondale has taken a proactive approach to ensuring that growth and development meet a quality standard set by the community. The community recognizes the need to continue to diversify its local economic base to meet and support the growing needs of current and future residents, and understands the challenge of Phoenix's rapid growth being met with new roads, freeways, and traffic management solutions. Actual and potential economic impacts of each alignment should be studied in detail to ascertain the most cost-effective, non-intrusive option for all communities involved, ensuring that quality economic development initiatives are preserved during times of economic volatility. It is the opinion of Avondale Economic Development staff that a 99th Avenue alignment would deliver a devastating blow to the area's economy that a recovery, in all markets, would be difficult, if not impossible to overcome.

RESOLUTION NO. 2554-306

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the City of Avondale (the “City”) has been presented with information by the Arizona Department of Transportation (“ADOT”) and its consultants, HDR Engineering, Inc. (“HDR”), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue in Avondale (the 99th Avenue Alignments”); and

WHEREAS, the Council of the City of Avondale (the “City Council”) is the planning authority for the City and has planned the future of the area around 99th Avenue according to the best interest of the community, which does not include a freeway along 99th Avenue; and

WHEREAS, the citizens of Avondale overwhelmingly approved the 2002 General Plan for the City, clearly indicating a vast majority of business park and light industrial uses along 99th Avenue and specifically not including a freeway; and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact (i) the City’s ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the “55th Avenue Alignment”); and

WHEREAS, the City of Phoenix, the city of Tolleson and the City of Avondale have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. That the City hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the City hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the City of Avondale, March 20, 2006.

Marie Lopez-Rogers, Mayor

ATTEST:

Linda M. Farris, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney



City of
Avondale

Administration

11465 W. Civic Center Drive, Suite 220
Avondale, Arizona 85323-6806
Phone: (623) 478-3001
Fax: (623) 478-3802
Website: www.avondale.org

May 16, 2006

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ 85007

Re: South Mountain Freeway Corridor Study, Economic Impacts

Dear Mr. Mendez:

Thank you for meeting with Mayor Lopez-Rogers and our staff on May 1, 2006 to share the Citizens Advisory Team's recommendation on the alignment and your department's plans for the finalization of the South Mountain Freeway Corridor Study. The information was informative and greatly appreciated. During the meeting we expressed our concern regarding the level of economic impact analysis that will be incorporated into the study.

The Avondale City Council has adopted three resolutions regarding alignments proposed in this study: 1) opposed to the 105th Avenue alignment; 2) opposed to any alignment on 99th Avenue; and 3) in support of the 55th Avenue alignment. This letter should not be interpreted as an indication that the City of Avondale will support any alignment other than 55th Avenue.

City staff has been frustrated by the lack of data that demonstrates the economic impact to our City's businesses due to the various proposed alternatives such as 1) the elimination of access to/from McDowell Road; 2) the potential elimination of Dealer Driver between 99th Avenue and 107th Avenue; the loss of Gateway Chevrolet due to significant loss of auto display area; and 4) the overall loss of freeway visibility of the AutoMall due to the magnitude and proximity of the "Full Reconstruct" interchange with I-10.

We have been informed that Federal requirements limit the analysis of economic impacts to direct impacts due to property acquisition. Such losses include property tax and sales tax produced by the property acquired. We were also told that impacts such as those described in the previous paragraph are speculative and cannot be included in the study. I am sure you can understand the City of Avondale's position that the true impacts can be much greater than the mere taking of right-of-way.

We respectfully request that the study include a more comprehensive analysis of the economic impact of the proposed alternatives to include loss of freeway access, loss of visibility, and loss of frontage road access.

We also want to express our appreciation for all the support ADOT staff have provided throughout this process. Thank you again for meeting with us earlier this month and for your consideration of this issue. I look forward to discussing this issue further with you or your designee.

Respectfully,

David Fitzhugh
Assistant City Manager

C: Charlie McClendon
Bill Hollins



October 14, 2002

Mr. Chris Voigt, Senior Engineer
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, AZ 85003

RE: SOUTH MOUNTAIN CORRIDOR AND RIO SALADO PARKWAY

Dear Mr. Voigt:

The Cities of Phoenix, Goodyear, Avondale, and Tolleson (Cities) express their support for the South Mountain Corridor (SR 202) route that utilizes the currently adopted alignment to connect to Interstate 10 (I-10) instead of a westerly alignment going through Avondale or Tolleson to connect to I-10.

In addition, we want to propose a Rio Salado Parkway parallel to the Salt River as an I-10 reliever route. This Parkway would extend from 7th Street to SR 202 on the south side of the river. West of SR 202 it would cross to the north side of the river and use the Southern Avenue alignment which has no major home developments (parallel to and north of the Salt River) to connect to Loop 303.

The Cities are pleased to work in partnership with Maricopa Association of Governments and other contributing entities and will be more than happy to facilitate an exchange of information to continue this project to a successful completion. If you have any questions, please contact my office at (623) 882-7061.

Sincerely,

CITY OF GOODYEAR

Grant I. Anderson, P.E.
Deputy City Manager

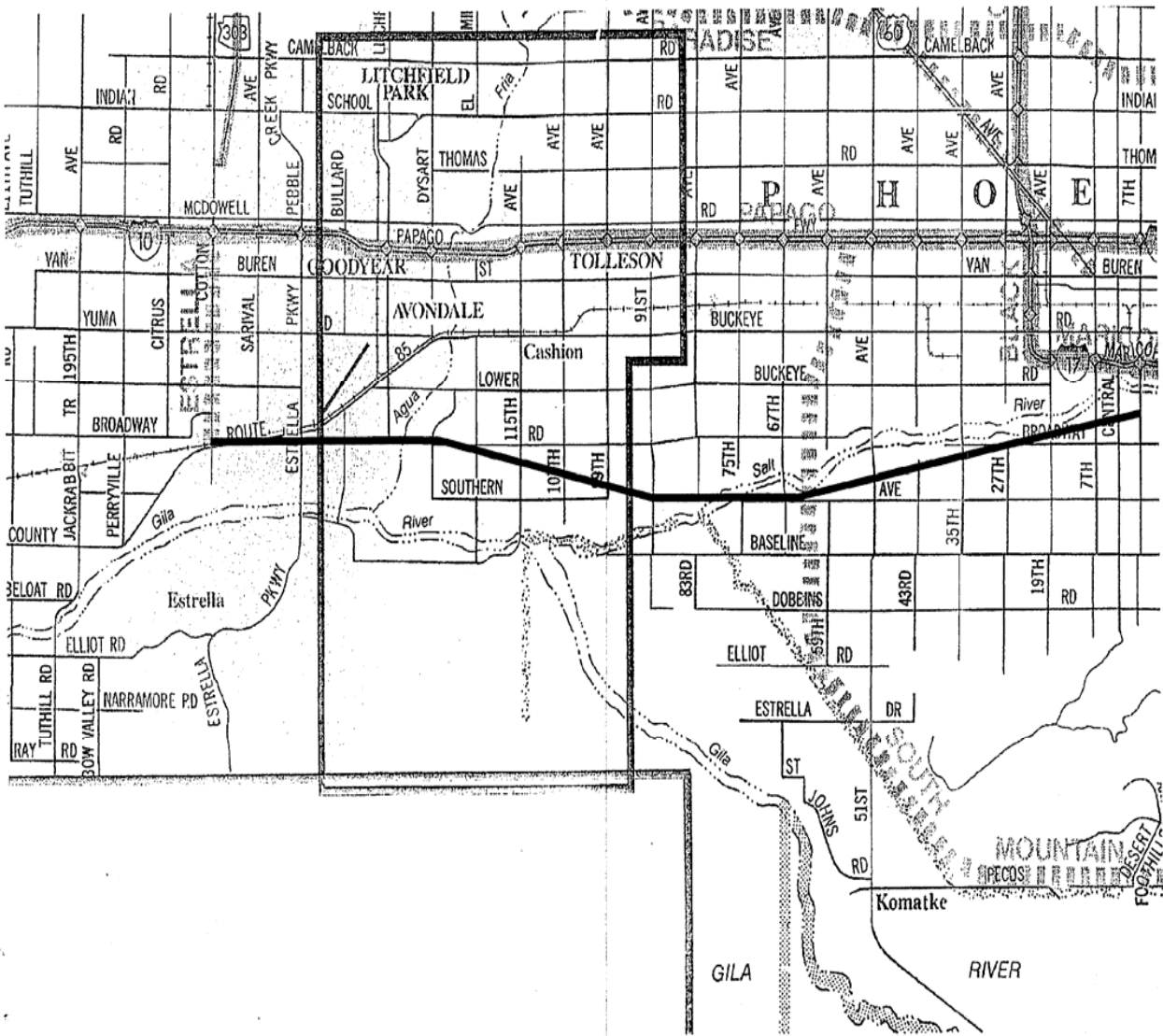
LN:ln:mag-southmtncorridor

- cc: Victor Mendez, Director, Arizona Department of Transportation (ADOT)
Dick Wright, State Engineer, Intermodal Transportation Division, ADOT
Todd Hileman, City Manager, City of Avondale
Tom Callow, Street Transportation Director, City of Phoenix
Reyes Medrano, Jr., Assistant City Manager, City of Tolleson
Reading File

Proud past. Vibrant future!

Deputy City Manager's Office
190 North Litchfield Road P.O. Box 5100 Goodyear, Arizona 85338
623-882-7061 Fax 623-882-7063 1-800-872-1749 TDD 623-932-6500
www.ci.goodyear.az.us

Proposed Rio Salado Parkway West Route



CITY OF LITCHFIELD PARK

RESOLUTION NO. 06-228

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK, MARICOPA COUNTY, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the City of Litchfield Park (the “City”) has been presented with information by the Arizona Department of Transportation (“ADOT”) and its consultants, HDR Engineering, Inc. (“HDR”), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue in Avondale (the 99th Avenue Alignments”); and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact (i) the City of Avondale’s ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the “55th Avenue Alignment”); and

WHEREAS, the City of Phoenix, the City of Tolleson and the City of Avondale have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LITCHFIELD PARK as follows:

SECTION 1. That the City hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the City of Litchfield Park hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the City of Litchfield Park, April _____, 2006.

ATTEST:

J. Woodfin Thomas, Mayor

Mary Rose Evans, City Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
City Attorneys
By Susan D. Goodwin



October 13, 1989

Mr. Charlie Miller
Director, Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ 85007

125 East Washington
Phoenix, Arizona 85001
602-262-6284

Dear Mr. Miller:

RE: 7th Avenue Interchange at the South Mountain Freeway

The Foothills Development, located north of Pecos Road between 24th Street and 19th Avenue, is currently revising its Master Street Plan for Phase III, which has been purchased by UDC Homes. UDC representatives have requested that the City allow UDC to eliminate the potential freeway connection to Pecos Road at the future 7th Avenue interchange with South Mountain Freeway from the Master Street Plan.

The land uses currently planned in the vicinity north of the freeway indicate that an interchange may not be essential at this location. The Indian Tribe to the south of the freeway has also indicated (in a letter to Larry Landry, representing UDC) that the 7th Avenue interchange is not imperative to the development of their lands. We therefore request that ADOT remove the proposed 7th Avenue interchange at the South Mountain Freeway from its plans:

Please review this request, and inform us when you have reached your decision. We will ask UDC to show a potential freeway connection at 7th Avenue until ADOT confirms that the interchange will be removed from the plans. For your information, UDC has been informed that right-of-way, as specified by ADOT, will need to be dedicated where ADOT has not already purchased land for the freeway.

Thank you for your cooperation and assistance in this matter.

Sincerely,

James H. Matteson, P.E.
Street Transportation Director

JHM:TSH:kmg

cc George Flores
Ronald N. Short



December 12, 1989

Mr. Rosendo Gutierrez
Urban Highway Engineer
Arizona Department of Transportation
Highway Division
206 South Seventeenth Avenue
Phoenix, AZ 85007

125 East Washington S
Phoenix, Arizona 85001
602-262-6284

Dear Mr. Gutierrez:

This is in response to your October 30, 1989 letter, and subsequent conversation with Tijana Stojic Hamilton regarding South Mountain Freeway issues in the vicinity of the Foothills Development.

The City has requested that ADOT review the feasibility of eliminating the proposed interchange at 7th Avenue and South Mountain Freeway (letter to Charlie Miller, October 11, 1989). This was done at the request of UDC Homes, developers of Phase III of The Foothills. Based on previous conversations with ADOT staff, the City has informed UDC representatives that ADOT will be requiring dedication of additional right-of-way at the 7th Avenue interchange alignment. We also indicated, through comments on revisions to their Master Street Plan, that if ADOT allows the relocation of the 19th Avenue, additional right-of-way may be required there also. UDC has been informed that all negotiations regarding this, or any other issues impacting the South Mountain Freeway, should be with ADOT.

Subsequent to the receipt of your letter, UDC has also been informed of your requirement for a letter to the Arizona Department of Transportation from the Gila River Indian Community indicating their position on the 7th Avenue interchange. UDC representatives have informed us that attempts toward obtaining this letter are being made.

Please inform us when ADOT and UDC Homes have reached an agreement as to the 19th Avenue Interchange relocation and 7th Avenue Interchange elimination issues. As you know, we are holding up UDC-Foothills Phase III Master Street Plan pending resolution of these issues.

Thank you for your cooperation and prompt response in this matter.

Sincerely,

James H. Matteson, P.E.
Street Transportation Director

JHM:TSH:pj:194

c: Larry Landry
Dave Richert
Jon Wendt



June 5, 2000

Mr. Terry Max Johnson
 Transportation Manager
 Maricopa Association of Governments
 302 North 1st Avenue, Suite 300
 Phoenix, Arizona 850003

Dear Mr. Johnson:

This is in response to your May 31 memo concerning recommended actions in the South Mountain corridor.

The City's position is that right-of-way should be actively purchased along undeveloped segments of the corridor using the programmed funds, i.e. the \$85 million. This would be a more aggressive approach than simply protective right-of-way purchase, and may require a different split of programmed funds between design, right-of-way, and construction than is currently shown in the program.

As a practical matter, right-of-way purchase would focus on the segment of the corridor from south of Van Buren Street to 51st Avenue and the GRIC boundary.

The City agrees with the recommendation to include \$6 million for an EIS and DCR. These documents would cover the entire corridor from I-10 West to I-10 South.

Sincerely,

Thomas E. Callow, P.E.
 Street Transportation Director

C:\OFFICE\WPWIN\WPDOS\0621tr.doc

- c: Mr. Fairbanks
 Mr. Tevlin
 Mr. Nordvold
 Mr. Herp
 Mr. Godbee

Terry Johnson

From: Roger Herzog - MCDOTX [RogerHerzog@mail.maricopa.gov]
Sent: Monday, June 05, 2000 2:26 PM
To: 'Terry Johnson'
Cc: Mike Sabatini - MCDOTX
Subject: Comments on South Mountain Stakeholders Group Memo

Max,

Mike Sabatini and I discussed your South Mountain Stakeholders memo of May 31, 2000. Here are a few comments/questions:

- * Will \$5.0 million per year for right-of-way protection be adequate to cover the South Mountain Corridor, as well as the rest of the regional freeway system?
- * We were somewhat surprised to see no mention of the group's discussion of shifting the \$85 million to the north-south leg. If we are reading the memo correctly, this issue would not be addressed until after the EIS and Design Concept Report are completed, which could be three years in the future. Could that slow progress on completion of the corridor?

Thanks for the opportunity to comment. Rog



To: City Jurisdictions
Date: May 23, 2001
From: Joy A. Mee, AICP
Assistant Planning Director
Subject: AMENDMENT TO THE GENERAL PLAN FOR PHOENIX

Attached for your review is the following amendment to the General Plan for Phoenix:

VILLAGE: LAVEEN

1. Application: GPA-LV-1-01-7
From: Commerce Park
To: Mixed Use--Commercial/Commerce Park
Acreage: 288.17 +/-
Location: Generally located south of South Mountain Avenue on the North, Elliot Road on the South, 63rd Avenue on the West, and 59th Avenue on the East (excluding the Core and the parcel just south of South Mountain Avenue and west of the proposed freeway).
Proposal: To add land use flexibility surrounding the Laveen Core.
Applicant: City of Phoenix Planning Commission
Representative: Kevin McAndrews w/L.E.A.D.S.
First Planning Commission Hearing: 6/27/01
Second Planning Commission Hearing: 7/25/01

The first hearing before the Planning Commission is scheduled for June 27, 2001. Please review the enclosed application and forward your comments to me by June 13, 2001.

Should you have any questions, concerns, or changes to any mailing information, please contact the Planning Department at 262-6882.

Attachments

Enhanced Notification
Procedure
Request for Comment Form

Today's Date: 5/23/00
Case Number: GPA-LV-1-01-7
Deadline for commenting jurisdiction to submit comments: 6/13/01
Date for response to comment:
First Hearing date for project: 6/27/01

COMMENTING JURISDICTION: In accordance with the Enhanced Notification Procedure adopted by our community, we are informing you of a project that is being considered by our jurisdiction that may affect your community. Please review the data provided on this project and assess whether it may impact your jurisdiction. If you would like to submit comments, they should be provided by the above noted date, and should specifically address potential impacts. Please keep comments to a maximum of 3 pages. A response to your comments will be provided by the above noted date. ALL COMMENTS WILL BE REVIEWED AS ADVISORY ONLY - THE HOST JURISDICTION MAINTAINS AUTHORITY TO PROCEED WITH THEIR HEARING SCHEDULE AS NOTED. If you have any questions or would like additional information, please call the contact person indicated below.

1. Submitting/host jurisdiction: City of Phoenix
2. Contact person: Heidi Drost Phone: 602-256-5657
3. Address or description of location of project: Generally located south of South Mountain Avenue on the North, Elliot Road on the South, 63rd Avenue on the West, and 59th Avenue on the East (excluding the Core and the parcel just south of South Mountain Avenue and west of the proposed freeway).
4. Nature of action requested (general plan amendment, master plan, rezoning, etc.): General Plan Amendment
5. Description of the project. Projected additional A.M./P.M. peak hour vehicle trips: 79088 per day
Number of dwelling units: N/A Non-residential square footage:
Acreage of project: 288.17 +/- Present and proposed land uses:
Existing: Commerce Park Proposed: Mixed Use--Commercial/Commerce Park
Phasing plan for overall project:
6. Current level of service identified in the MAG Congestion Study for the nearest major intersection(s).
7. Distance from the perimeter of the project to the nearest existing or proposed:
freeway - Proposed Loop 202 bisects site at roughly 61st Avenue)
road of regional significance -
8. Measures that will be employed to mitigate any traffic impacts caused by the project:
If system related, are these improvements identified in the current MAG Transportation improvement Program?
9. Measures to mitigate other impacts of the proposed development (such as noise, drainage, land use transitions, etc.)
10. How the project supports the host jurisdiction's commitments to implement the air quality plans of the region (trip deduction measures, transit incentives, etc.).
Concentrates retail/employment along freeway corridor
11. Date of any previous communication of this overall project through the Enhanced Notification Procedure:
12. Any other comments on the project (may use reverse side or separate sheet):

Please attach copies of:
☐ A vicinity map, site plan and land use map of project
☐ Any available development impact studies conducted for this area

GENERAL PLAN AMENDMENT

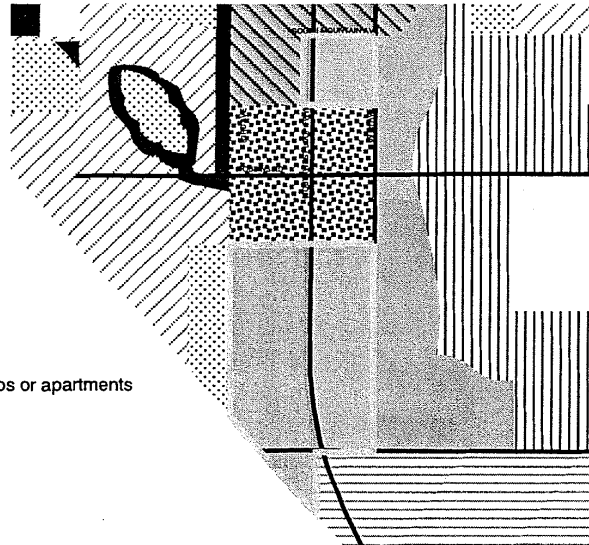
CITY OF PHOENIX • PLANNING DEPARTMENT • 200 W. WASHINGTON ST. • PHOENIX, AZ 85003 • (602) 262-6882

APPLICATION NO: GPA-LV-1-01-7	ACRES: 288.17 acres +/-
VILLAGE: Laveen	COUNCIL DISTRICT: 7
APPLICANT: Kevin McAndrews w / L.E.A.D.S.	

PROPOSED GENERAL PLAN:

Commerce Park (288.17 acres +/-)

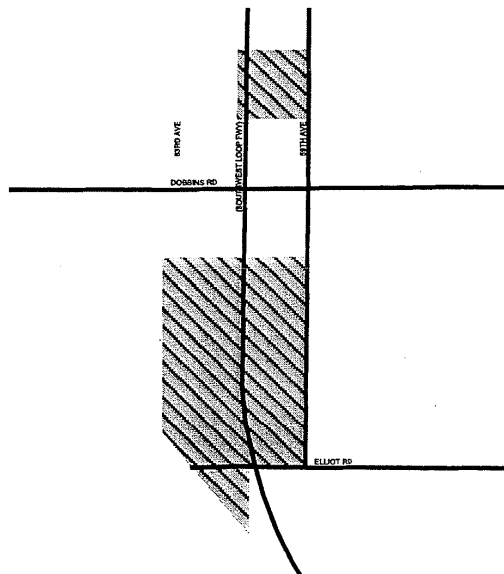
- Proposed Change
Proposed General Plan
- 0-1 Du / Acre - Large Lot
 - 1-2 Du / Acre - Large Lot
 - 2-3.5 Du / Acre - Small Lot
 - 3.5-5 Du / Acre - Small Lot
 - 5-10 Du / Acre - Small Lot
 - 10-15 Du / Acre - Higher density attached townhouses, condos or apartments
 - Commercial
 - Commerce/Business Park
 - Parks / Open Space - Publicly owned
 - Conservation Community (See Laveen Area Plan)
 - Mixed Use Striped



REQUESTED CHANGE TO PROPOSED GENERAL PLAN:

Mixed Use - Commercial/Commerce Park (288.17 acres +/-)

Mixed Use - Commercial/Commerce Park



City of Phoenix

PLANNING DEPARTMENT

Date: September 10, 2001

Mary Vaparino
ADOT
206 S 17th Avenue
Phoenix, AZ 85007

Dear Ms. Mary Vaparino,

The Laveen Watercourse/Greenbelt Pedestrian Design Project concept plan is a working document developed to help guide the development of an amenity that reflects the agricultural heritage of Laveen. The Laveen Watercourse may eventually become a part of a regional greenbelt system connecting with the Laveen Area Conveyance Channel, the Laveen Town Center, and the Laveen Village Core. A copy of the Laveen Watercourse Concept Plan is enclosed with this letter. Please review the concept plan and provide feedback to me (602) 256-5657 or Jasmin Chitrakar (602) 534-6410 by September 21, 2001. The concept plan will be revised to reflect the suggestions provided by the stakeholders, city departments and the public.

The Laveen Watercourse/Greenbelt Pedestrian Design Project Concept Plan is part of the Maricopa Association of Government (MAG) Pedestrian Area Design Program. A consulting team worked closely with MAG and the City of Phoenix Planning Department during the planning process for the concept plan. The challenge for this project was to help plan for the rapid future growth in the Laveen, located in southwest Phoenix, while protecting community open space values.

The Planning Department staff held an open house on August 8, 2001 to involve the public in the planning process. The objective was to update the Laveen community on the status of the Laveen Watercourse Concept Plan and solicit public comments regarding the concept design prepared by the consultant. It was the first of several meetings to be conducted over the next few months to work through details for the location and design of the watercourse.

The next phase of the planning process is to solicit information from the stakeholders and city departments. A second public meeting will be held to update the public regarding the comments from the stakeholders and other city departments and to discuss potential alternatives. That meeting is scheduled for later this month. The concept plan will be revised and the final plan will be presented to the public and the village planning committee for further discussion and recommendation to the Planning Commission.

Sincerely Yours,

Rachael

Rachael Pitts
Laveen Village Planner



City of Phoenix

To: Interested Stakeholders in Phoenix Rio Salado/Tres Rios Projects **Date:** October 25, 2001

From: Karen Williams, City of Phoenix
Kayla Eckert, U.S. Army Corps of Engineers

Subject: SALT RIVER RESTORATION FROM 19TH AVENUE TO 83RD AVENUE (RIO SALADO OESTE)

The Phoenix Rio Salado is a partnership between the U.S. Army Corps of Engineers and the City of Phoenix to restore habitat to five miles of the Salt River from Interstate 10 to 19th Avenue. Design of this 580-acre environment restoration project is currently underway. The flood control elements of Rio Salado are under construction by the Flood Control District of Maricopa County.

The Rio Salado Oeste (Spanish for West) Feasibility Study is a planning effort to continue the habitat restoration efforts from 19th Avenue to 83rd Avenue in the Salt River. The project will connect with the Tres Rios environment restoration project west of 83rd Avenue. As an interested stakeholder in the Rio Salado and/or Tres Rios projects, we invite you to our first stakeholder Oeste Steering Committee meeting. We want your valuable input to guide the 4-year Oeste Study.

We recognize your time is limited and appreciate your consideration of our request. We really hope you will attend this 2-hour meeting. Thank you.

What: Rio Salado Oeste Study Steering Meeting

When: Wednesday, November 14, 2001
1:00 to 3:00 p.m.

Where: Flood Control District of Maricopa County
2801 West Durango

For more information, call Kayla at (602) 640-2003, ext. 247.

Did you know that there is the same amount of water on Earth today as there was when the Earth was formed three billion years ago? Only 200 years ago there were 4 million people in the United States, while today there are 250 million ... and the same amount of water! It isn't too hard to figure out that as the demands continue to grow, and the supply of water doesn't, everyone will hold a greater responsibility in conserving, protecting and getting involved in the decision making that involves our water resources.

Federal, state, tribal and local entities can experience great rewards by effectively managing wetlands, fish and wildlife resources, endangered species, water quality and cultural resources for which they are responsible. Often, reliably managing these resources can translate into improved local economic opportunities. The City of Phoenix and the Corps of Engineers are partnering to study how the Salt River from 19th Avenue to 83rd Avenue can be protected and restored in the future. As stakeholders to the river, this is where we need your help!

The following information was extracted from the Reconnaissance Study that was used as the basis for making the decision to proceed, into the feasibility phase of the study. It resulted in the finding that there is a Federal interest in continuing the study into the feasibility phase. We ask you to review the problems, opportunities, and objectives as identified below, and come prepared to discuss them as they relate to your interest in the river.

LOCATION OF STUDY

The study area is located along the Salt River, in Phoenix, Arizona, between 19th Avenue and 83rd Avenue. The study area is located in between the authorized Rio Salado Project area and the authorized Tres Rios Project area. The Oeste study area is approximately eight river miles in length. In comparison, the authorized Phoenix reach of the Rio Salado project is five miles long and the Tres Rios study area is about seven miles long.

The non-Federal sponsor for the feasibility phase of the study is the City of Phoenix. The study area includes portions of the City of Phoenix, Maricopa County, state and federal land.

PLAN FORMULATION

During a study, six planning steps that are set forth in the Water Resource Council's Principles and Guidelines are repeated to focus the planning effort and eventually to select and recommend a plan for authorization. The six planning steps are: 1) specify problems and opportunities, 2) inventory and forecast conditions, 3) formulate alternative plans, 4) evaluate effects of alternative plans, 5) compare alternative plans, and 6) select recommended plan.

PROBLEMS AND OPPORTUNITIES

The evaluation of public concerns often reflects a range of needs, which are perceived by the public. This section describes these needs in the context of problems and opportunities that can be addressed through water and related land resource management. The problems and opportunities that have been identified within the study area are:

- Degraded river and adjacent over bank areas, due to upstream water resources development, has eliminated native riparian plant species and wildlife habitat. Perennial base flow conditions, critical to the needs of native plants, no longer exist in the river corridor through the study area.
- The average depth to groundwater beneath the river channel is much greater than historic conditions. Riparian vegetation that depends on groundwater has largely disappeared from the river channel.
- Lack of a natural flood regime. These changes in the river system have impacted the surface/groundwater interactions and sedimentation dynamics that are important for sustaining and regenerating riparian vegetation.
- Land use changes, including landfills and sand and gravel mining, have degraded and are contributing towards continued degradation of the river corridor.
- Unsuitable existing bank conditions exist at many locations. Surface dumping and manmade bank changes have resulted in a degraded and unsafe bank in many locations.
- There is an opportunity to take advantage of existing open water bodies, in the river and adjacent properties, as potential restoration sites.

- Utilize discharges from the 23rd Avenue Waste Water Treatment Plant to supplement surface water and groundwater sources of water for restoration and other needs.
- There is an opportunity to link other upstream and downstream projects to provide a continuous restoration and flood control corridor. These would include the authorized Rio Salado project and the authorized Tres Rios project.
- Utilize groundwater for restoration and other needs, as agricultural groundwater pumping phases out. This opportunity may be the greatest in the Laveen area.
- Flooding and drainage problems exist in the Salt River contributing drainages for the Laveen and Durango Area Drainage Master Plan areas.
- Contributing interior drainages lack current hydrology information at all discharge points into the Salt River. Adequate points of disposals do not exist at many interior drainage discharge locations.
- There is a flooding problem on the south side of the river, within the 100-year floodplain, between 67th Avenue and 75th Avenue.
- There are no formal existing recreation or environmental education opportunities associated with the existing river corridor. As agricultural land near the river is converted to residential, the need for recreation will increase. The 27th Avenue Solid Waste Recycling Facility (just north of the river) has an existing environmental education master plan. The facility provides tours for children and adults. The 23rd Avenue Waste Water Treatment Plant also does environmental education programming and touring for water treatment. These existing facilities provide an opportunity to link environmental education that could be developed for a restored river corridor.
- Existing cultural resources need protection from erosion and vandalism.
- The extent and significance of existing cultural resources is unknown.
- The biggest contributor to water in this stretch of the Salt River is the City of Phoenix 23rd Avenue Wastewater Treatment Plant. The plant produces a high quality A++ effluent, which meets the water quality standards for numerous uses including Partial Body Contact, Fish Consumption, Aquatic and Wildlife (effluent dependent), Agricultural Irrigation and Agricultural Livestock. In order to meet the City of Phoenix's exchange agreement with the Roosevelt Irrigation District, the plant's effluent also meets water quality standards for irrigation of crops eaten raw. Thus it meets very high microbiologic standards. Other discharges into the river both upstream and downstream of the plant will have a degrading effect on 23rd Avenue effluent. Storm water, industrial and agricultural discharges along

this stretch of the river impact the overall river water quality. Thus the water quality may degrade as it moves downstream.

PLANNING OBJECTIVES

These planning objectives reflect the problems and opportunities and represent desired positive changes in the without project conditions. The planning objectives are specified as follows:

- Increase native riparian plant and wildlife habitat values, diversity and functions from 19th Avenue to 83rd Avenue for a period of 50 years. Elements of diversity include establishing multiple native riparian plant species, providing sufficient open space for wildlife, and providing open water features for wildlife.
- Increase passive recreational and environmental education opportunities for visitors, which are linked to the restoration project in the study area, for a period of 50 years.
- Attract wetland and riparian avian species in the study area.
- Establish the presence of amphibian species, reptilian species, mammalian species, and avian species in the study area.
- Suppress undesirable and nonnative fish and wildlife species.
- Eliminate non-native, invasive plant species in the study area.
- Improve flood control along the Salt River between 67th and 75th Avenue.



City of Phoenix
OFFICE OF THE MAYOR

MAYOR SKIP RIMSZA

August 2002

Mr. Michael Goodman
9001 South 27th St.
Phoenix AZ 85040

Dear Michael:

If you could take just a few moments to give me some advice, I'd very much like to hear your thoughts regarding transportation.

Phoenix is now the 6th largest city in America. In Maricopa County, we already have 3 million people and are adding 5,000 more *every month*. In the next thirty years or so, we will have 6 million people in the county and Phoenix will become the *third* largest city in the nation.

Please take a careful look at the enclosed map. It shows where growth will occur in the next 25 years. If you live in the Desert Ridge area, you'll have 150,000 new neighbors. If you live in Laveen, you can expect 100,000 more people. The Baseline Corridor will see 40,000 new residents and the Central City core will grow by 125,000.

Those are big numbers.

But the map also provides concepts of proposed transportation improvements to help you maintain your quality of life while our population doubles. Freeway widening, new parkways, extended HOV lanes, traffic signal synchronization, expanded bus service (including bus rapid transit), more bus pullouts, and additional light rail extensions -- all these things can be considered and developed by the City of Phoenix to alleviate future congestion and gridlock.

Our freeway system is nearly completed -- yet is already nearing capacity. The new census shows that, despite our new freeways, all of us are spending more time in our cars, trucks and SUV's. Without a significant long-range commitment to transportation investments, average commute times during rush hour could more than double. Unless we make tomorrow's plans TODAY, we will fall so far behind we'll never catch up -- and our commute times will only get longer.

We need a thoughtful, 20-year transportation plan that will get the job done for us all. I have a few ideas, but I'm sure you have ideas of your own. And I'd like to hear them. So please take a few minutes to fill out the enclosed questionnaire and a mail it back to me in the Mayor's Office.

I appreciate your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Skip Rimsza".

Skip Rimsza
Mayor

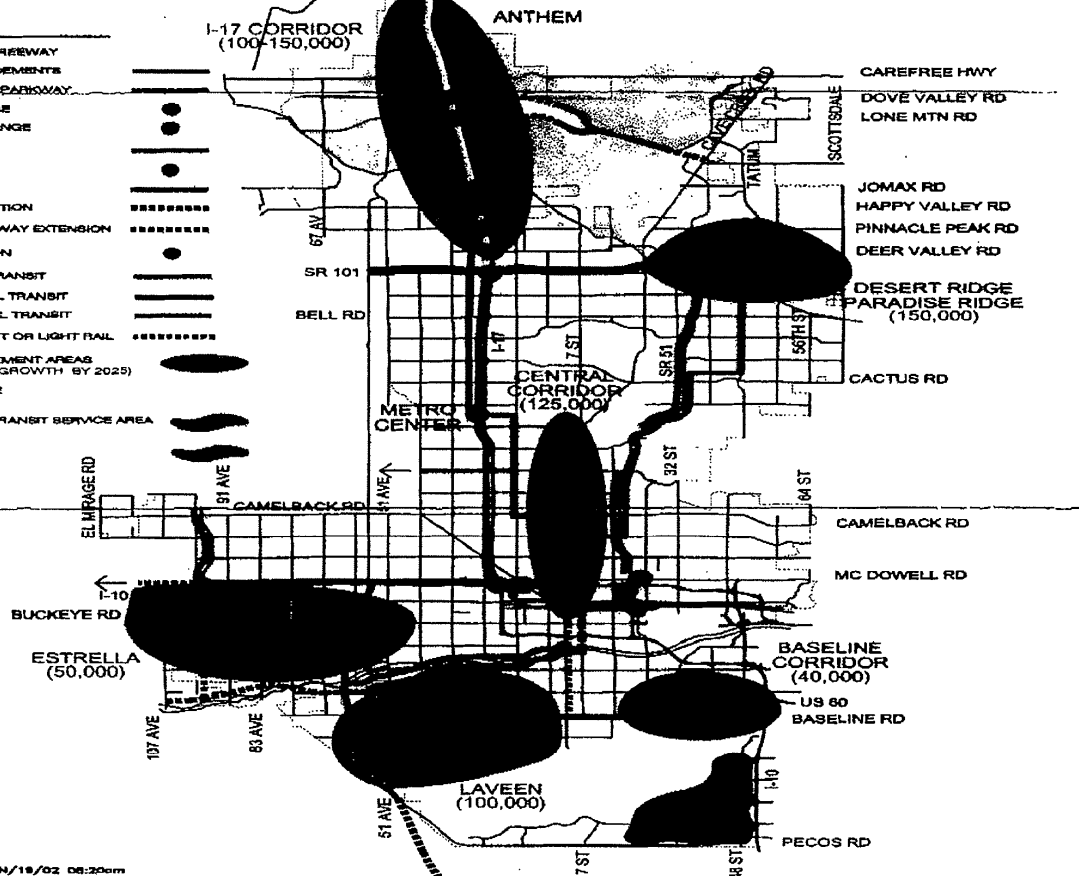
200 WEST WASHINGTON STREET, 11TH FLOOR, PHOENIX, ARIZONA 85003-1611 PHONE 602-262-7111 FAX 602-495-5583

Recycled Paper

PROPOSED TRANSPORTATION IMPROVEMENTS

LEGEND

- WIDEN EXISTING FREEWAY
- CAPACITY ENHANCEMENTS
- SOUTH MOUNTAIN PARKWAY
- NEW INTERCHANGE
- REBUILT INTERCHANGE
- NEW HOV LANES
- HOV RAMP
- NEW PARKWAY
- ARTERIAL CONNECTION
- RIO SALADO PARKWAY EXTENSION
- GRADE SEPARATION
- NEW BUS RAPID TRANSIT
- PHASE I LIGHT RAIL TRANSIT
- PHASE II LIGHT RAIL TRANSIT
- BUS RAPID TRANSIT OR LIGHT RAIL
- GROWTH MANAGEMENT AREAS (PROJECTED NEW GROWTH BY 2025)
- DESERT PRESERVE
- NEW LIGHT RAIL TRANSIT SERVICE AREA
- WITHIN TOLLESON



6622.dwg JUN/19/02 08:20am

Dear Mayor Rimsza,

I agree that if we don't continue making improvements in our transportation system, 10 years from now congestion will be worse. ☐ YES ☐ NO

I would encourage you to support the following transportation improvements to help maintain and improve our quality of life: (Please check all that apply)

☐ Expanded Freeways ☐ Express HOV Lanes ☐ New Parkway Construction ☐ Expanded Public Transportation ☐ More Bus Pullouts ☐ Expanded Light Rail ☐ Other

Comments:

Name:

Address:

Email & Phone No.

Please affix a postage stamp. Thank You.



City of Phoenix

OFFICE OF THE MAYOR

MAYOR SKIP RIMSZA
ANDREA TEVLIN, CHIEF OF STAFF

November 2002

Winner of the
Carl Bertelsmann
Prize



If you could take just a few moments to give me some advice, I'd very much like to hear your thoughts regarding transportation.

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We need a thoughtful, 20-year transportation plan that will get the job done for us all. I have a few ideas, but I'm sure you have ideas of your own. And I'd like to hear them. So please take a few minutes to fill out the enclosed questionnaire and a mail it back to me in the Mayor's Office.

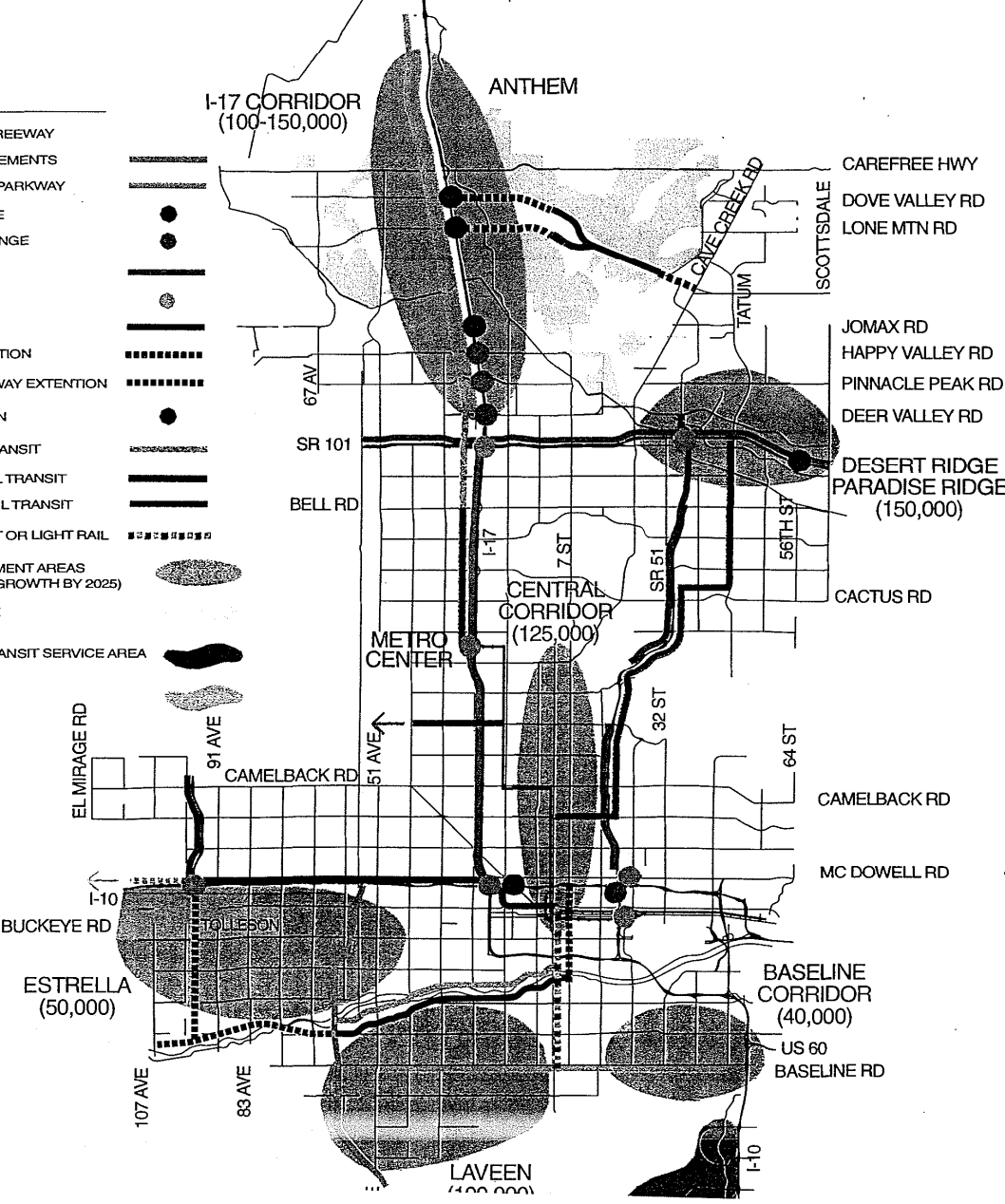
Sincerely,

Skip Rimsza
Mayor

PROPOSED TRANSPORTATION IMPROVEMENTS

LEGEND

- WIDEN EXISTING FREEWAY
- CAPACITY ENHANCEMENTS
- SOUTH MOUNTAIN PARKWAY
- NEW INTERCHANGE
- REBUILT INTERCHANGE
- NEW HOV LANES
- HOV RAMPS
- NEW PARKWAY
- ARTERIAL CONNECTION
- RIO SALADO PARKWAY EXTENTION
- GRADE SEPARATION
- NEW BUS RAPID TRANSIT
- PHASE 1 LIGHT RAIL TRANSIT
- PHASE 11 LIGHT RAIL TRANSIT
- BUS RAPID TRANSIT OR LIGHT RAIL
- GROWTH MANAGEMENT AREAS (PROJECTED NEW GROWTH BY 2025)
- DESERT PRESERVE
- NEW LIGHT RAIL TRANSIT SERVICE AREA
- WITHIN TOLLESON



City of Phoenix
HISTORIC PRESERVATION OFFICE

September 8, 2003

Robert E. Hollis
Division Administrator
U.S. Department of Transportation
FHWA – Arizona Division
400 E. Van Buren Street
Phoenix, AZ 85004

Re: HA-AZ, NR-202(ADY), 202L MA 054 H5764 01L, Loop 202, South Mountain, Initial Section 106 Consultation

Dear Mr. Hollis:

Your office recently forwarded a "Class I" report to my office regarding the proposed Loop 202 freeway corridor. The purpose of the report as explained in your letter is to identify "previously recorded cultural resources" to help with the process of identifying feasible project alternatives for the proposed freeway.

I have a number of concerns regarding this report. They are as follows:

+ It does not appear that this initial study attempted to identify non-archeological historic properties that have been previously identified through historic surveys or determined National Register eligible by the State Historic Preservation Office (SHPO). I am aware of at least several known National Register eligible historic properties located within the corridor area, including the Webster Farmstead at 75th Avenue and Baseline Road (previously determined National Register eligible by the SHPO), South Mountain Park (may or may not be partially in the boundaries of the corridor study), and potentially historic canals and canal laterals (need to confer with Bureau of Reclamation and Salt River Project).

+ A search of the National Register and Section 106 files of the Arizona State Historic Preservation Office and the survey files of the City Historic Preservation Office is needed to locate any historic non-archeological properties in the project corridor and "to identify previously recorded cultural resources" as stated in your letter. We highly recommend that the cultural resources "Class I Overview" be amended at this time to incorporate a records search of surveyed and designated historic buildings, structures, districts and objects.

+ My office also recommends that all further cultural resources identification efforts for this project include a qualified architectural historian on the identification team. This is needed given the high potential to locate other historic non-archeological properties within the project's area of potential effects.

If I can provide additional information, please feel free to contact me at (602) 262-7468.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Stocklin".

Barbara Stocklin, City Historic Preservation Officer

cc: Kae Neustadt, Arizona Department of Transportation
Jim Garrison, State Historic Preservation Office

200 West Washington Street, 17th Floor • Phoenix, Arizona 85003 • 602-261-8699 FAX: 602-534-4571

Recycled Paper



October 9, 2003

Amelia S. Edwards, PE
Project Manager
South Mountain Corridor Team
HDR, Inc.
3200 E. Camelback Rd., Suite 350
Phoenix, AZ 85018-2311

Dear Ms. Edwards:

As the City of Phoenix Public Transit Department looks to expand service to the southwestern portion of the city, we will be attempting to secure property for a passenger facility along the future South Mountain Corridor with convenient freeway access. My staff has attended project meetings and is fully aware of the ongoing study and stakeholder involvement to determine a final alternative.

The Public Transit Department would like to work with ADOT in securing land and integrating a future facility in the Design Concept Report (DCR) and the Environmental Impact Statement (EIS) for this corridor. The City of Phoenix Public Transit Department looks forward to continuing its relationship with ADOT and improving mobility in the Valley. If you have any questions please contact Mark Melnychenko, Principal Planner, at (602) 262-7240 or me at (602) 262-7584. Thank you for your assistance.

Sincerely,

Reed Caldwell, PE
Deputy Director

c: Bill Vachon
Ray Dovalina
Mark Melnychenko



Public Transit: It's How You Get There

302 North First Avenue, Suite 700, Phoenix, Arizona 85003 602-262-7242 FAX: 602-495-2002

Recycled Paper

This letter was also sent to Mr. Floyd Roehrich, Jr., PE, Project Manager, South Mountain Corridor Study, Arizona Department of Transportation

RESOLUTION NO. 20029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PHOENIX REAFFIRMING THE 61ST AVENUE ALIGNMENT OF A PORTION OF THE SOUTH MOUNTAIN FREEWAY (STATE ROUTE LOOP 202), BETWEEN INTERSTATE 10 WEST AND 51ST AVENUE.

WHEREAS, the Phoenix City Council recommended the alignment of the South Mountain Freeway (State Route Loop 202) in early 1985, which included the 61st Avenue alignment; and

WHEREAS, the alignment recommended by the City Council was approved by the Maricopa Association of Governments as part of the Long-Range Transportation Plan in July, 1985; and

WHEREAS, voters of Maricopa County approved a sales tax in October 1985 to fund new freeways in Maricopa County, including the South Mountain Freeway; and

WHEREAS, the information supplied to voters prior to the election showed the South Mountain Freeway on the 61st Avenue alignment; and

WHEREAS, subsequent adoptions of the Long-Range Transportation Plan since 1985 have continued to show the 61st Avenue alignment for the north/south portion of this freeway; and

WHEREAS, the adopted Phoenix General Plan has consistently shown the 61st Avenue alignment for this freeway; and

WHEREAS, the land uses shown on the Phoenix General Plan are entirely consistent with, and dependent upon, the 61st Avenue alignment; and

WHEREAS, the City has approved numerous development plans since 1985 along and adjacent to the 61st Avenue alignment; and

WHEREAS, the current study of this freeway includes the 61st Avenue alignment as one alternative; and

WHEREAS, the Phoenix City Council deems the 61st Avenue alignment to provide the best traffic service to the citizens of Phoenix and the region, of the alternatives now under study; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX that the Phoenix City Council reaffirms its support of the 61st Avenue alignment, between Interstate 10 West and 51st Avenue south of Elliot Road, as the most effective and efficient route for the South Mountain Freeway in this region.


PASSED by the Council of the City of Phoenix this 17th day of December, 2003.

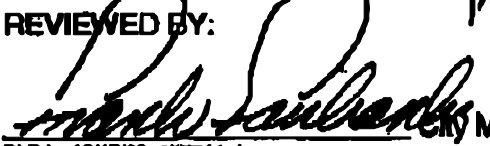

MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:


ACTING
City Attorney

REVIEWED BY:

City Manager

DLB:ls; 12/17/03; 167744v1

2003 DEC 17 AM 9:24

CITY CLERK MIEL



OFFICE OF THE CITY MANAGER

October 28, 2003

HDR

REC: OCT 31 2003

PROJ.: _____
FILE: _____
DIST.: _____

South Mountain Corridor Team
Arizona Department of Transportation (ADOT)
c/o Ms. Amy Edwards, Assistant Project Manager
HDR, Inc.
3200 E. Camelback Rd. Ste. 350
Phoenix, AZ 85018-2311

Dear Ms. Edwards:

This letter is to provide input on the 5 alternative South Mountain Corridor freeway alignments presented by ADOT staff at an October 2, 2003 public meeting.

The City of Phoenix strongly opposes Alternative 2, which proposes connecting with the I-10/Loop 101 interchange at 99th Avenue and running south through an area between 95th and 99th Avenues and Lower Buckeye Road. In November 2002, the Public Works Department purchased 183 acres of land north of Lower Buckeye Road and east of 99th Avenue to construct a 100-acre district park, police precinct station, fire station, community branch library, maintenance service center, and a decentralized citizen service center (site map enclosed).

The police and fire facilities are very critical to future public safety service delivery and maintenance of adequate response times to police and fire emergencies in this rapidly growing area of Phoenix. The district park and branch library will be needed to serve the surrounding community with recreational and educational opportunities. The citizen service center will allow local Phoenix residents to conduct City business in the area instead of downtown Phoenix, and the maintenance service center will allow Public Works to efficiently serve the City's southwest area field operations needs.

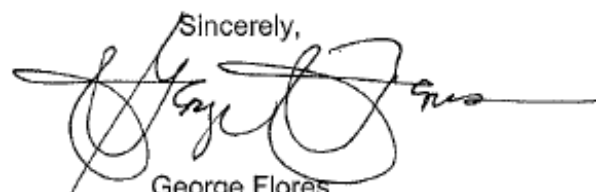
The City of Phoenix strongly supports Alternative 1, which connects with I-10 near 55th Avenue, as the best option for the planned South Mountain freeway. The 55th Avenue route alignment has been on the City's General Plan Map since the last ADOT freeway study in 1988 and has been a basis for our ongoing planning efforts and development in the Estrella and Laveen Village planning areas. The Alternative 1 alignment has been recognized as an opportunity to improve the City's traffic circulation at a time of unequaled growth, providing access to

Page 2
Amy Edwards
October 28, 2003

downtown. Land use planning in Phoenix has incorporated this freeway alignment to achieve the potential for commercial and employment centers. Commercial core locations have been planned along this alignment that will tie into street improvement projects, bettering circulation opportunities in the City's boundaries.

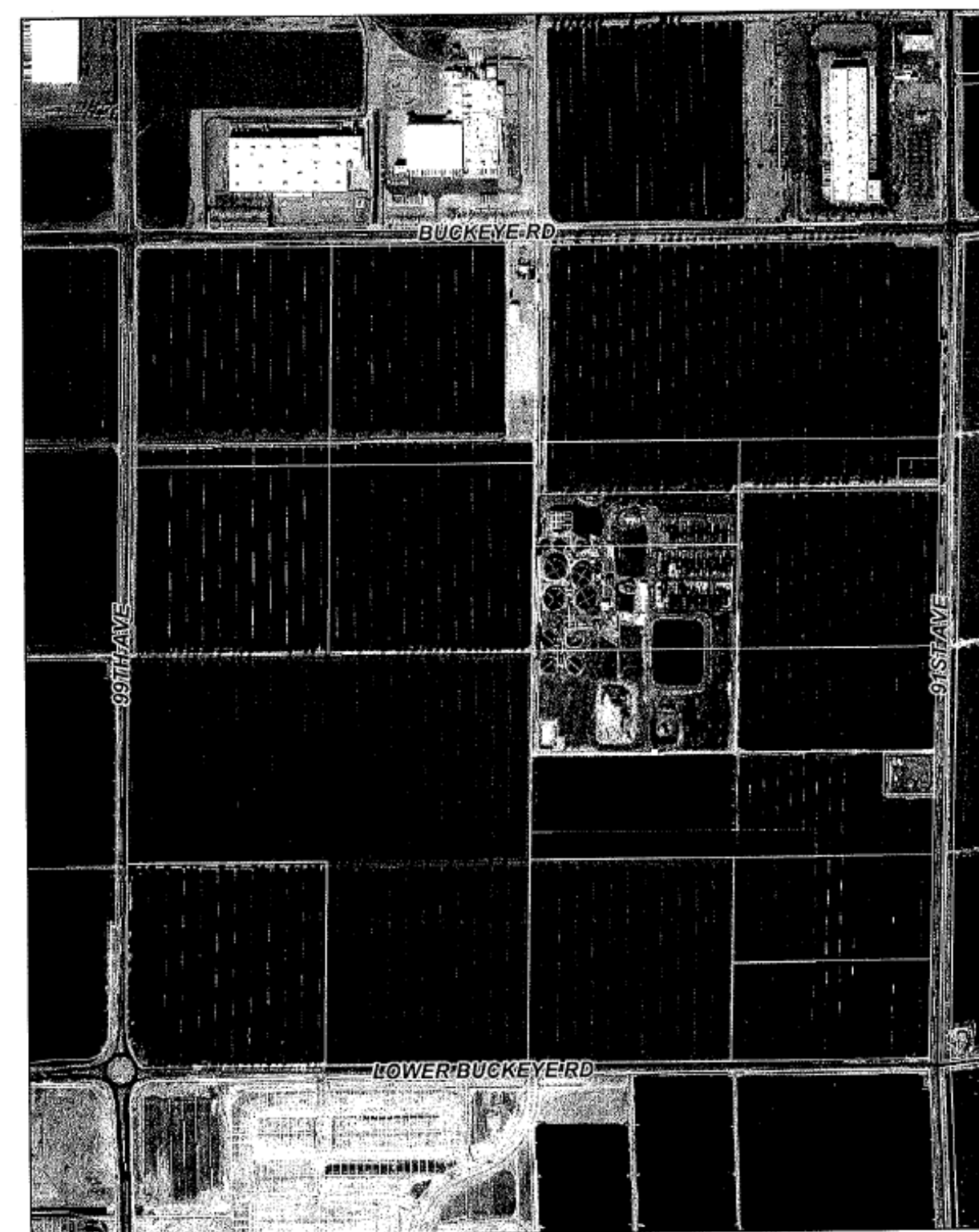
If you have questions, please contact Mark Leonard, Public Works Director, at 602-256-5662 or me at 602-262-7466.

Sincerely,


George Flores
Deputy City Manager

Enclosure

c: Mr. Lingner, Council District 7
Ms. Bilsten, Council District 3
Mr. Fairbanks, City Manager's Office
Mr. Leonard, Public Works
Mr. Richert, Planning
Mr. Callow, Street Transportation



1,000 500 0 1,000 Feet



Aerial Photo: November, 2002



City of Phoenix
PUBLIC TRANSIT DEPARTMENT

July 22, 2004

Mr. Floyd Roehrich, Jr., PE
Senior Project Manager
South Mountain Corridor Study
Arizona Department of Transportation
205 South 17th Avenue 614E
Phoenix, AZ 85007

Dear Mr. Roehrich:

As the City of Phoenix Public Transit Department looks to expand service to the southwestern portion of the city, we will be attempting to secure property for a passenger facility along the future South Mountain Freeway Corridor with convenient freeway access. Being on the inbound side with convenient access and the ability to construct a bus only slip ramp, Public Transit has a strong interest in the northeast quadrant of the future Baseline Road/South Mountain Freeway interchange. Staff has attended project meetings and is fully aware of the ongoing study and stakeholder involvement to determine a final alternative.

The Public Transit Department would like to work with ADOT in securing land and integrating a future facility in the Design Concept Report (DCR), Environmental Impact Statement (EIS) and study for this corridor.

The City of Phoenix Public Transit Department looks forward to continuing its relationship with ADOT and improving mobility in the Valley. If you have any questions, please contact me at (602) 262-7240.

Thank you for your assistance.

Sincerely,

Mark Melnychenko, AICP
Principal Planner

c: Reed Caldwell
Raimundo Dovalina
Bill Vachon



Public Transit: It's How You Get There

302 North First Avenue, Suite 900, Phoenix, Arizona 85003 602-262-7242 FAX: 602-495-2002

Recycled Paper



City of Phoenix
OFFICE OF THE CITY MANAGER

December 14, 2004

**VIA HAND DELIVERY
AND U.S. MAIL**

Mr. Kenneth Davis
District Engineer
Federal Highway Administration
One Arizona Center
400 East Van Buren
Suite 410
Phoenix, AZ 85004

Re: South Mountain Corridor Economic and Social Impact Analysis

Dear Mr. Davis:

For information and use by the Federal Highways Administration and the Arizona Department of Transportation, enclosed please find an economic and social impact analysis for the South Mountain Corridor Environmental Impact Statement. This fiscal, economic, and social impact analysis includes criteria that the city believes is important to the EIS. **We strongly urge you to use similar tax, employment and detailed land use assumptions.**

In addition, we didn't estimate the revenues or losses to the city from permitting, development or impact fees. Significant changes in land uses as a result of alternative alignments may materially affect the city's ability to collect such fees.

Sincerely,

Bridget Schwartz-Manock
Management Assistant

Attachment

cc: Victor Mendez, Director, Arizona Department of Transportation
Shannon Wilhelmsen, Director, Communication and Community Partnerships Department, Arizona Department of Transportation
Amy Edwards, Transportation Engineer, HDR
Daniel Brown, Assistant City Attorney, City of Phoenix
Tom Callow, Director, Streets Department, City of Phoenix
Joy Mee, Assistant Director, Planning Department, City of Phoenix
Paul Katsenes, Deputy Director, Community and Economic Development, City of Phoenix
Norris Nordvold, Director, Intergovernmental Programs, City of Phoenix
Ralph Velez, City Manager, City of Tolleson

200 West Washington Street, 12th Floor, Phoenix, Arizona 85003 602-262-6941 FAX: 602-261-8327
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City of Phoenix
OFFICE OF THE CITY MANAGER

June 23, 2005

Mr. Dan S. Lance
Deputy State Engineer
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 102 A
Phoenix, Arizona 85007

Dear Mr. Lance: *Dan*

The purpose of this letter is to thank you and your consultant for the presentation made to City staff on May 25 and to provide several comments on the South Mountain Freeway, SR 202 L project as a follow up to that presentation.

As you know, the City firmly supports the W 55 alignment (the original alignment approved in 1985 prior to the vote for Proposition 300). The Phoenix City Council passed Resolution 20029 on December 17, 2003, affirming this support.

The City Council and management remain gravely concerned that no agreement has yet been reached with the Gila River Indian Community regarding the study of alternative alignments for the Pecos Road segment of the freeway. The City is ready to lend any assistance within its power to facilitate such an agreement.

We understand that a number of 4(f) properties and/or facilities lie adjacent or near the W 55 alignment. The City Historic Preservation Office will assist in any manner deemed useful in resolving alignment considerations affected by these, and we will assist, where feasible, in working with ADOT and FHWA on these matters.

The City is pleased that alternative vertical alignments for the freeway, both south of the Salt River and along the Pecos Road alignment, are being considered. We are intensely interested in reviewing the evaluations of the depressed and semi-depressed options in these reaches, particularly where the freeway abuts residential development.

Property access adjacent to future interchanges is a concern. We understand and agree with the current ADOT policy of restricting access on the cross street within 300 feet of interchanges and will endeavor to be consistent in this policy as

in the future.

Very truly yours,
Thomas E. Callow, P.E.

200 West Washington Street, 12th Floor • Phoenix, Arizona 85003 • 602-262-6941 • FAX: 602-261-8327
Recycled Paper

our staff reviews new developments. However, we expect ADOT to be flexible in the application of this policy when doing so would result in extreme hardship to the affected property.

Traffic operations along arterial streets that interchange with the freeway are also of concern, and we earnestly request that ADOT maintain a minimum one-quarter mile separation between the interchange traffic signal(s) and the nearest adjacent existing or likely to be signalized intersection. It appears that the W 55 alignment does maintain this separation.

We appreciated the opportunity for City staff from the City Manager's Office and several departments to receive the briefing provided on May 25 and ask that further updates on this vital project be provided to this same group at appropriate times.

Sincerely,

Thomas E. Callow, P.E.
Senior Executive Assistant to the City Manager

R:Callow/Dan Lance ltr 6 23 05.doc

C: Bridget Schwartz-Manock
David Richert



Doug Lingner
Councilman
doug.lingner@phoenix.gov

Craig Echeveste
Assistant
craig.echeveste@phoenix.gov

Council District 7
(602) 262-7492
Fax: (602) 534-4816

October 14, 2005

Dear Neighbor:

As your City Councilman, it is my duty to deliver this important message about the South Mountain Freeway Alignment Proposal. I need your help because the residents of Laveen and Estrella Villages will play a key role in the decision process.

I am requesting your support for the freeway plan that will guarantee access for Laveen residents. For over twenty years, the City of Phoenix has protected a corridor for a freeway alignment which will connect Laveen residents to the I-10 Freeway. This important access makes it possible for a commercial core to develop along this freeway. The major retailers and restaurants that Laveen and Estrella residents need will not be possible unless this alignment is built. Unfortunately, a Federal Study is forcing the State Department of Transportation to consider other alternatives that will stop retail development and economic growth in your area.

The enclosed survey offers three different alignments to choose from; Loop 101, 71st Avenue, and 55th Avenue. The 55th Avenue alignment insures commercial and much needed retail development in the area, as well as providing a convenient access to the I-10 Freeway. The 55th Avenue alignment also has been approved by the voters of Maricopa County in two elections.

Please join me in supporting the future of Laveen and Estrella by filling out the enclosed survey form and by selecting the 55th Avenue alignment. A return envelope has been included for your convenience.

Thank you for your participation.

Sincerely,

Doug Lingner
Councilman
District 7

Enclosure

200 West Washington Street, 17th Floor, Phoenix, Arizona 85003-1611

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Survey & Comments

Please print name and address on separate sheet of paper.

- | | | | | | |
|--|---|---|---|---|---|
| 1. The South Mountain Freeway is a very important part of the regional transportation system. | 1 | 2 | 3 | 4 | 5 |
| 2. Based on future traffic projections there is a clear need for the freeway. | 1 | 2 | 3 | 4 | 5 |
| 3. The alternatives identified by the study team are the most appropriate alternatives to be considered. | 1 | 2 | 3 | 4 | 5 |
| 4. Connecting the freeway at Loop 101 should be considered a viable alternative for further study. | 1 | 2 | 3 | 4 | 5 |
| 5. Connecting the freeway at 71 st Avenue should be considered a viable alternative for further study. | 1 | 2 | 3 | 4 | 5 |
| 6. Connecting the freeway at 55 th Avenue, the 1988 alignment, should be considered a viable alternative for further study. | 1 | 2 | 3 | 4 | 5 |
| 7. Connecting the freeway to Pecos Road on the east should be considered a viable alternative for further study. | 1 | 2 | 3 | 4 | 5 |

Additional comments (please print):

8. Comments about the westside alternatives:

9. Comments about an eastside connection:

10. Other comments:

Name: _____ Please return completed form before leaving the meeting or return to:
Address: _____
City: _____ State: _____ ZIP: _____
E-Mail: _____
South Mountain Corridor Team
HDR, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, Arizona 85018-2311

www.SouthMountainFreeway.com E-mail: SouthMountain@dot.state.az.us Project Information: 602-712-7006



December 27, 2005

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, Arizona 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway
Near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

The City of Phoenix Water Services Department has a concern with one of the Loop 202 Freeway alignment alternatives currently being considered by ADOT. The proposed alignment of concern is currently named the "Loop 101 alignment" which proposes several alternative routes to connect to the I-10 Freeway at the 99th Avenue/101 Freeway alignment. Specifically of concern are the two alternatives that cross directly through the 91st Avenue Wastewater Treatment Plant. Due to the vital nature of this facility to the continued growth and environmental compliance of the Phoenix metropolitan area, the City would like to weigh in on this matter.

The 91st Avenue Wastewater Treatment Plant (Plant) is owned by the cities of the Sub-Regional Operating Group, namely Glendale, Mesa, Phoenix, Scottsdale, and Tempe. For all five of these cities, the continued operation and expansion of the Plant is necessary to support the existing population and new growth for the Phoenix Metropolitan area. The financial expenditures put into this Plant since its inception in the 1950's represents a significant investment into the future of our community, and one that needs to be maintained. Potential conflicts with the surrounding community are continually being addressed by Water Services staff, in order to ensure the continued viability of the facility.

In order for you to better understand the location of the Plant; I have included maps of the Plant with proposed expansions, and the Tres Rios Project which will accept the effluent from the Plant. The proposed alternative routes that are in conflict with the Plant have been over-layed on the maps for your convenience.

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
December 27, 2005
Page 2

The City of Phoenix Water Services Department request the ultimate location selected by ADOT for the Loop 202 Freeway alignment and the future I-10 Reliever alignment be routed around the Plant.

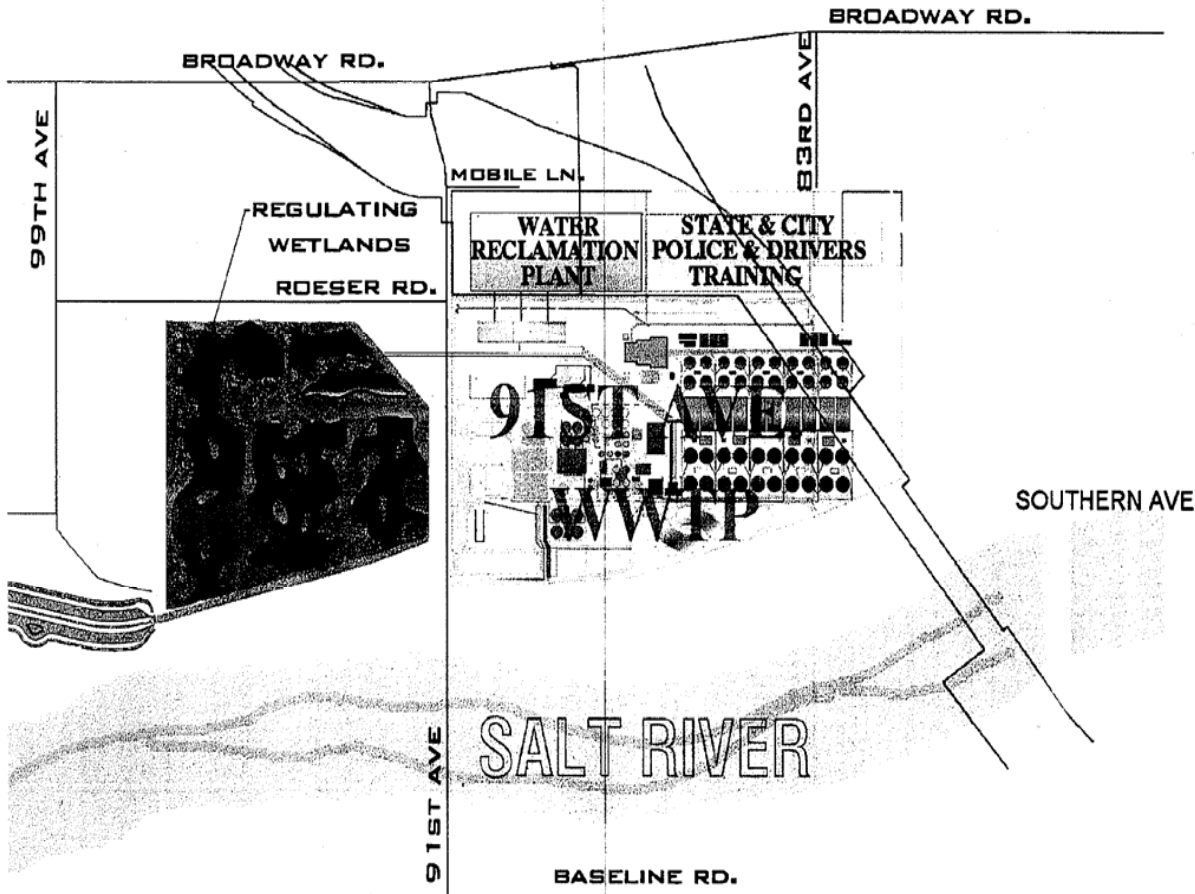
Sincerely,

Danny W. Murphy
Acting Water Services Director

Attachments

c: Thomas E. Callow
Ross D. Blakley
Carlos A. Padilla
Paul Kinshella
Blaine Akine

H/2005corres/ADOT-FreewayAlignmentLtr-Loop202-12-27-05/CAP/rs



**South Mountain Transportation Corridor Study
Impacts study with 91st Ave WWTP Master Plan
and Tres Rios Regulating Wetlands**


City of Phoenix

OFFICE OF THE CITY MANAGER

June 2, 2006

Mr. Victor M. Mendez
 Director
 Arizona Department of Transportation
 205 South 17th Avenue
 Room 135 A
 Phoenix, Arizona 85007

Dear Mr. Mendez:

The purpose of this letter is to document the City's position concerning the proximity of the South Mountain Freeway to the tank farm at 55th Avenue and Van Buren Street.

The City asks that ADOT agree to make the following changes to the W 55 freeway alignment and design adjacent to the tank farm:

- shift the freeway alignment as far west as possible, while remaining in the vicinity of the 55th Avenue corridor;
- minimize the take of land from the tank farm site;
- build a screen wall or barrier that will block the line of sight from trucks on the freeway mainline and northbound off-ramp into the tank farm. The ramp barrier should be designed to prevent a heavy vehicle from penetrating into the tank farm;
- collaborate with representatives from the Arizona Counter Terrorism Center in developing appropriate protection solutions for the tank farm in relation to potential effects from the freeway right-of-way.

If these alignment changes and design features are incorporated into the W 55 alternative, the freeway will neither cause significant disruption to the operation of the tank farm nor compromise its security.

Sincerely,

Frank Fairbanks
 City Manager

cc: Alton Washington
 Marcus Aurelius
 Thomas E. Callow, P.E.
 J. Donald Herp, P.E.



• "Most Livable City" U.S. Conference of Mayors •

January 11, 2006

Mr. Victor M. Mendez, Director
 Arizona Department of Transportation
 205 South 17th Avenue
 Room 135A
 Mail Drop 100A
 Phoenix, AZ 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT)
 Loop 202 Freeway near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

On December 27, 2005, Danny Murphy, Acting Director of the City of Phoenix Water Services Department, wrote you a letter expressing concern with one of the Loop 202 Freeway alignment alternatives currently being considered by ADOT. The proposed alignment of concern is currently named the "Loop 101 alignment" which proposes several alternative routes to connect to the I-10 Freeway at the 99th Avenue/101 Freeway alignment.

As joint owners of the 91st Avenue Wastewater Treatment Facility, the City of Scottsdale would like to express the same concerns as are spelled out in Mr. Murphy's letter. Specifically of concern are the two alternatives that cross directly through the 91st Avenue Wastewater Treatment Plant.

The 91st Avenue Wastewater Treatment Plant (Plant) is jointly owned by the cities of Glendale, Mesa, Phoenix, Scottsdale, and Tempe, which comprise the Sub-Regional Operating Group, or SROG. For all five of these cities, the continued operation and expansion of the Plant is necessary to support the existing population and new growth. The financial expenditures put into this Plant since its inception in the 1950's represent a significant investment into the future of our community and one that needs to be maintained. Phoenix's Water Services staff, as the primary facility operator, is continually addressing potential conflicts with the surrounding community in order to ensure the continued viability of the facility.

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
January 11, 2006
Page 2

The City of Scottsdale Water Resources Department joins with the City of Phoenix Water Services Department to request that the ultimate location selected by ADOT for the Loop 202 Freeway alignment and the future I-10 Reliever alignment be routed around this critical facility. Mr. Murphy included in his letter maps to further clarify our position and provide you information on the location of the 91st Avenue Wastewater Facility in relation to your alternatives.

Sincerely,



David M. Mansfield
General Manager, Water Resources Department

c: Dave Petty, Acting Planning and Engineering Director
Greg Crossman, Sr. Water Resources Engineer



City of Phoenix

OFFICE OF THE CITY MANAGER

November 24, 2009

Ms. Susanne Rothwell
President PMPC
For the PMPC Board
P.O. Box 26121
Phoenix, AZ 85068-6121

Dear Susanne:

Thank you for your letter on behalf of the Phoenix Mountain Preservation Council (PMPC). I appreciate the position of the PMPC on the specific alignment of the proposed Loop 202 Freeway around South Mountain Park. The City of Phoenix has no formal role in the approval process. However, I thought it would be useful to lay out the review process.

The proposed Loop 202 alignment is being evaluated through an Environmental Impact Statement (EIS) process administered by the Arizona Department of Transportation (ADOT) on behalf of the Federal Highway Administration (FHWA). It is currently funded by the Regional Transportation Plan (RTP) that was approved by the Maricopa region's voters in 2004.

According to ADOT, upon completion of the Administrative Draft EIS, the document will be reviewed by FHWA and other governmental agencies. ADOT's timeline for release of the Draft EIS and the associated public hearing is largely based on this review process. At this time, ADOT anticipates publication of the Draft EIS and the public hearing will occur in summer 2010, with an associated 90-day public comment period (twice the federal requirement). The Final EIS will be available for public review during a 60-day comment period. After considering any comments received on the Final EIS, FHWA will issue a Record of Decision (ROD). The ROD will identify the selected alternative for the proposed action. If a build alternative is selected, Maricopa Association of Governments (MAG) will allocate funding.

Further, ADOT and FHWA will continue to seek input from the public, agencies, and jurisdictions regarding the proposed freeway through the design phase and construction, if a build alternative is selected. In addition to the public hearing associated with the Draft EIS, ADOT plans to meet with the public and the Citizens Advisory Team regarding changes to the RTP and Draft EIS. I understand that the next Citizens Advisory Team meeting is planned for early 2010. A newsletter from ADOT providing updates about the study process is also planned for early 2010.

Phoenix 2009





July 18, 2010

Mr. Robert Hollis
Division Administrator
Federal Highway Administration
4000 North Central Avenue, Suite 1500
Phoenix, AZ 85012-1906

RE: South Mountain Freeway (SR202L) Alignment at Dobbins Road

Mr. Hollis:

This letter is a follow up to our meeting of July, 8, 2010 where we discussed the alignment change of the South Mountain Freeway (SR202L) at Dobbins Road. The City of Phoenix would like to revisit the proposal under consideration to change the freeway alignment from 61st Avenue to 63rd Avenue at Dobbins Road.

A Future Freeway designation has been on the City of Phoenix' General Plan Map since 1985. Originally the alignment was shown on 59th Avenue. In 1988, City Council approved GPA-SM-5-87-7, an amendment that changed the designation to Freeways/Parkways and moved the alignment to 61st Avenue. Since that time all of the city's planning efforts and entitlement processes have been based on the freeway alignment through Laveen along 61st Avenue.

In 1999, the City Council approved GPA-SM-3-97-7, an amendment that mapped the Southwest Growth Study and established the Laveen Village Core centered at 59th Avenue and Dobbins Road on the land use map. Two subsequent amendments, GPA-LV-2-00-7 and GPA-LV-1-01-7, established the mixed use designation along the freeway alignment. Between 2000 and 2009, there have been several rezoning cases approved based on the 61st Avenue alignment for the South Mountain Freeway.

One of these rezoning cases was for a proposed hospital. The nearest hospital to the Laveen Village is the Banner Estrella Medical Center at Thomas Road and the Loop 101, which is approximately nine miles from the proposed hospital within the designated Laveen Core. Aside from the need for nearby medical facilities, the proposed hospital will bring employment to an area that is currently a majority of single-family residential. A hospital of such size will also attract other medical offices and clinics thus spurring more employment opportunities, as well as local retail and services that will support employees and the surrounding area. ADOT's current alignment along 63rd Avenue will seriously impact the proposed hospital site by reducing the contiguous area available for current and future development of the site. This alignment would make the site unsuitable for a large regional medical facility.

RECEIVED
ADOT

AUG 24 2010

Valley Project
Management

The Arizona Department of Transportation (ADOT) made the alignment shift in order to avoid several agricultural properties determined eligible for listing on the National Register of Historic Places. These properties are not currently listed on the Phoenix Historic Property Register or the National Register of Historic Places, and there are no plans in process to pursue these designations. We have discussed these historic properties with our Historic Preservation Officer (HPO) who feels that the impacts to these properties can be minimized and/or mitigated to the satisfaction of all stakeholders, including the State Historic Preservation Office. The HPO is also willing to assist FHWA with its efforts to consult further with the SHPO on this project. Another option would be to alter the Dobbins Road Traffic Interchange (TI) to avoid or minimize disruption to the historic properties.

Moving the alignment back to the 61st Avenue alignment would save the taxpayers approximately \$1.5 million dollars by reducing the amount of paving.

In summary, the City of Phoenix requests that ADOT consider moving the South Mountain Freeway alignment back to the 61st Avenue in the area of Dobbins Road. Because the city of Phoenix has relied on the 61st Avenue alignment to make land use decisions for more than two decades, the level of community disruption that would be caused by any other alignment other than 61st Avenue would be severe, and the city's confidence that the impacts to historic properties can be successfully mitigated, the city's position is that the 61st Avenue alignment is the only "prudent and feasible" alignment for the South Mountain Freeway alignment. Please free to contact Wylie Bearup, Street Transportation Director, if you wish to discuss this further.

Sincerely,

Rick Naimark
Deputy City Manager

C: Robert Samour, ADOT
Larry Langer, ADOT
Mike Bruder, ADOT
Wylie Bearup, Street Transportation
John Siefert, Street Transportation
Dan Matthews, Street Transportation
Shane Silsby, Street Transportation
Michelle Dodds, Planning
Barbara Stocklin, Historic Preservation Office



City of Phoenix
OFFICE OF THE CITY COUNCIL

MICHAEL NOWAKOWSKI
COUNCILMEMBER
DISTRICT 7

602-262-7492
Fax: 602-534-4816
TTY: 602-495-5810
council.district.7@phoenix.gov

December 22, 2009

Mr. John Halikowski
Director
Arizona Department of Transportation
206 South 17th Avenue, Room 135, Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski:

As the Phoenix City Councilmember whose Council District will be most impacted by the north-south alignment of the South Mountain Freeway (Loop 202), I am writing to ask that the freeway planning efforts continue to move forward without delay.

As you know, the South Mountain Freeway has been part of the Regional Transportation Plan since the voters approved Proposition 300 in October 1985. It is my understanding that because of the age of the Design Concept Report, the environmental issues and the alignment being adjacent to the Gila River Indian Community (GRIC), the Federal Highway Administration and the Arizona Department of Transportation (ADOT) began an Environment Impact Statement (EIS) in 2001 that was expected to be completed in 2005. Since the EIS was started, the voters in this region again approved the South Mountain Freeway in 2004. But, at this time, we are still awaiting a Record of Decision on the corridor.

Recently, there have been numerous news accounts about discussions between ADOT, the Maricopa Association of Governments (MAG) and the GRIC regarding options for the east-west segment of the freeway. While I applaud the efforts to make sure that the most cost effective and least intrusive freeway plan be built, I want to make sure that the entire project is not slowed down while discussions take place. The residents in my Council District have waited patiently while the EIS has been drawn out. I want to confirm that ADOT will release the draft EIS for public review in 2010 and move toward the construction phase quickly.

City of Phoenix staff have spoken highly of your leadership at ADOT. I look forward to working with you to ensure that the South Mountain Freeway is built and is successful. If you have any questions, please call me at (602) 262-7492.

Sincerely,

Michael Nowakowski
Councilmember – District 7

c: Ed Zuercher, Assistant City Manager, City of Phoenix
Dennis Smith, Executive Director, MAG

200 W. Washington St., 11th Floor, Phoenix, Arizona 85003-1611 • phoenix.gov/district7

Reprinted Poster

City of Tempe
P.O. Box 5002
255 E. Marigold Ln.
Tempe, AZ 85281
480-350-8207



The Tempe Way *Our Mission* To make Tempe the best place to live, work and play. *We Value* People... Integrity... Respect... Openness... Creativity... Quality...

Water Utilities
Department

January 18, 2006

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, Arizona 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

I am writing to express the City of Tempe's concern regarding any proposed freeway alignment that may impact current operation or future expansion of the 91st Avenue Wastewater Treatment Plant. The 91st Avenue Plant is owned by the Sub-Regional Operating Group (SROG) which includes the Cities of Glendale, Mesa, Scottsdale, Tempe, and the City of Phoenix that operates the facility for the SROG partnership.

In his letter of December 27, 2005, Mr. Danny W. Murphy, Acting Water Services Director, City of Phoenix, expressed the SROG Cities' concerns regarding freeway alignments that could impact the 91st Avenue Plant. The City of Tempe shares those concerns which include the significant investment to support both the existing population as well as future growth in the community.

The City of Tempe Water Utilities Department joins the City of Phoenix in its request that ADOT route freeway alignments around the 91st Avenue Wastewater Plant.

Sincerely,

Don Hawkes
Water Utilities Manager

City of TOLLESON

9555 WEST VAN BUREN TOLLESON, ARIZONA 85353 PHONE: 623-936-7111 ADMINISTRATION FAX: 623-907-2629



May 27, 2003

Arizona State Department of Transportation
ATTN: Mr. Bill Hayden, Special Assistant
State Engineer's Office
206 S. 17th Avenue
Room 101A
Phoenix, Arizona 85007

RE: South Mountain Transportation Corridor Alternative Screening Report, Version 2.0/March 2003 Review and Comments

Dear Mr. Hayden:

On behalf of the Tolleson Mayor and Council I would like to thank you and the South Mountain Transportation Corridor Team for taking the time to visit Tolleson on March 19, 2003 for the purpose of allowing Tolleson an opportunity to comment on the proposed alternatives for the South Mountain Freeway.

Regionally speaking, I acknowledge the need for an alignment that not only moves traffic but is also logistically placed, however, there are significant cultural, financial and social issues and material technical elements that, in my opinion, make Alternatives #2 and #3 non-viable within our city corporate limits. As you will read in this letter, Alternatives #2 and #3 are, and will be, vehemently opposed by Tolleson. Tolleson strongly recommends that the South Mountain Freeway be located at its originally planned location, Alternative #1.

The Tolleson community would once again be disproportionately prejudiced by the extension of the South Mountain Freeway from Loop 101 along Alternatives #2 or #3. As you are aware, Tolleson is a small community comprised of six square miles, two miles of which are currently bisected by I-10. The citizens of Tolleson are predominately Hispanic, earning less than the average median income. Obviously, given the elements of our City and its citizens, you can see our resources are limited. The City's ability to effectively protest the proposed alignments or of its citizens to fight the siting of another freeway in their backyards is also limited. Clearly, Tolleson and its proud population have been the victims of previous highway construction. Tolleson's citizens were the last group to get a sound wall and the noise producing elevated interchange of I-10 and Loop 101 in Tolleson are recent examples of this blatant abuse of the disadvantaged. While some on the council are claiming the siting of the South Mountain Freeway in Tolleson

"Serve Today, Plan For Tomorrow."

So. Mtn. Alt. Screening Report Comments
May 29, 2003

would perpetuate the institutional racism Tolleson and its citizens have suffered in the past, this letter is written with the request that the siting not be the result of what route offers the least resistance.

If the Loop 101/South Mountain Freeway extends south into Tolleson four of Tolleson's six square miles would be adversely impacted by freeways. Economically valuable property along the City's main industrial and retail corridor (99th Avenue) would be completely destroyed or severely diminished. After the South Mountain Freeway extension, land on the east side of 99th Avenue (Tolleson property) would be totally taken or only shallow development parcels would remain. Traffic on 99th Avenue in Tolleson, once a dynamic roadway, would be an awkward roadway no longer serving businesses on both frontages. From a General Plan and Land Use perspective and following a similar pattern with the construction of I-10 and Loop 101, both Alternatives #2 and #3 require a taking of large parcels of undeveloped land in Tolleson. Based on a percentage of incorporated square miles Tolleson has provided the most property for freeways during the past 15 years. When the 101 was connected to I-10 from the north, prime commercial and industrial property along McDowell was taken for retention and detention of waters flowing south from Glendale and Phoenix. Additional freeway takings will only add to the already high ratio of freeway dedicated land versus that developed or to be developed.

Both Alternatives drastically impact the ability of Tolleson to serve water to its residential and corporate citizens. Two wells serve all of Tolleson's water needs. Alternatives #2 and #3 wipe out Tolleson's only two water production wells.

We hope you are aware that there is a massive pollution plume comprised primarily of TCE directly east of Tolleson and over the recent past has continued its westward flow to Tolleson. The plume's western edge is at Tolleson's east border. The City has shut down its eastern most wells and has had to relocate its two wells in western Tolleson. These wells are now in the path of Alternatives #2 and #3. Tolleson has no land in its boundaries east of 99th Avenue and north of Van Buren, in short if 101 is extended south in Tolleson, Tolleson would lose its wells and would have to move its wells back east, back towards the pollution plume.

In addition to the wells and adjoining storage facilities, each well has water treatment facilities that provide the necessary purification to the water. Tolleson spent millions of dollars on the facilities. The electro dialysis reversal (EDR) systems are utilized for the treatment and purification of water, including water used by Pepsico for their production of Gatorade. The production wells, booster pumps, electrical panels, stand-by natural gas driven diesel engine, metering and production equipment and building as well as the twelve inch (12") major transmission water lines leading to and from the production wells would perhaps require relocation and/or abandonment. A permanent or temporary curtailment of water production will create a severe water shortage in the city, for the average daily use is approximately 3.0 million gallons of water. Any reduction in water production would bring about a crisis for both commercial (Gatorade and milk facilities at Fry's) and residential users as well as severely inhibiting fire suppression capabilities.

So. Mtn. Alt. Screening Report Comments
May 29, 2003

ADOT will be required to pay for the complete replacement of these important water utility facilities.

Alternatives #2 and #3 would have a significant impact on local and regional sewer lines. Four major sewer lines serving the Tolleson and the Phoenix Sewage Treatment facilities rest in the path of both alternatives. Currently, a 66" sewer main runs in 99th Avenue. This major trunk line serves the northern affiliated parties/cities and would require relocation and major modifications at 99th Avenue and McDowell Road as well as major reconstruction of the diversion structure facility at 99th Avenue and Van Buren. Any existing or future businesses fronting 99th Avenue would be disrupted due to the inability to provide sewer service. Loss of operations would result in reduction of respective business operating profits and loss of city sales tax.

The sewer lines – 60", 48" and 42" – run east and west and parallel the Union Pacific Railroad tracks from 99th Avenue easterly to 95th Avenue. At this juncture the lines turn south and are joined by yet another 27" line, all leading south on 95th Avenue under Buckeye Road into the regional City of Tolleson Wastewater Treatment Plant head works facility. Replacement lines, whether permanent or temporary, would be required so as not to create a disruption in sewage flows being discharged by various affiliated parties – i.e., Sun City, Youngtown, Peoria, Glendale, Phoenix and Tolleson - and headed south to the respective sewage treatment facilities in Phoenix and Tolleson. Any below grade freeway would obviously destroy the regional transmission grid.

Any stoppage in sewer flows would trigger a reduction in effluent being discharged by Tolleson, pursuant to a contract, into a 53" line connected to the Palo Verde Nuclear Generating Plant where the water is used to cool nuclear generating system turbines. Failure to meet contractual obligations between Arizona Public Service will most definitely result in litigation against the City of Tolleson.

With respect to arterial streets and proposed intersection improvements, Alternatives #2 and #3 will create major modifications to the existing intersection at 99th Avenue and Van Buren, and eventually lead to water and sewer lines displacement and/or relocation. The proposed alignment would require a half or full diamond interchange somewhere between 96th and 99th Avenues. These improvements would increase traffic in the immediate vicinity and ultimately have an adverse traffic impact on Tolleson's major streets, Van Buren and 99th Avenue. Local traffic could no longer utilize local streets for through traffic. Obviously, the increase in traffic will affect the service level of Van Buren Street, Tolleson's downtown main street.

Environmentally, the proposed Alternatives #2 and #3 fail to recognize both the pollution plume referred to earlier and the hazardous site at approximately 97th Avenue and Harrison Street. The site, running from 97th Avenue westerly to approximately 150 feet east of 99th Avenue, has been abandoned for years, and at last report, the site is being remediated to the air by a mechanical device.

So. Mtn. Alt. Screening Report Comments
May 29, 2003

The proximity of Alternatives #2 and #3 to the residential area immediately east of the proposed alignments would drastically exacerbate existing noise pollution levels stemming from the stack at 99th Avenue and I-10. Virtually, all of the residential community between 91st and 97th Avenue north and south of Van Buren will be affected by the proposed alignments. The 97th Avenue alignment would also have a detrimental effect on the neighboring Tolleson Union High School Alternative Campus, which lies within a few feet east of the proposed alignment. Furthermore, increased traffic will adversely impact air quality within the adjacent residential neighborhood.

The numerous trucking/warehousing businesses would require rerouting due to the proposed alignment along 99th Avenue, and obviously some of the same truck traffic will eventually end up on Tolleson's main street, in search of the path of least resistance – fewer left turns.

The study prepared by the committee completely ignores the floodplain caused by the railroad tracks and the compounding of the floodplain's problems caused by the Alternatives. The existing floodplain located within the City and designated as Category A Floodplain will require major modifications. Construction of either Alternative #2 or #3 without a natural flow will increase the geographical size of the flood plain. It currently lies south of Jefferson Street, and any major barrier will affect the plain, possibly as far north as Van Buren.

Alternatives #2 and #3 represent Tolleson's biggest threat to financial ruin. Both alignments create devastating economic impacts that will last an eternity. Elimination of jobs, loss of primary property tax revenues and secondary tax revenues that fund city and schools capital bond projects, reduction of current sales tax revenues as well as projected General Plan retail service developments, and most importantly, loss of development and building permitting fees generated as a result of construction have huge budget implications. From a service delivery perspective, the City of Tolleson would have to reduce the General Fund operating budget in order to meet the cumulative loss generated by the construction of the South Mountain Freeway through the heart of Tolleson's commercial and industrial development corridor. Prime commercial and industrial land and accompanying improvements would be affected by the South Mountain Freeway. The adverse multiplier impact is unknown however; it would touch on all of the elements mentioned above.

The meeting held at the Southwest Valley Chamber of Commerce on Monday, May 5, 2003 did little to fairly address the devastation of Tolleson and its citizens caused by the construction of Alternatives #2 or #3. Frankly, if a western alignment of the South Mountain Freeway (west of 51st Avenue) is required the alignment for Alternative #9 should be readdressed. An alignment of Alternative #9 just west of the 107th alignment appears to be a route with less impact. Your preliminary route for Alternative #9 literally destroys existing warehouses – Sara Lee, Lisanti, and States Logistics – and is projected to be constructed on the parcel that PepsiCo recently purchased for a regional warehouse. A route slightly west of this path avoids these problems. Perhaps the safety issues regarding the Alternative #9 "S" curve conceptual design should be revisited.

So. Mtn. Alt. Screening Report Comments
May 29, 2003

Mr. Hayden, it is quite evident that the City of Tolleson is very disturbed at the notion of having Alternatives #2, #3 or #9 constructed in Tolleson. As I mentioned previously, I strongly agree that we need a regional alignment for the South Mountain Freeway, one that moves traffic and is not as devastating to a city's culture or economy such as the Alternatives discussed above.

Again, thank you for your visits and your interest in our community. Please feel free to call me if you have any questions regarding this letter.

Sincerely,


Ralph Velez
City Manager

cc: Amy S. Edwards, HDR Transportation Engineer
Bill Vachon, FHWA, Senior Area Engineer
Floyd Roehrich, Jr., ADOT, Senior Project Manager

RESOLUTION NO. 937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOLLESON REAFFIRMING THE 61st AVENUE ALIGNMENT OF A PORTION OF THE SOUTH MOUNTAIN FREEWAY (STATE ROUTE LOOP 202), BETWEEN INTERSTATE 10 WEST AND 51st AVENUE.

WHEREAS, the Phoenix City Council recommended the alignment of the South Mountain Freeway (State Route Loop 202) in early 1985, which included the 61st Avenue alignment; and

WHEREAS, the alignment recommended by the Phoenix City Council was approved by the Maricopa Association of Governments as part of the Long-Range Transportation Plan in July, 1985; and

WHEREAS, voters of Maricopa County approved a sales tax in October 1985 to fund new freeways in Maricopa County, including the South Mountain Freeway; and

WHEREAS, the information supplied to voters prior to the election showed the South Mountain Freeway on the 61st Avenue alignment; and

WHEREAS, subsequent adoptions of the Long-Range Transportation Plan since 1985 have continued to show the 61st Avenue alignment for the north/south portion of this freeway; and

WHEREAS, the adopted Phoenix General Plan has consistently shown the 61 Avenue alignment for this freeway; and

WHEREAS, the land uses shown on the Phoenix General Plan are entirely consistent with, and dependent upon, the 61st Avenue alignment; and

WHEREAS, the City has approved numerous development plans since 1985 along and adjacent to the 61st Avenue alignment; and

WHEREAS, the current study of this freeway includes the 61st Avenue alignment as one alternative; and

WHEREAS, the Phoenix City Council deems the 61st Avenue alignment to provide the best traffic service to the citizens of Phoenix and the region, of the alternatives now under study; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOLLESON that it **fully supports and endorses the 61st Avenue alignment**, between Interstate 10 West and 51 Avenue south of Elliot Road, as the most effective and efficient route for the South Mountain Freeway

PASSED by the Council of the City of Tolleson this 23rd day of March, 2004.

	<div></div> <div>Adolfo F. Gámez, Mayor</div>
ATTEST:	APPROVED AS TO FORM:
<div></div> <div>Chris Hagen-Hurley, City Clerk</div>	<div></div> <div>Scott W. Ruby, City Attorney</div>

CITY OF TOLLESON

RESOLUTION NO. 978

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, MARICOPA COUNTY, ARIZONA, SUPPORTING THE ORIGINAL ALIGNMENT FOR THE SOUTH MOUNTAIN FREEWAY (HIGHWAY 101 SOUTH EXTENSION) NEAR 55TH AVENUE IN THE CITY OF PHOENIX.

WHEREAS, in 1988 the Arizona Transportation Board approved (the "Approval") a north and south alignment of the South Mountain Freeway (Highway 101 South Extension) between 55th and 63rd Avenues in the City of Phoenix (the "55th Avenue Alignment"); and

WHEREAS, since the Approval and in reliance on the 55th Avenue Alignment, the City of Phoenix ("Phoenix") and the City of Tolleson ("Tolleson") have made long term land planning decisions and have expended substantial amounts of public funds assuming that a major freeway would be located in the vicinity of 55th Avenue and not at 99th Avenue; and

WHEREAS, based on the Approval and the land use decisions made by Phoenix and Tolleson, private businesses have located in the region and expended hundreds of millions of dollars assuming that a major freeway would be located in the vicinity of 55th Avenue and not at 99th Avenue; and

WHEREAS, Tolleson is comprised of approximately six (6) square miles, several of which are already utilized by the I-10 Freeway; and

WHEREAS, an alignment of the South Mountain Freeway in or near 99th Avenue would have devastating impact on Tolleson, including but not limited to:

A. Economic and functional destruction of one of only three major commercial north-south corridors in Tolleson,

B. Destruction of many of Tolleson's largest businesses which would result in a substantial loss of assessed valuation and jobs,

C. A lowering of Tolleson's assessed valuation would result in a significant increase in Tolleson's tax rate to be levied on the remaining residents and businesses in Tolleson,

D. An increase in the noise level in nearby Tolleson neighborhoods and schools, and

SWR:par 620402.1 12/09/05

E. The possible taking of two or three Tolleson wells and the water treatment plants associated with the wells and the taking of other significant local and regional utility facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. The Mayor and Council after careful examination of the potential impact of all proposed north-south alignments for the South Mountain Freeway, strongly endorses and supports the 55th Avenue alignment of the South Mountain Freeway made by the Arizona Transportation Board in 1988.

Section 2. The Tolleson Manager and Clerk are hereby directed to disseminate this resolution to the Arizona Department of Transportation, City of Phoenix, Federal Highway Administration and any other entities or agencies involved in the process of selecting the alignment of the South Mountain Freeway.

PASSED AND ADOPTED by the Mayor and Council of the City of Tolleson, Arizona, on this _____ day of December, 2005.

Adolfo F. Gamez, Mayor

ATTEST:

Chris Hagen, City Clerk

APPROVED AS TO FORM:

Scott W. Ruby, City Attorney

CERTIFICATION

I, Chris Hagen, the duly appointed and acting Clerk of the City of Tolleson, Arizona, do hereby certify that the above and foregoing Resolution No. _____ was duly passed by the City Council of the City of Tolleson, Arizona, at a regular meeting held on December _____, 2005, and the vote was ____ aye's and ____ nay's and that the Mayor and ____ Council Members were present thereat.

DATED: December 13, 2005.

Chris Hagen, City Clerk



City of Tolleson

9555 West Van Buren Street • Tolleson, Arizona 85353 • 623.936.7111 • fax
623.907.2629

To: Citizens Advisory Team

From: Mayor Adolfo Gamez, Vice-Mayor Jose Diego Espinoza, Council Members Kathy Farr, Estevan "Steve" Gem, Linda Laborin, Ana Solorio Tovar and Juan F. Rodriguez

Date: April 19, 2006

Re: Adverse Impact of the W101 Alternatives on the City of Tolleson

As members of the elected body charged with protecting and preserving the community of Tolleson, we offer the following responses to the numerous assumptions regarding the W101 alternatives based on the outdated data resulting from the Maricopa Association of Governments transportation study of 2003. Not only do we believe these assumptions to be skewed by the use of insufficient data, but they further distort perception by failing to consider the direct effect on a grossly underserved population – most notable of which is the 78% Hispanic population of Tolleson.

Existing Land Uses: At the heart of Tolleson's mission is the preservation of its most prime commercial properties that promise an economic foundation to support all municipal/social services delivered to a constituency comprised of more than 51% low-to-moderate income persons. Page 1 of 10 of the Draft Summary of Impacts for the Western Section Alternatives under the existing land use categories of Commercial/Industrial and Open Space/Undeveloped represents the entire 99th Avenue Growth Area hard zoned in Tolleson's General Plan for major retail uses. Based on current projections, this growth area's potential economic impact to our city ranges from 8 to 10 million dollars in retail sales tax revenues – a staggering amount when one considers Tolleson's six-square miles hosts only three major growth areas.



Office of the City Council

8401 West Monroe Street
Peoria, Arizona 85345
(623) 773-7306
Fax (623) 773-7301

May 10, 2006

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 South 17th Avenue, MD 100A
Phoenix, AZ 85007

Re: Recommended Alignment for Loop 202,
55th Avenue through the City of Phoenix

Dear Mr. Mendez:

The City of Peoria (City) has been indirectly involved in the discussions of where the appropriate alignment of the South Mountain freeway (Loop 202) should intersect with Interstate 10. The City firmly agrees with the recommendations of the Cities of Avondale, Goodyear, Litchfield, Phoenix and Tolleson, that the original alignment of 55th Avenue be the alignment of choice.

Sincerely,

John C. Keegan
Mayor

c: David A. Moody, P.E., Engineering Director

DAM/cg
\\admin\letters\Victor Mendez_from Mayor-0506

RESOLUTION NO. 20-06

A RESOLUTION OF THE COUNCIL OF THE TOWN OF BUCKEYE, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the Town of Buckeye (the "Town") has been presented with information by the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue (the 99th Avenue Alignments"); and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact the ability to develop 99th Avenue as a key West Valley commercial corridor, as is currently planned, and would have a negative impact on the future development of West Valley communities, particularly the important Cities of Tolleson and Avondale; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the "55th Avenue Alignment"); and

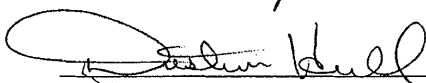
WHEREAS, the City of Phoenix, the City of Tolleson, the City of Avondale and the Town of Buckeye have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment, and changing the Alignment in the face of such long term reliance and planning is irresponsible and inappropriate,

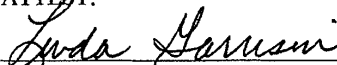
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF BUCKEYE as follows:

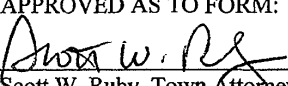
SECTION 1. That the Town hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the Town hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the Town of Buckeye, *April 18, 2006*.


Dustin Hull, Mayor

ATTEST:

Linda Garrison, Town Clerk

APPROVED AS TO FORM:

Scott W. Ruby, Town Attorney

RESOLUTION NO. 06-05
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GILA BEND, ARIZONA, HEREBY SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55th AVENUE.

WHEREAS, multiple cities and towns in Maricopa County have planned for the growth in their respective jurisdictions relying on the 55th Avenue alignment for the past two decades as previously approved by MAG;

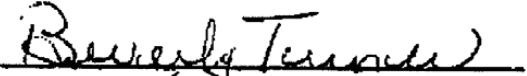
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GILA BEND, ARIZONA, AS FOLLOWS:

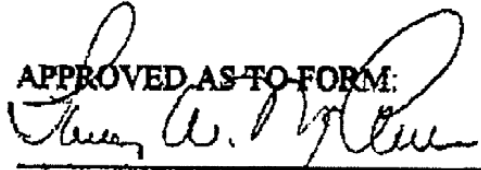
Section 1. That the Town of Gila Bend hereby opposes the 99th Avenue alignments for the South Mountain Freeway as proposed by ADOT

Section 2. That the Town of Gila Bend hereby supports ADOT moving forward with the 55th Avenue alignment as included in adopted Maricopa Association of Governments Regional Transportation Plan.

RESOLVED, PASSED, AND ADOPTED by a majority of a quorum of the members of the Town Council of the Town of Gila Bend present and voting this 25th day of April, 2006.


Daniel Birchfield, Mayor

ATTEST:

Beverly Turner, CMC
Town Clerk

APPROVED AS TO FORM:

Steven W. McClure
Town Attorney



February 15, 1990

Ms. Dorothy Hallock
Comprehensive Planner
Office of Planning and Evaluation
Gila Indian River Community
P.O. Box 97
Sacaton, Arizona 85247

RE: Contract No. 88-24
Price Expressway General Consultant
TRACS No. H-2222-01D
Existing R.O.W. definition along GRIC Boundary
(per discussion at 2-2-90 review meeting)

Dear Dorothy:

First of all, I wish to express our thanks to you and Mr. Antone for taking time out of your busy schedules to meet with ADOT at our HDR office on Friday, February 2, 1990. Although this writer was not present, our representatives, Mr. Larry Kyle and Mr. Oliver Antony, felt the design overview meeting was productive and beneficial to all.

The primary purpose of this letter is an endeavor to resolve the question (if there is in fact a question) of the GRIC boundary line location along the proposed Santan Freeway alignment. As Mr. Antony described your concern to me, the apparent reach in question is between Price Road westerly to the Kyrene Road area, where you indicated there is a "sliver" of property in question.

To that end, I am transmitting to you four (4) maps of the existing right-of-way points this office has developed, along the Santan alignment, for our client ADOT. Substantially all of the control monuments (i.e. section corners, quarter corners, etc.) have been field-surveyed, confirmed, and ground-grid coordinates have been calculated for these points. A great number of these control monuments were also utilized by ADOT when they provided topographic mapping to HDR for the above-referenced project, and this office has confirmed ADOT coordinate closures within one (1) part in 48,280; within a maximum coordinate deviation of 0.003 foot. Therefore, we feel our points shown are very accurate.

HDR Engineering, Inc.

Suite 205
3353 N. 16th Street
Phoenix, Arizona
85016-3226

Telephone
602 264-0731

Page Two
Ms. Dorothy Hallock
February 15, 1990

I would suggest you or your surveyor contact our surveying subconsultant, Mr. Steve Mortensen, Project Engineering Consultants (PEC), 3130 N. 35th Avenue, Suite #1, Phoenix, AZ 85017; Tel. (602) 484-7691, and resolve any differences. I will, likewise, direct Mr. Mortensen to contact you on this matter. We want to immediately resolve this issue, if there is in fact a problem, with the boundary line indicated. The two surveyors may have to resolve the issue with the Maricopa County Surveyor, if discrepancies are found. I am attaching a copy of the legal description you provided to HDR on 2-2-90, as a result of the review meeting, which describes to GRIR exterior boundary.

I hope the enclosed mapping will be beneficial to you. If we can be of any assistance, feel free to contact this writer or Mr. Mortensen at PEC.

Respectfully Submitted,

HDR ENGINEERING, INC.

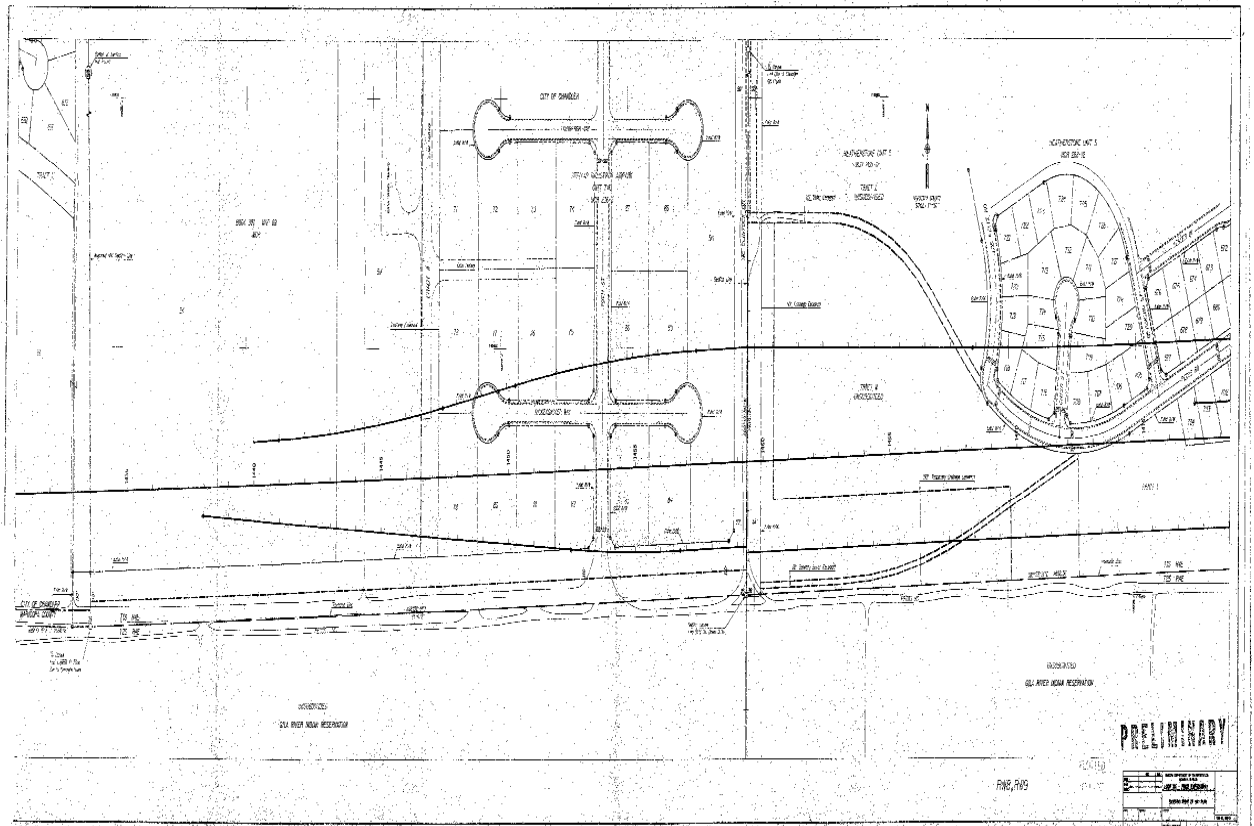
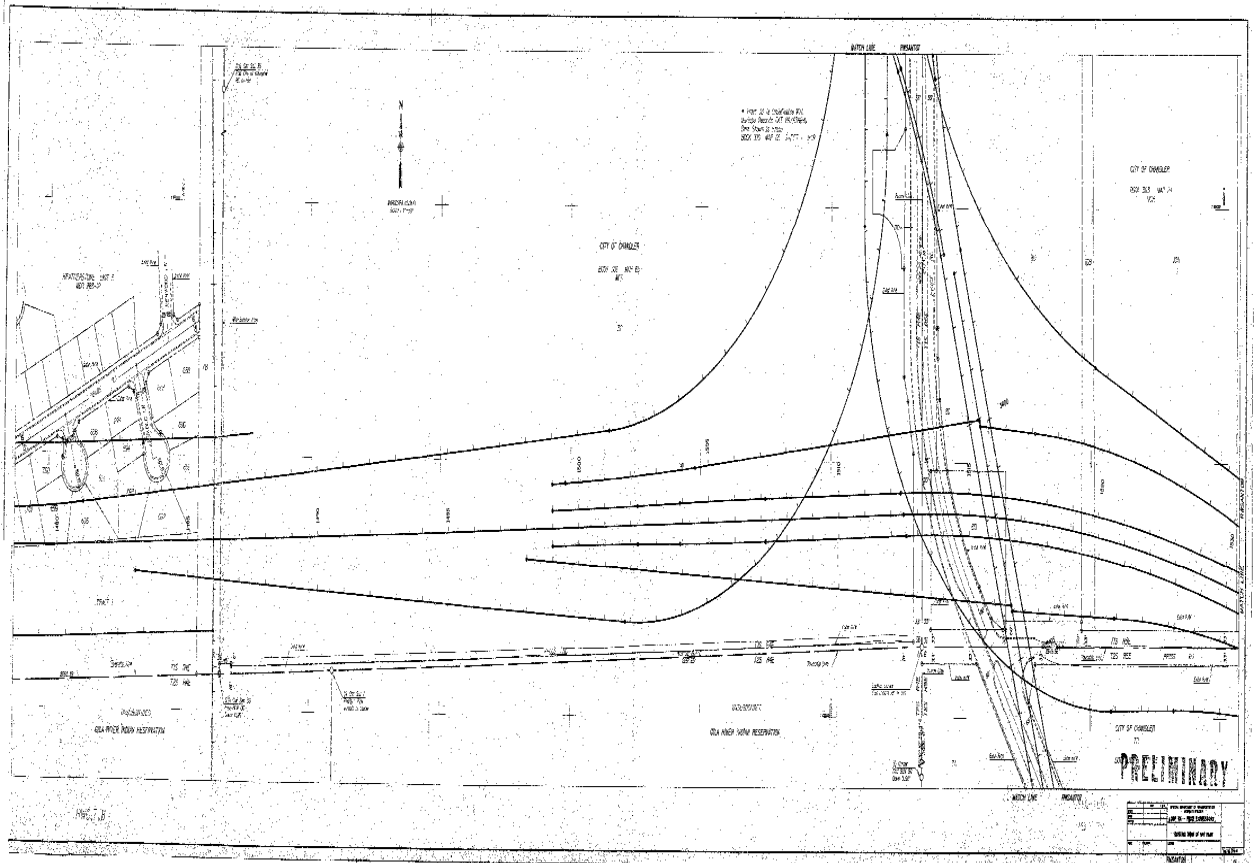
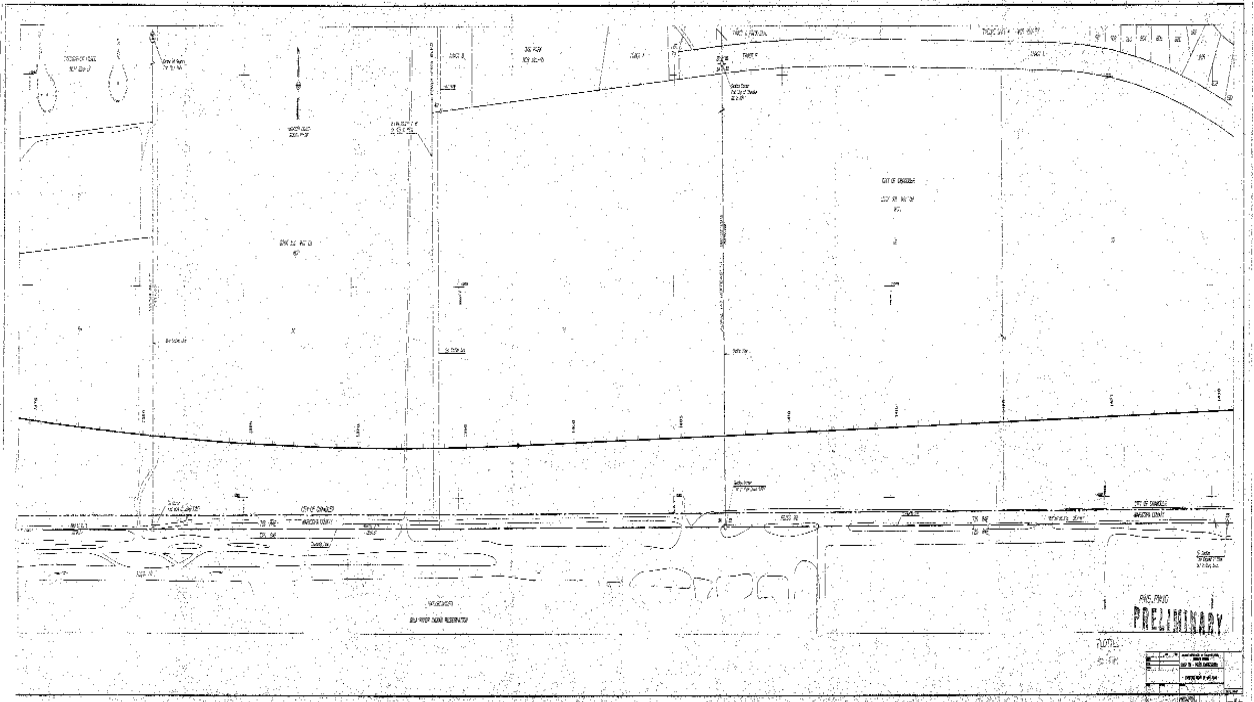
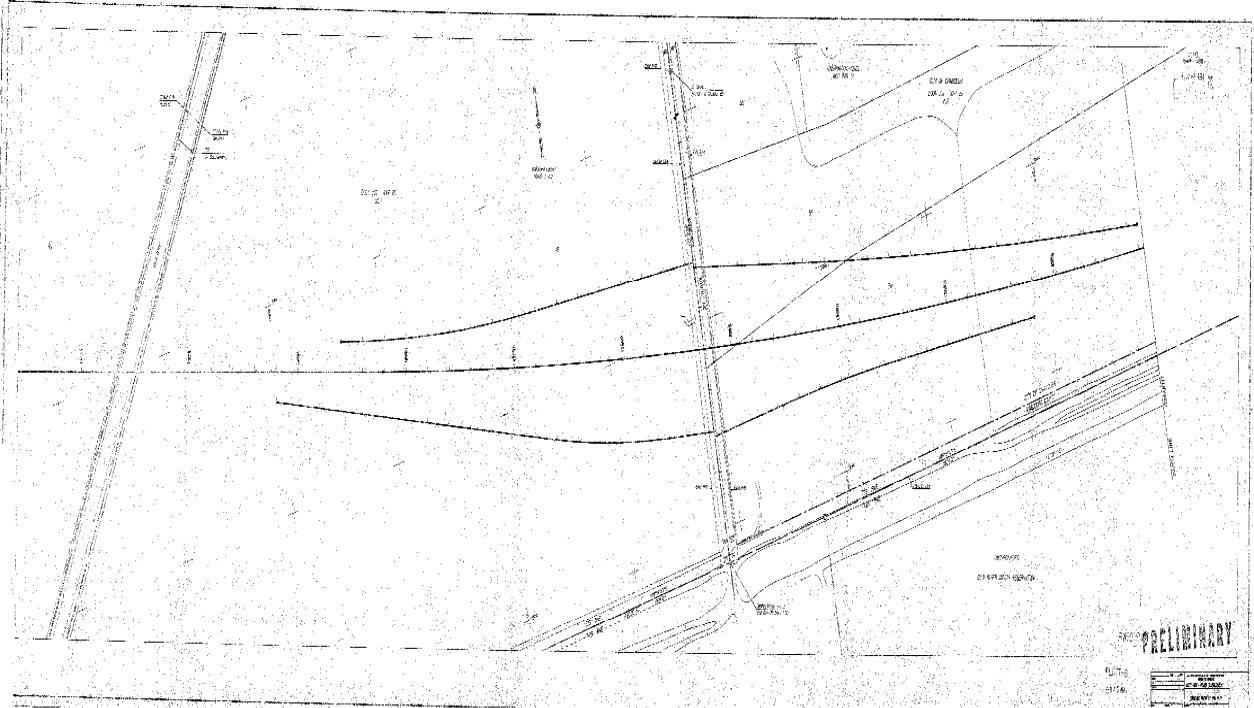
A handwritten signature in cursive script, appearing to read 'F. E. Heaston'.

F.E. "Woody" Heaston, P.E.
Project Manager - Price Road GEC

FEH/jm/abs

cc: Steve Mortensen (PEC) w/maps
George Wallace/Steve Martin (ADOT) w/maps
HDR File

Attachments: o Existing R.O.W. Maps, (Dwg. ERW-11, 12, 13 & 14) - Preliminary
o Minutes of 2-2-90 review meeting, and legal description from Ms. Hallock (legal description dated 9-12-89 - revised).



HDR Internal
Memorandum

To File

Date May 9, 1989

From Steve Miller

Subject Meeting with Gila River
Indian Community

Location: HDR

Attendance: Tim Morrison - GRIC
Richard Narcia - GRIC
Jerry Zovne - HDR
Steve Miller - HDR

TOPICS OF DISCUSSION

1. Southwest Loop Hydrology Sta 923 to 997

Flows were taken from Collar, Williams & White drainage report for Foothills Development. A copy of report and drainage map is available through City of Phoenix and CWW. Correlation between Master Drainage Plan Map (received by HDR, March 6, 1989) and S.W. Loop Design Concept Report discharges & locations was shown. A copy of the S.W. Loop Drainage Design Concept Report was given to GRIC. Jerry Zovne indicated that the GRIC had some input into the system in that the "level spreader" concept was design per GRIC concerns that discharging concentrated flows on reservation would not be acceptable. The GRIC desired sheet flows.

2. Southwest Loop Alignment and Schedule

Concern was expressed as to whether there might be a future alignment change, perhaps to Queen Creek, as the tribe had originally proposed. HDR has not been asked to analyze any other alignment or make any significant alignment adjustments. Construction scheduling for S.W. Loop was a GRIC concern. HDR suggested that GRIC return and talk with Woody Heaston, Project Manager, concerning proposed scheduling.

3. Interchange at South Mountain Park

The Tribe is planning an economic development area along Queen Creek and may be interested in an interchange with the Southwest Loop at South Mountain Park to accommodate access to the Queen Creek Road area. HDR referred to a pictorial of the S.W. Loop with interchanges (presently proposed) highlighted - no interchange is indicated at the South Mountain Park location, six (6) other interchanges are indicated.

4. GRIC asked if HDR had proposed on the Maricopa Road improvement. HDR indicated that we thought that we were in the process of doing so.

5. Gila Drain

GRIC indicated that the Tribe thought the Gila Drain was a stormwater conveyance option for the freeway system. HDR indicated that ADOT had requested a short study on that option. However the General Plan, which we are currently working under, is to pump water from I-10 to Price Road into the Carriage Lane detention basin and storm sewer outfall north to the Price Road Tunnel to the Salt River.

GRIC asked if there were cost savings with the Gila Drain Option. HDR indicated that ADOT would be better able to discuss that with them. HDR discussed the alternatives considered (in general terms) and depending upon the particular alternative and the specific items considered, there may be a net cost savings. Also, HDR is presently redefining the off-site hydrology to quantify stormwater runoff to be handled by the drainage system - this could influence the results of the Gila Drain study. GRIC concluded that if GRIC were to allow ADOT to use the Gila Drain, the decision would have to be made quickly. We confirmed that ADOT has placed a high priority on completing the Price Expressway. The Price Tunnel construction is nearly complete, and final design of Carriage Lane outfall is under way. GRIC also said that the Tribe might be willing to swap use of the Gila Drain for a Queen Creek intersection on S.W. Loop.



6. GRIC mentioned that the Corps of Engineers was beginning another study of drainage for the Reservation, but did not know the details. HDR discussed some of our observations about hydrology in the area and changes that had occurred since the Corps' 1977 study. Future development of the Price/Santan will essentially eliminate runoff contributions to the Reservation from the Tempe/Chandler/Gilbert areas (up to 100-year frequency). Present construction of Price Tunnel/Carriage Lane Outfall will also eliminate considerable stormwater from the Mesa area. The 1977 Corps plan was to route the stormwater from all of these areas out through Western Canal and the Gila Drain R.O.W.

\jm\aab

cc: George Wallace, ADOT
Steve Martin, ADOT
Ray Jordan, ADOT

August 2, 2001

Mr. Fred Ringlero
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, Arizona 85247

HDR

RE: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Ringlero:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated July 9, 2001. This study will evaluate potential transportation improvements, including a potential new freeway, around South Mountain between the southeast valley and the northwest valley. The study will require entry onto GRIC lands over the study duration of three years for a variety non-destructive project tasks. We are requesting a blanket Right of Entry permit for the project team to enter GRIC lands for the project duration for the following general types of work:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

Attached is a map showing the general GRIC limits expected to be included in the study. Also attached is a list of personnel, and a list vehicle makes, models, and license plate that may enter GRIC lands during the project. Please advise if there is anything else you need for approval of this Right of Entry request. Thank you for your help.

Sincerely,

HDR ENGINEERING, INC.



Stephen A. Martin, P.E.
Project Manager

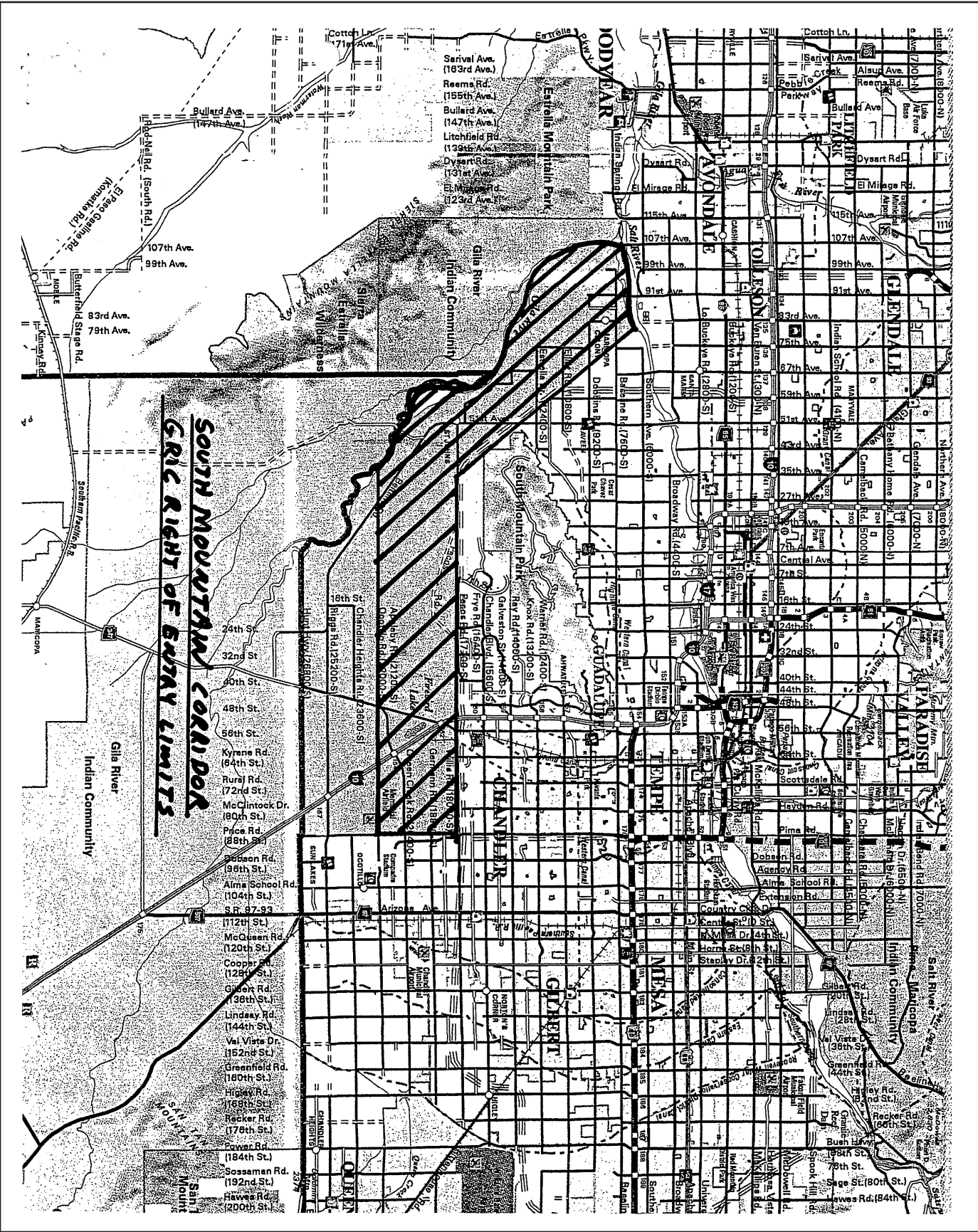
CC: Mary Viparina, ADOT
Sandra Shade, GRIC
File ✓

HDR Engineering, Inc.

Employee Owned

2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

Telephone
602 508-6600
Fax
602 508-6606



GILA RIVER INDIAN COMMUNITY RIGHT OF ENTRY LIST
SOUTH MOUNTAIN FREEWAY DCR/EIS

Personnel

Jack Allen
Jeff Anderson
Paul Basha
David Bender
Vaughn Bennett
Buzz Bond
Randy Bong
Mark Brodbeck
Sirena Brownlee
David Buras
Kelly Cairo
Geri Chavez
Julie Christoph
Bob Collier
Tom Cooney
Marty Craig
Mike Dennis
Chris Dicks
Debra Duerr
Amy Edwards
Celeste W. Daisy Eldridge
Jami Erickson
Bob Esposito
Shannon Evans
Kelly Fletcher
Robert Forest

Daniel Frechette
John Godec
Fiona Goodson
Ed Green
Theresa Gunn
Jackie Guthrie
Lawrence A. Hansen
Andrea Helmstetter
Pat Higgins
Ron Holmes
Cris Howard
Scott W. Johnson
Robert M. Jones
Michele Kogl
Larry Lacy
Owen Lindauer
Jeremy A. Lite
Eric Lovstad
Richard Mackey
Stephen Martin
Linda Meronek
Robert A. Mongrain
Anne Morris
Tracy Osborn
Dana Owsiany
Monica Perez

David E. Peterson
Danny Piemontesi
Bill Rawson
Steven A. Raye
Stephen R. Rouse
Dave Schettler
Gary N. Shepard
Wesley A. Shonerd
Tom Shreeve
Erick Skulstad
Jesse Sonnerville
Chuck Stroup
Michael A. Sussman
Ryan Tanner
Joe Todaro
Jewel Touchin
Darrell Truitt
Mary Vigarina
Mike Walz
Dustin Watson
Kurt Watzek
Karen Wigglesworth
Elijah Williams
Greg Wold

Vehicle Information

Make and Model	AZ License Plate No.	Make and Model	AZ License Plate No.
1993 Honda Accord	549-GRA	2001 Chevrolet Silverado (SB,T)	074-FEF
2001 Jeep Grand Cherokee	881-GBD	2001 Chevrolet Silverado (SB,T)	073-FEF
2001 Jeep Sport Cherokee	883-GBD	2001 Chevrolet Silverado (SB,T)	118-FGC
Chevrolet S-10 Pickup, white	LCK-998	2001 Chevrolet Silverado (XC,4WD,V8,S)	CB-13734
Dodge Avenger, grey	MSS-043	2001 Chevrolet Silverado (SC,2WD,V8,C)	CB-13736
Chevrolet Tahoe, grey	892-GGM	2001 Nissan Sentra GXE	CB-61335
Honda Civic, black	014-CSB	2001 GMC Sierra (XC,2WD,V8,S)	CB-74325
VW Passat, beige	009-GNZ	1996 Chevrolet Suburban	332-FEE
Dodge Sport, green	361-CYM	Ford F-250 4WD	936-FKK
Chevrolet Celebrity Stationwagon	G88-4BZ	2000 Mercury Mountaineer	161-EHL
Ford Taurus	G29-5BA	1998 Toyota Pickup	CYCLONE
Mercury Cougar	LWE-411	1985 Chevrolet Silverado	1573-MN
1995 K-1500 4WD (S,SB)	5BA-590	1990 Oldsmobile Cutlass	954-BZL
1996 K-1500 (LB,S)	5BA-591	1994 Chevrolet Pickup	4WX-757
1996 Mazda Miata	NEW-104	GMC Sierra Pickup	AF7-41D
1996 Chevrolet S-10 P/U	5BZ-877	2001 Acura MDX	667-GGE
1997 Ford F-150 (LB,S)	5EF-353	2000 Honda Passport	975-FHD
1997 Ford F-150 (LB,T)	5EK-506	2000 Honda Accord	EX5-184
1997 Ford F-150 (LB,T)	5EF-302	2001 Nissan Frontier	605-GMF
1997 Ford F-150 (LB,T)	5EK-513	1987 Toyota 4-Runner	EHV-596
1997 Ford F-150 (LB,T)	5EF-303	1990 Isuzu Trooper	IUG-RAD
1997 Toyota Camry	5EF-572	1994 Isuzu Trooper	KZX-830
1997 Ford F-150 (LB,T)	5EF-480	Honda CRV	430-FZD
1997 Ford F-150 (XC,SB,T)	5EF-481	Ford Ranger Pickup	LWR-890
1997 Toyota Tacoma	CB-06402	Honda Accord	308-AWL
1998 K-1500 (XC,SB,C)	CA-03283	Honda Accord	DJV-393
1998 Ford F-150 (4WD,XC)	CA-07609	Nissan Pickup	110-BHH
1998 Ford F-150 (XC,SB,C)	CA-37990	Toyota Tacoma Pickup	509-DGB
1999 Ford F-150 (XC,C)	CA-46541	Nissan Pickup	766-KTR
1999 Ford F-150 (XC)	CA-42187	Chevrolet Astro Van (HDR)	J32-304
1999 Ford F-150 (SB,T)	CA-42186	Toyota Pickup	GVJ-669
1999 Ford F-150 (SB,T)	CA-42184	1996 Dodge Grand Caravan	NFL-406
1999 K-1500 (SB,T)	832-CXB	1997 Chrysler Sebring	868-BHH
1999 K-1500 (SB,T)	834-CXB	1988 Isuzu Trooper	ESV-904
1999 K-1500 (SB,T)	CA-72575	1995 Mazda Miata	MAE-123
1999 K-1500 (SB)	CA-72574	2000 Land Rover Discovery	452-FWT
1999 Ford F-150 (LB)	595-JZL (NV)	1995 Dodge Ram Pickup	MJZ-791
1999 Ford F-150 (LB,T)	756-JZJ (NV)	1999 Dodge Durango	060-DVP
2000 Ford F-150 (XC,SB,V8,S)	CB-02797	1998 Ford F-150	CA-13555
2000 Ford F-150 (XC,SB,V8,S)	CB-02798	1999 Ford F-250	CA-77781
2000 Ford F-150 (XLT, XC,SB)	CB-06555	1999 Ford F-250	CA-77780
2000 Chevrolet Silverado (SB,P)	CB-07832	1991 Ford F-350	4GV-807
2000 Chevrolet Silverado (SB,T)	CA-93575	2000 Chevrolet Blazer	CB-44975
2001 Chevrolet Silverado (SB,T)	CA-18355		
2001 Chevrolet Silverado (SB,P)	CB-05985		
2001 Chevrolet Silverado (SB,P)	CB-05986		



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

DEPARTMENT OF LAND & WATER RESOURCES
Land Use Planning & Zoning
Survey & Engineering
Facilities Maintenance
Pima-Maricopa Irrigation Project
Irrigation Rehabilitation

POST OFFICE BOX E
(520) 562-3301
(480) 899-0092
(520) 836-7291
FAX (520) 562-4008

Mr. Earl Lara, Chairman
Natural Resources Standing Committee
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Re: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Lara and Committee Members:

Our office has received a request for a Right of Entry (ROE) Permit for the South Mountain Freeway DCR/EIS Study submitted by Mr. Stephen Martin, Project Manager from HDR Engineering, Inc. a consultant for Arizona Department of Transportation (ADOT). We have attached a copy of request by HDR for your review and approval.

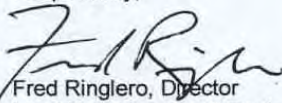
HDR/ADOT is seeking approval for a blanket ROE permit to cover the areas in District Four, District Six and District Seven. See the attached map for the areas that will be covered by ROE.

I have reviewed request and would like to recommend a smaller area of study, due to the fact that the tribe and districts have discussed this matter at length when the tribe and landowners were discussing the alignment of the proposed South Mountain Toll Road Development. Our office is recommending the alignment that was approved by the Tribal Councils action when approving the Gila Borderlands Study.

With your approval, HDR will immediately set up the process to set aerial targets in the approved areas in order to have aerial mapping to do the necessary designing and studies for the South Mountain Freeway.

Again, our office is recommending a smaller area of study. Our office and HDR will be present to make request and to answer any questions you and the committee members may have.

Respectfully,


Fred Ringlero, Director
Land Use Planning & Zoning

Cc: Richard Narcia, Lt. Governor
Lee Thompson, Director DLWR
Sandra Shade, Director GRDOT
Pat Mariella, Director GRDEQ
Mike Johnson, BIA Pima Agency Realty Specialist
Stephen A. Martin, HDR Project Manager

August 29, 2001

Mr. Fred Ringlero
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, Arizona 85247

RE: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Ringlero:

Pursuant to the Natural Resources Committee Meeting this morning, I have attached a revised map of the proposed Right of Entry Permit boundary limits. This map is consistent with your recommendation for a more limited study area that will encompass the general alignment studies already approved for consideration through prior Council Resolution. The eastern area is a three-mile wide corridor south of Pecos Road from the eastern reservation boundary to the Gila River. The western area is bounded by the Gila River, the Salt River, and the eastern reservation boundary.

As we discussed, we have no problem with limiting the study area, however, we will need to eventually get an official Council Resolution or other official action requesting the study to be limited to a specific area. We do not need the official action to move forward with the Right of Entry and the study tasks, but we will need it before the study is concluded.

If you have any questions or need additional information, please contact me at 602-508-6642. Thank you for your assistance. We look forward to working with you and the Community on this important study

Sincerely,

HDR ENGINEERING, INC.

Stephen A. Martin, P.E.
Project Manager

CC: Mary Viparina, ADOT
Sandra Shade, GRIC
Bill Vachon, FHWA
File

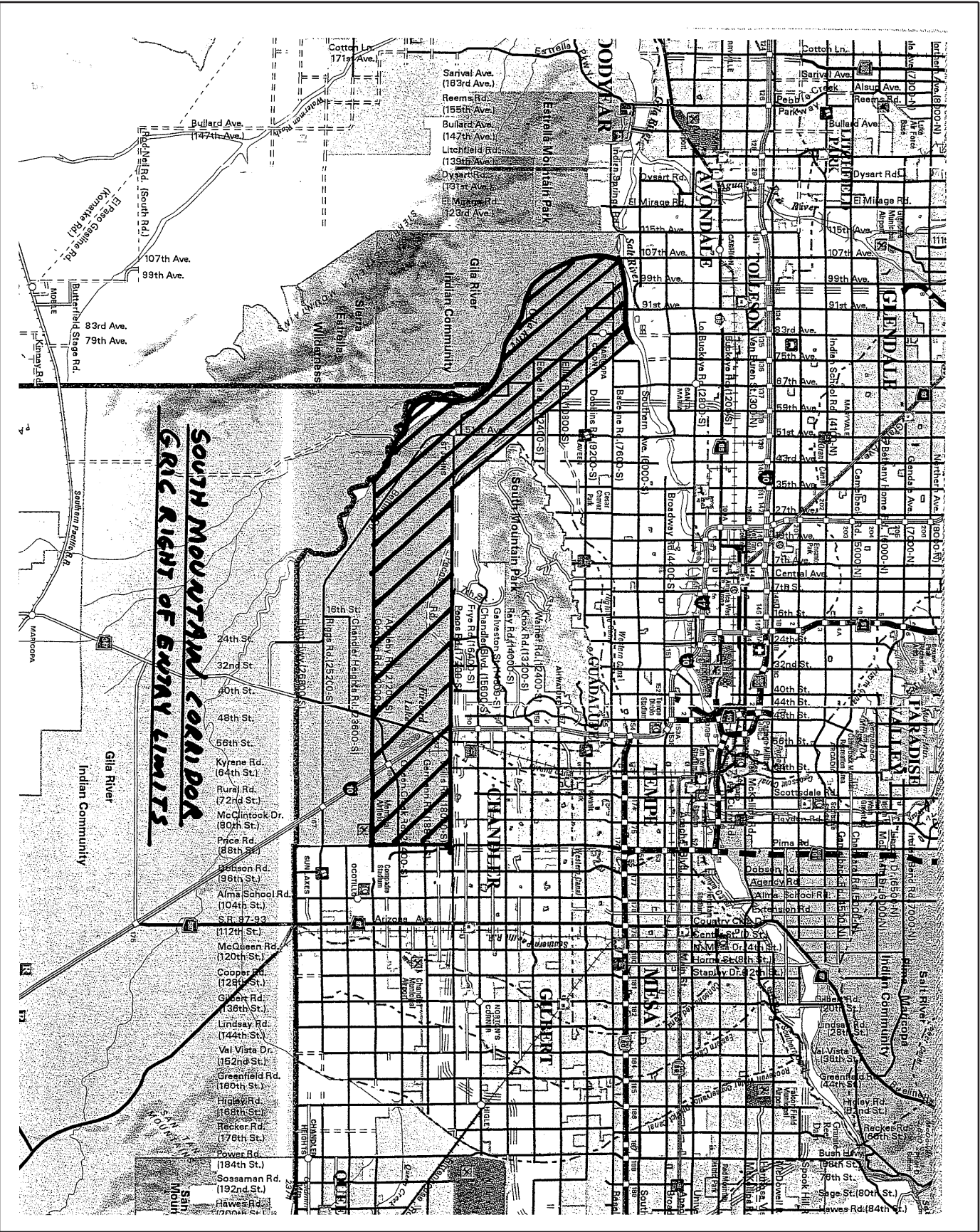
cc: Ralph Ellis, ADOT

HDR Engineering, Inc.

Employee Owned

2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

Telephone
602 508-6600
Fax
602 508-6606



August 30, 2001



Ms. Sandra Shade
Department of Transportation Director
GRIC
315 W. Casa Blanca Road
Post Office Box 97
Sacaton, AZ 85247

RE: South Mountain Corridor DCR/EIS Study

Dear Sandra:

The following information has been provided in response to questions raised during the August 29, 2001 Natural Resources Standing Committee.

NEPA-404 Integration Process and Section 404(b)(1)

The general intent of the NEPA-404 Integration Process as established among the FHWA, COE, EPA, and USFWS, was to ensure that provisions set forth in the Section 404(b)(1) of the Clean Water Act are considered in the development of the project purpose and need and the alternatives selection process for a FHWA-sponsored project. These provisions are the criteria used by the COE and EPA to evaluate alternatives that involve the discharge of dredged or fill material into waters of the U.S. Section 404(b)(1) is the U.S. Army corps of Engineers policy for environmental assessment of project alternatives and their impacts to waters of the U.S. when permits are required. The purpose of the Section 404(b)(1) policy is to restore and maintain the chemical, physical and biological integrity of the waters of the U.S.

These guidelines require the COE permit only the least environmentally damaging, practicable alternative. An alternative is practicable if it is available or capable of being done, taking into account cost, logistics and existing technology in light of the overall project purposes. Generally, this process is intended to integrate the FHWA NEPA process with the 404(b)(1) requirements to help ensure that at the end of the NEPA process the agencies concur with the recommended alternative.

Section 4(f)

It is national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. In the USDOT Act of 1966, a special provision was included to provide protection to these resources. It is known as Section 4(f) and it stipulates that the FHWA will not approve any program or project which requires the use of any publicly owned public park, recreation area, or wildlife or waterfowl refuge, or any land from an historic site of national, state or local significance unless:

- there is no feasible and prudent alternative to the use, and
- all possible planning to minimize harm resulting from such use is included.

HDR Engineering, Inc.

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Sandra Shade
GRIC
Page 2
August 30, 2001

Specifically, Section 4(f) of the U.S. Department of Transportation Act of 1966 states that the FHWA “may approve a transportation program or project requiring publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if there is no prudent or feasible alternative to using that land and the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use” (49 U.S.C. 303).

A ‘use’ of a Section 4(f) resource, as defined in 23 CFR 771.135 (p), occurs: (1) when land is permanently incorporated into a transportation facility, (2) when there is a temporary occupancy of land that is adverse in terms of the statute’s preservationist purposes, or (3) when there is a constructive use of land. A constructive use of a Section 4(f) resource occurs when the transportation project does not incorporate land from the Section 4(f) resource, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. For example, a constructive use can occur when:

- The projected increase in noise level attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 4(f);
- The proximity of the proposed project substantially impairs aesthetic features or attributes or a resource protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the resource. An example of such an effect would be locating a proposed transportation facility in such proximity that it obstructs or eliminates the primary views of an architecturally significant historical building, or substantially detracts from the setting of a park or historic site which derives its value in substantial part due to its setting; and/or
- The project results in a restriction on access that substantially diminishes the utility of a significant publicly-owned park, recreation area, or historic site.

When FHWA is assessing the environmental effects of an action through the NEPA process, they include an evaluation of the use of land protected under Section 4(f). The environmental regulations for applying Section 4(f) to transportation project development can be found at 23 CFR 771.135. For other detailed guidance on applying the requirements of Section 4(f), the FHWA wrote the Section 4(f) Policy Paper, which discusses such topics as the history of Section 4(f), alternative analysis, mitigation and how Section 4(f) relates to other statutes and regulations which protect the same types of resources.



Sandra Shade
GRIC
Page 3
August 30, 2001

Section 4(f) Regulations and Guidance:

- Legislation: 23 U.S.C. Section 138 - Preservation of Parklands
- Regulation: 23 CFR 771.135
- 4(f) Policy Paper
- FHWA's *Environmental Guidebook*

Cumulative Impacts

NEPA requires that the potential direct, secondary, and cumulative impacts of a federally funded project be identified, evaluated and mitigated as appropriate. Within the context of NEPA, secondary effects are defined by the CEQ as impacts that are "caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable" (40 CFR 1508.8). Cumulative effects are defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions...." (40 CFR 1508.7). If a project does not *directly* impact a particular environmental resource, the project would not contribute to a *cumulative* impact on that resource.

Secondary and Cumulative Impacts Assessments are conducted in accordance with FHWA and CEQ regulations and guidance documents, including the January 1997 CEQ handbook titled *Considering Cumulative Effects Under the National Environmental Policy Act* and the April 1992 FHWA position paper titled *Secondary and Cumulative Impact Assessment in the Highway Project Development Process*.

"Cumulative impacts" is the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency ... or person undertakes such other actions. 40 CFR 1508.7 (This is the effect on the resource from all the actions occurring in the area over time.)

Secondary (Indirect) Impacts

"Secondary (Indirect) impacts" are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and ... related effects on air and water and other natural systems, including ecosystems. 40 CFR 1508.8(b) (This is the indirect effect caused by our project alone. The focus is "but for our project" the effect would not occur.)

An accumulation of indirect effects can cause a cumulative impact. A cumulative impact is not a secondary impact. Many times secondary impacts are discussed with cumulative impacts because they both address the same reasonably and foreseeable future. However, each is distinctly different.

Sandra Shade
GRIC
Page 4
August 30, 2001

Drainage Impacts

Drainage is one of many engineering and environmental factors that will be considered in developing and selecting alternatives during the EIS process. All alternatives will consider hydrologic (runoff) and hydraulic (conveyance) impacts as well as water quality and biological impacts (Section 401, 404, 404(b)(1) requirements) to drainage and waterways. Specific impacts and potential mitigation measures will be determined during the study as part of the alternatives analysis process.

If you need additional information or have further questions, please do not hesitate to contact me.

Sincerely,

HDR ENGINEERING, INC.



Stephen A. Martin, P.E.
Project Manager

cc: Ralph Ellis, ADOT
Bill Vachon, FHWA
Mary Viparina, ADOT
File

December 27, 2001

Mr. Gary Cooper
President of the Board of Directors
Gila River Casinos
P.O. Box 6790
Chandler, AZ 85246

Via 520.796.7714 (fax)

Dear Mr. Cooper,

As we discussed in our telephone conversation yesterday, I was referred to you by Michael Harrison and referred to Mr. Harrison by Gary Bohnnee.

I am submitting this letter as a formal request for monthly use of a meeting facility at Vee Quiva casino for citizen advisory group meetings that will be held in conjunction with a three-year South Mountain Corridor Environmental Impact Statement (EIS) study. The citizen advisory group, made up of stakeholders from the area, will include several members of the Gila River Indian Community.

The Arizona Department of Transportation and Federal Highway Administration have given us the task of conducting an EIS in an area of the south and southwest Valley to explore the purpose and need and alternatives for possible transportation improvements in the area. The Gila River Indian Community (GRIC) is an active participant in this project. Our team meets monthly with a GRIC Task Force assigned to monitor this project led by Sandra Shade, Director of the GRIC Department of Transportation.

We will need a meeting room capable of holding approximately 40 people around tables set up in a horseshoe configuration. The first meeting of this group is planned for Saturday, January 26. We expect this first meeting to begin at approximately 8am and last most of the day. Subsequent monthly meetings will likely be scheduled on weekday evenings from approximately 6pm to 9pm on days when your facility could be made available to us.

If you have any specific questions about this study or our request I would be happy to answer them. As I mentioned in our telephone conversation we would also be happy to present the specifics of this project to the Board of Directors of Gila River Casinos at your convenience. The South Mountain Corridor Study website is at <http://www.dot.state.az.us/ROADS/SouthMtn/index.htm>.

Gary Cooper Letter
Page 2

Thank you for your time on the phone and your consideration of this request.

Sincerely,
South Mountain Project Team

John D. Godec
602.266.5556

cc:

Sandra Shade
Gary Bohnnee
Mary Viparina
Ralph Ellis
Steve Martin
Jack Allen
Theresa Gunn

January 10, 2002

Bob Broscheid
Project Evaluation Program Supervisor
Arizona Game and Fish Department
Habitat Branch
2221 W. Greenway Road WM-HB
Phoenix, AZ 85023



Re: South Mountain Corridor Study

Dear Mr. Broscheid:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing a South Mountain Corridor Study and an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway. This investigation will take approximately three years to complete, and will include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

The legal location of the study area, not including locations that occur on the Gila River Indian Community, is: Township 2 North, Range 1 East, Sections 33-36; Township 2 North, Range 2 East, Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East, Sections 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Sections 1 and 12; Township 1 South, Range 2 East, Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East, Sections 31-33.

An EIS will be prepared if it is determined that there is a need for a major transportation improvement required in the South Mountain area. It will be prepared to address increased development within the project area, changes in design standards and environmental regulations, and to qualify for federal funds. This new study will start from the beginning and will consider all reasonable alternatives. The corridor being considered can be generally described as: I-10 on the west between 43rd and 107th Avenues, between the Gila River and South Mountain, and I-10 on the east between Pecos and Queen Creek Roads (see attachment).

HDR, Inc. has been retained by ADOT to prepare a South Mountain Corridor Study and an Environmental Impact Statement for this project. On behalf of the ADOT and FHWA, HDR Engineering, Inc. requests a species list, critical habitat, or any additional information that would be pertinent to the proposed project. A response received by February 11, 2002 would be greatly appreciated. Comments should be addressed to Ms. Fiona Goodson, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

Thank you for your assistance.

Sincerely,
HDR ENGINEERING, INC.

Fiona Goodson
Environmental Planner

Attachments Enclosed

HDR Engineering, Inc.

Employee Owned

Park One
2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

Telephone
602 508-6600
Fax
602 508-6606

January 10, 2002

Dr. George Brooks
PMIP
P.O. Box C
Sacaton, AZ 85247



Re: South Mountain Corridor Study

Dear Dr. Brooks:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing a South Mountain Corridor Study and an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway. This investigation will take approximately three years to complete, and will include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

The legal location of the study area occurring on the Gila River Indian Community is: Township 1 North, Range 1 East, Sections 31-35; Township 1 South, Range 1 East, Sections 1-17 and 20-26; Township 1 South, Range 2 East, Sections 7, 17-21, and 27-35; Township 2 South, Range 2 East, Sections 1-17 and 22-24; Township 2 South, Range 3 East, Sections 1-24; and Township 2 South, Range 4 East, Sections 4-9, and 15-22.

An EIS will be prepared if it is determined that there is a need for a major transportation improvement required in the South Mountain area. It will be prepared to address increased development within the project area, changes in design standards and environmental regulations, and to qualify for federal funds. This new study will start from the beginning and will consider all reasonable alternatives. The corridor being considered can be generally described as: I-10 on the west between 43rd and 107th Avenues, between the Gila River and South Mountain, and I-10 on the east between Pecos and Queen Creek Roads (see attachment).

HDR, Inc. has been retained by ADOT to prepare a South Mountain Corridor Study and an Environmental Impact Statement for this project. On behalf of the ADOT and FHWA, HDR Engineering, Inc. requests a species list, critical habitat, or any additional information that would be pertinent to the proposed project. A response received by February 11, 2002 would be greatly appreciated. Comments should be addressed to Ms. Fiona Goodson, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

Thank you for your assistance.

Sincerely,
HDR ENGINEERING, INC.

Fiona Goodson
Environmental Planner

Attachments Enclosed

HDR Engineering, Inc.

Employee Owned

Park One
2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

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602 508-6600
Fax
602 508-6606

May 30, 2002

Natural Resources Conservation Service (NRCS)
Mr. Jeff Schmidt
3003 N. Central Ave. #800
Phoenix, AZ. 85012

RE: Request for Prime and Unique Farmland (PUF) Determination; South Mountain Freeway Corridor Project

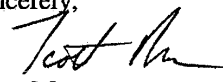
Dear Mr. Schmidt:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway Corridor Project, as required by the National Environmental Policy Act. This investigation include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

We are requesting a PUF determination from the NRCS, for the proposed study area. We understand that a PUF determination was completed in the past for part of the study area, but due to new scoping requirements and additional proposed alignments, we feel a new determination is warranted. Attached you will a Geographical Information System (GIS) map which includes the study area boundary, and potential PUF which were designated based upon NRCS soil mapping data. If possible, we would appreciate a response by June 28, 2002.

Please contact me at (602) 508-6620 if you have any questions, or need additional information.

Sincerely,


Scott Mars

HDR Engineering

C: Andrea Helmstetter, HDR Engineering

HDR Engineering, Inc.

Employee Owned

2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

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602 508-6600
Fax
602 508-6606



ONE COMPANY | *Many Solutions* SM

October 28, 2002

Ms. Mary Viparina
Senior Project Manager
Arizona Department of Transportation
205 S. 17th Avenue, Mail Drop 614E
Phoenix, AZ 85007

RE: South Mountain Transportation Corridor EIS and L/DCR
Methodology Reports

Dear Ms. Viparina:

Please find attached a copy of the draft Methodologies Report for the above-referenced project. Pursuant to the consensus-based approach associated with the project, this report presents the methodologies proposed to analyze impacts for the National Environmental Policy Act topical environmental elements.

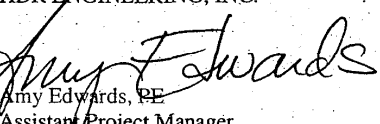
We cordially ask that the methodologies proposed be reviewed by the appropriate ADOT staff. Specific methodologies, geotechnical, hazardous waste, and utilities, have already been subject to ADOT review. Upon completion of ADOT review (and under the assumption that no substantial changes are warranted), we ask that the report then be forwarded to the FHWA Arizona Division for review. The goal of obtaining team consensus on the proposed methodologies is to minimize the chance of substantial changes to the studies once completed.

To facilitate the review process, we have forwarded three (3) copies of the draft Methodologies Report to Mr. Thor Anderson for distribution to the reviewers.

Please keep in mind that the attached has not been formatted per the project's style guide as it is considered a working document. If you should have questions, please call me at (602) 508-6648.

Sincerely,

HDR ENGINEERING, INC.


Amy Edwards, PE
Assistant Project Manager

cc: Thor Anderson (3 copies)

HDR Engineering, Inc.

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Suite 250
Phoenix, AZ 85016-4736

Phone: (602) 508-6600
Fax: (602) 508-6606
www.hdrinc.com



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October 31, 2002

Andrew Darling
Project Director
GRIC Cultural Resource Mgmt. Program
P.O. Box 2140
Sacaton, AZ 85247

Re: South Mountain Transportation Corridor EIS and L/DCR

Dear Andrew:

On September 26, 2002, HDR, ADOT and FHWA participated in a Project Owners Team Meeting. The intent of the meeting was to discuss where we are now in the project and recommendations on where we go next.

To date, we are continuing to coordinate with the Gila River Indian Community (GRIC) regarding the potential for an alternative on their lands. While this coordination continues, the decision was made in the Project Owners Team Meeting to go forward with development and screening of all non-GRIC alignments. As such, alignments have been developed and are being reviewed with the stakeholder jurisdictions. Once this coordination is complete, the alternatives will be finalized for impacts screening. Impacts screening data will be acquired from the GIS database. Specific technical authors will be asked to confirm the impacts prior to a screening meeting. The screening meeting will be scheduled for mid-December.

Upon completion of the screening meeting, all project team members will be apprised of what alternatives were selected to move forward into the detailed analysis of the draft EIS.

We appreciate your assistance in making the recent project slow down productive. We look forward now to moving toward successful project completion. Attached is an updated project schedule.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards, P.E.
Assistant Project Manager

HDR Engineering, Inc.

Park One
2141 East Highland Avenue
Suite 250
Phoenix, AZ 85016-4792

Phone: (602) 508-6600
Fax: (602) 508-6606
www.hdrinc.com

This letter was also sent to John Ravesloot, Gila River Indian Community, Cultural Resource Management Program



ONE COMPANY | *Many Solutions* SM

May 21, 2003

Ms. Cindy Lester
Arizona Section Chief
U.S. Army Corps of Engineers
3636 North Central Avenue, Suite 760
Phoenix, AZ 85012

RE: South Mountain EIS and L/DCR

Dear Ms. Lester:

The South Mountain Transportation Corridor Study Team will be combining Chapter 3 (affected environment) and Chapter 4 (impacts) into one chapter for the Environmental Impact Statement (EIS). In the past, these chapters typically have been separate; however, there has been a recent trend to combine the chapters into one. We have discussed the matter with the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) and have investigated where it has been done before and how it was received.

In general, there is support for combining the chapters from those we questioned who have used this approach. To avoid redundancy, some have shortened Chapter 3 to approximately a five page environmental setting overview and all the details have been put in Chapter 4, with the acceptance of the FHWA. It should be noted that the approach has been used for Environmental Assessments but is not recognized for an EIS because the Council on Environmental Quality guidelines clearly call out for a two chapter approach. Further coordination of this issue will occur with ADOT and FHWA. Assuming the issue is satisfactorily resolved in the view of FHWA and ADOT, we will combine Chapter 3 and Chapter 4 in the EIS. It is our belief that document readability and succinctness will be better achieved by doing so.

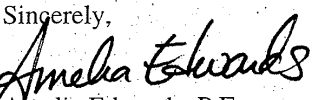
HDR Engineering, Inc.

Park One
2141 East Highland Avenue
Suite 250
Phoenix, AZ 85016-4792

Phone: (602) 508-6600
Fax: (602) 508-6606
www.hdrinc.com

Ms. Cindy Lester
Arizona Section Chief
U.S. Army Corps of Engineers May 21, 2003
Page 2 of 2

As a cooperating agency or an agency expressing interest in the process, we are notifying you of this intent. If you have any questions or comments regarding this matter, please do not hesitate to contact either me at 602-508-6648. Thank you.

Sincerely,

Amelia Edwards, P.E.
Deputy Project Manager

cc: Bill Vachon, FHWA Arizona Division
Floyd Roehrich, ADOT Project Manager

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August 5, 2003

Ms. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, AZ 85247

RE: South Mountain Freeway DCR/EIS Study – Project Video
Right-of-Entry Permit Request

Dear Ms. Blackwater:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated in July 2001. As part of the study, we acquired a right-of-entry permit (RE-02-01) for surveying and environmental studies. A copy of this permit is attached.

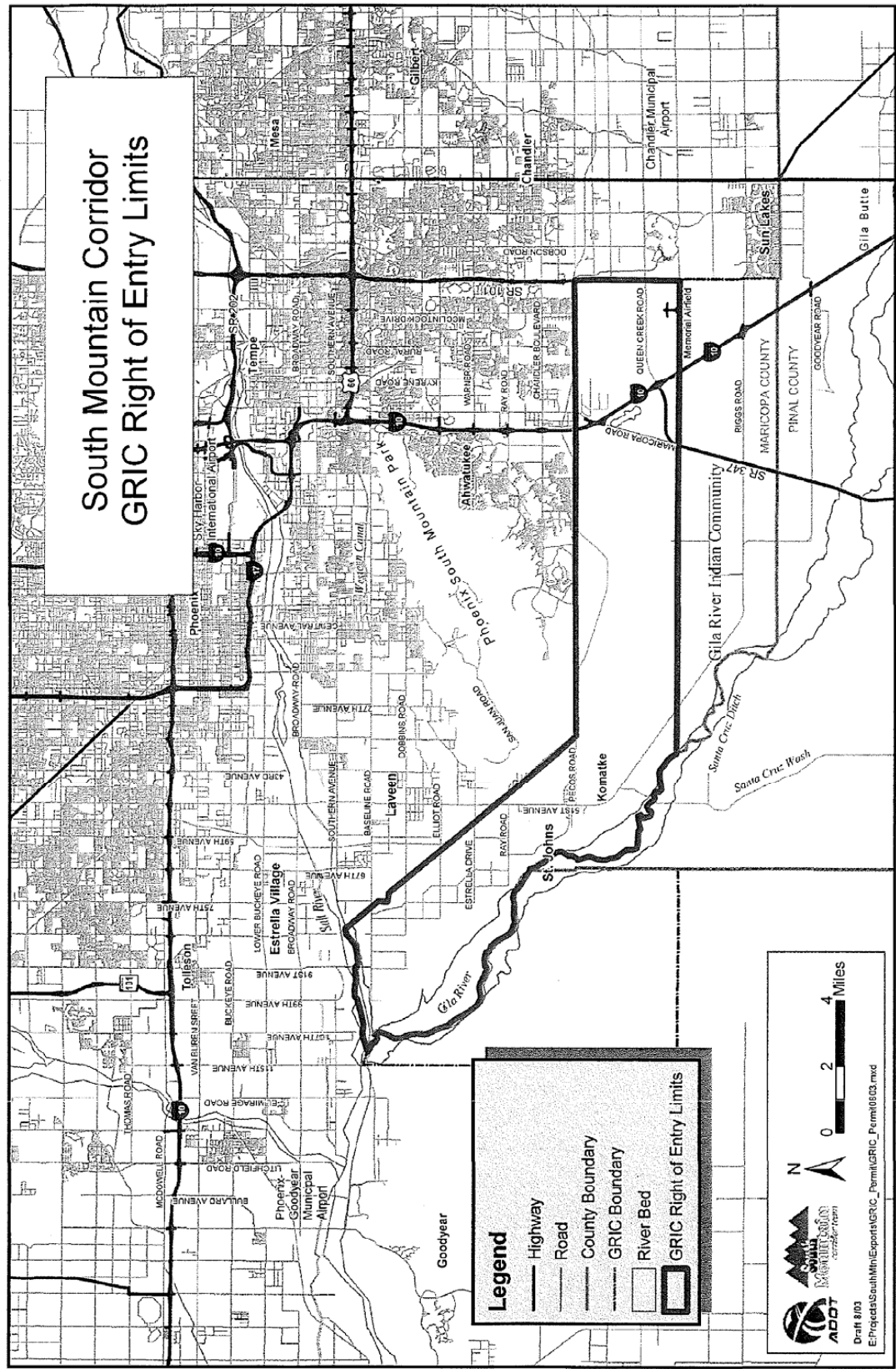
During a June meeting with Council representatives from Districts 4, 6 and 7, we were requested to create a project video for viewing by GRIC members. As part of this video creation, we would like to film several locations within GRIC. The areas we are requesting to film are located within the study area defined under our original permit and shown in the attached map. The areas include the following:

- South Mountain as seen from GRIC
- Kids playing at the school and Boys and Girls Club
- Artifacts in the Cultural Center
- People working at the farms
- Lone Butte Industrial Park
- Wild Horse Pass Resort
- Casinos

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Ms. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
8/5/2003
Page 2

I have attached a list of personnel and a list of vehicle makes, models and license plates that may enter Community lands during the project. Upon receipt of a right-of-entry permit, those accessing Community lands will notify your office 24 hours in advance of their visit.

The filming effort will be undertaken immediately upon receipt of a right-of-entry permit and will be completed within 3 months time. Please advise me if there is any additional information you will need to aid in the approval of this right-of-entry. Thank you for your help with this matter.

Sincerely,

HDR ENGINEERING, INC.

Amelia Edwards

Amelia Edwards, P.E.
Project Manager

Attachments

Right-of-Entry Permit RE-02-01
GRIC Study Area Map
Personnel, vehicle list

cc:

Floyd Roehrich
John Godec
Project File

**GILA RIVER INDIAN COMMUNITY
RIGHT-OF-ENTRY LIST
SOUTH MOUNTAIN FREEWAY EIS & DCR
PROJECT VIDEO**

Personnel

Amy Edwards
John Godec
Theresa Gunn
Janet Nearhood
Jim Kent
Diana Cleland

Year, Make, Model and License Plate of Vehicles

2000	Land Rover Discovery	452-FWT
1999	Dodge Durango	060-DVP
1998	Honda CRV	430-FZD
1999	Chevy Suburban	728-DTP



December 16, 2003

Terry Leija
Maricopa County Board of Supervisor
301 W. Jefferson
10th Floor
Phoenix, AZ 85003-2148

Re: South Mountain Freeway Public Meeting

Dear Terry:

During the October 2, 2003 South Mountain Freeway Public Meeting sponsored by the Arizona Department of Transportation at Tolleson High School, Supervisor Wilcox read and provided the attached statement. At the request of Bob Woodring at the Maricopa County Department of Transportation and Floyd Roehrich at the Arizona Department of Transportation, we are providing this statement to you.

If you have any questions regarding this matter or the project in general, please do not hesitate to contact me at 602-522-7755.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards, PE

cc: Bob Woodring, MCDOT
Floyd Roehrich, ADOT

HDR Engineering, Inc.

3200 East Camelback Road
Suite 350
Phoenix, AZ 85018-2311

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Fax: (602) 522-7707
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Maricopa County
Board of Supervisors

Mary Rose Garrido Wilcox
District Five
301 W. Jefferson, 10th Floor
Phoenix, Arizona 85003-2148
Phone: 602.506.7092
Fax: 602.506.6524
TDD: 602.506.2000
mrwilcox@mail.maricopa.gov

ADOT
SOUTH MOUNTAIN FREEWAY
TOLLESON HIGH SCHOOL
October 2, 2003

My name is Mary Rose Wilcox. I represent District Five as a member of the Maricopa County Board of Supervisors. I am here tonight to comment on the South Mountain Corridor Study.

I support Alternative 1, which follows the GRIC boundary until halfway between 59th and 63rd Avenues.

In 1986, as a former Phoenix City Council member, I was instrumental in forming a multi-jurisdictional committee that developed the Estrella Comprehensive General Plan. This committee included the cities of Phoenix, Tolleson, Avondale, Maricopa County, private landowners and many other interested parties. After much discussion and planning, the Estrella General Plan was adopted by the Phoenix City Council in 1988, adopted in 1992 by the Maricopa County Board of Supervisors and also adopted by all participating jurisdictions.

I am submitting a copy of the Estrella Comprehensive General Plan, which plans for the Alternative 1 alignment. For almost 20 years, the westside has been making planning decisions based on the premise of the Alternate 1 alignment. I understand that planning must be flexible but major consideration must be given to what has been adopted already. This general plan has been the basis of so much development. For instance, the City of Tolleson has developed industrial parks based upon alternative 1 and mostly importantly, if the other alternatives are recommended, it would devastate the city's commercial tax base by rendering the city's primary commercial corridor useless.

I understand the City of Phoenix is supportive of the 59th Avenue alignment due to the land use development that has occurred in this area.

Changing the original alignment would be detrimental to the major development that has occurred in the cities of Tolleson, Avondale and Phoenix.

I look forward to continuing to work with ADOT as the process of public hearings and planning continues. Thank you.



ONE COMPANY | *Many Solutions* SM

December 31, 2003

United States Army Corps of Engineers
L.A. District, Regulatory Branch
Attn: Ms. Dana Owsiany
3636 North Central Ave., Suite 900
Phoenix, AZ 85012

RE: South Mountain Transportation Corridor Project:
Jurisdictional Waters (Wetland Assessment)

Dear Ms. Owsiany:

Thank you for your time in reviewing the field investigation photographs of the potential wetland area (subject area) located at 83rd Avenue in the Salt River Channel. The subject area is located where three freeway alignments are being considered.

The subject area appeared to be a former gravel pit with wetland features on aerial photographs. Due to the wetland potential of this area, a field investigation of the area was conducted on December 4, 2003. During the field investigation, three soil pits were excavated using a shovel then photographed. In addition, several photographs were taken of the area to show vegetation types, standing water, and general site features. These photographs were given to you for review during our meeting on December 16, 2003. On December 17, 2003 you called to inform us of the results of your internal meeting with Ron Fowler and Robert Dumar. Your review of the site photographs yielded the opinion that the subject area is not a wetland, but the source of water must be confirmed.

HDR appreciates your review and your guidance with this issue. We will provide new information as the Clean Water Act (CWA) permitting process moves forward associated with the project. We will continue to coordinate with you to discuss issues and findings associated with jurisdictional waters.

Sincerely,

HDR ENGINEERING, INC.

Scott Mars, REM

c: Amy Edwards, HDR
Project File

HDR Engineering, Inc.

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Phoenix, Arizona 85018

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ONE COMPANY
Many Solutions SM

Memo

To: Councilman Stanton and City of Phoenix Staff

From: Amy Edwards

Project: South Mountain Freeway EIS & L/DCR

CC: Project File

Date: January 10, 2005

Job No: 00173-525-044

RE: Potential Interchange Locations on Pecos Road Alternative

The HDR team is proceeding with detailed study of the Pecos Road alternative. As part of the process, we need to clearly identify the locations of potential interchanges along this route. In the original 1988 alternative, the interchange locations along Pecos Road were:

- 40th Street
- 24th Street
- 7th Street
- 7th Avenue
- 19th Avenue

As part of our study, we have evaluated where it is geometrically possible to construct interchanges given the development that has occurred within the area since the 1988 study. Our analysis has shown potential interchange locations along Pecos Road at (see attached figure):

- 40th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- 25th Avenue

The differences in the lists are as follows:

- **32nd Street** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
- **Desert Foothills Parkway** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
- **7th Street** - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- **7th Avenue** - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- **17th Avenue** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.

HDR Engineering, Inc.

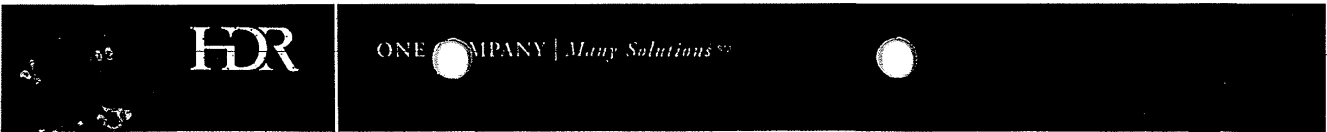
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Phoenix, AZ 85018-2311

Phone (602) 522-7700
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Page 1 of 2

- **19th Avenue** - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- **25th Avenue** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.

At this time, these are only potential locations. We are soliciting input from the City of Phoenix regarding your views on each of these locations and if there are others that should be considered.



January 17, 2005

Dr. Todd Bostwick
City Archaeologist
Pueblo Grande Museum
4619 East Washington Street
Phoenix, AZ 85034

Dr. Bostwick,

As requested here is a summary of the South Mountain Environmental Impact Statement project to date. Gila River Indian Community's Cultural Resource Management Program (GRIC-CRMP) is working on the project as subconsultant to HDR. The GRIC-CRMP was tasked with conducting a Class I overview of the study area and a Class III survey of alternative alignments. Attached is a summary of GRIC-CRMP's work to date. A few other key dates with regard to coordination with the City of Phoenix are as follows:

- July 9, 2001 - HDR received notice to proceed from ADOT/FHWA.
- August 8, 2003 - ADOT initiated Section 106 consultations with the City of Phoenix, provided a draft Class I report for review, and requested concurrence that a Programmatic agreement be developed.
- September 8, 2003 - HDR sent fieldwork notification letter to City of Phoenix (the letter was sent to City Hall, not Pueblo Grande).
- September 17, 2003 - City of Phoenix sent ADOT a response letter concurring that a PA should be developed.
- December 9, 2003 - ADOT sent draft Pragmatic Agreement to the City of Phoenix for review.
- December 17, 2003 - City of Phoenix sent ADOT a response letter concurring with the adequacy of the draft Programmatic Agreement.

Clearly, there was a breakdown in communication between our team and your office. HDR fully understands the importance of coordinating with your office and our responsibility as consultants to adhere to the *City of Phoenix Guidelines for Archaeology*, including the Archaeological Fieldwork Protocol section (page 29) which details proper coordination procedures. Please be assured that HDR is fully committed to the proper and ethical management of cultural resources in Phoenix, Arizona, and beyond. To ensure this situation does not happens again, HDR will

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require our subconsultants to provide written documentation that they have contacted your office prior to the commencement of a cultural resources project in Phoenix.

Currently, GRIC-CRMP is revising the draft Class III survey report per HDR's comments. The revised draft will be completed by early February and submitted to ADOT for their internal review. Assuming ADOT will have some comments, the GRIC-CRMP will provide a second revision, and the draft Class III report should be ready for distribution to the consulting parties (including your office) around mid-March.

If you have any further questions, would like additional information, or would like to meet to review some of the initial results, please do not hesitate to call me at (602) 522-4318.

Sincerely,

HDR Engineering, Inc.

Mark Brodbeck

Mark Brodbeck, Coordinator
Cultural Resources Section

cc Jon Shoemaker, ADOT HPT
Amy Edwards, HDR PM
Andy Darling, GRIC-CRMP

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GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor



Joseph Manuel
Lieutenant Governor

January 27, 2010

Director John Halikowski
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski,

The purpose of this letter is to inform the Arizona Department of Transportation (ADOT) that the Gila River Indian Community (the "Community") is willing to assist in conducting a study of the effects of an On-Reservation Loop 202 alignment consistent with the Community's land use plans (i.e., the Borderlands Study) and the desire to mitigate cultural impacts to Muadag (South Mountain). The Community's assistance in this matter should not be construed as our approval of an On-Reservation alignment. The Community's official position remains the same: (a) we oppose any desecration of Muadag (i.e., oppose the current Off-Reservation alignment), and (b) we oppose an On-Reservation alignment. Despite our desire for a no-build option, we recognize that there is a high likelihood that the Loop 202 South Mountain will be built. Therefore, it is in our best interests to explore all options to mitigate any negative impacts to our culture and land; including a potential On-Reservation alignment.

The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, trash, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community's traditional routes and wildlife corridors between Komadk (the Estrella Mountain) and Muadag; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51st Avenue and Beltline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

525 West Gu u Ki • P.O. Box 97 • Sacaton, Arizona 85147
Telephone: 520-562-9840 • Fax: 520-562-9849 • Email: executivemail@gric.nsn.us

further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

LTR [Signature] 7-28-10
William R. Rhodes, Governor
GILA RIVER INDIAN COMMUNITY



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

February 1, 2010

Governor William R. Rhodes
Gila River Indian Community
Governance Center
P.O. Box 2138
Sacaton, AZ 85147

Dear Governor Rhodes:

On behalf of the people of Arizona, I want to express my appreciation for the assistance of the Gila River Indian Community to consider a potential partnership between the State and the Community on the issue of the development of the South Mountain Freeway.

I am in receipt of your letter sent to the Arizona Department of Transportation and I pledge the full engagement of the Department in working with your sovereign nation to conduct a study of the effects of an On-Reservation alignment consistent with the Community's land use plans and the desire to mitigate cultural impacts to South Mountain.

I understand and respect that the Community's position opposing an On-Reservation alignment and any desecration of South Mountain remains the same. I am hopeful for the opportunities that may exist to consider the economic development potential of this much-needed transportation corridor, while mitigating any negative impacts to the Community's culture and land.

While there is much work still to be done regarding the final alignment of the route, I am pleased to know that your team is part of the conversation and that there is a path forward for ongoing talks about the conditions of the Community's cooperation and involvement in the study process.

Please do not hesitate to call on me or my team if there is anything we can do to help further your consideration of this very critical regional project.

Sincerely,

Janice K. Brewer
Janice K. Brewer
Governor

APPENDIX 2-1

SECTION 106 CONSULTATION

Appendix 2-1, Section 106 Consultation, contains a record of communications pertaining to the Section 106 Consultation process pursuant to the National Historic Preservation Act. Correspondence is generally organized in chronological order by original inquiries with the exception of responses to original inquiries. Responses to original inquiries, regardless of the date, immediately follow the original inquiries. The reader is referred to the Cultural Resources section of Chapter 4, *Affected Environment, Environmental Consequences, and Mitigation* and Chapter 2, *Gila River Indian Community Coordination*.



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
August 20, 2003

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

Mr. Steve Ross, Archaeologist
Arizona State Land Department
1616 W. Adams
Phoenix, Arizona 85007

Dear Mr. Ross:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been decided, land ownership of the project area is not yet known. Consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

The scope of this project would involve the construction of a freeway to connect I-10 south of Phoenix to I-10 west of Phoenix. The project team is in the process of identifying potential project alternatives, but the area of potential effect (APE) has not yet been defined.

The GRIC Cultural Resources Management Program performed a Class I overview of the freeway corridor to identify previously recorded cultural resources. The results of the Class I overview are presented in a draft report entitled "*A Class I Overview of the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*" (Burden 2002) and is enclosed for your review.

A total of 301 cultural resources were identified as being within the proposed project corridor. Two of these cultural resources, sites AZ T:12:9(ASM), the Villa Buena site, and site AZ T:11:39(ASM), the Cashion site, are listed on the National Register of Historic Places (NRHP). An additional 27 sites were

previously recommended as eligible for the NRHP. Fifteen (15) sites were identified as being previously recommended as ineligible to the NRHP. One hundred thirty-six (136) sites either were not evaluated for the NRHP eligibility or would require additional information in order to determine their NRHP eligibility. The Class I overview acknowledges the presence of prior survey data for the South Mountain corridor area and the need for further investigations into the eligibility of the historic properties identified within the corridor. FHWA recommends that future cultural resource survey and eligibility determinations be made once potential project alternatives are identified.

As a cultural resources survey has not yet occurred for this project, FHWA is not currently making any recommendations of project effect. As additional information regarding the project alternatives, project scope, and historic properties becomes available, it will be provided to your agency through continued Section 106 consultation. However, because the likelihood is high that historic properties would be affected, FHWA proposes that a Programmatic Agreement (PA) be developed to address the effects of the project as they become known.

Please review the enclosed report and the information provided in this letter. If you agree with FHWA’s recommendation that this report serve as consultation initiation and that consultation regarding eligibility, area of potential effect, and project scope as well as effect, be continued once surveys of the preferred alternatives are completed and that a PA be developed to address potential impacts to historic properties, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Kae Neustadt, ADOT Historic Preservation Specialist at 602-712-8148 or email kneustadt@dot.state.az.us. Thank you.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for ASLD Concurrence

Date

Enclosure
cc:
SThomas
BVachon
KNeustadt (619E)

SDT:cdm

The previous letter was also sent to:
Mr. Garry Cantley, Archaeologist, Bureau of Indian Affairs
Ms. Connie Stone, Archaeologist, Bureau of Land Management
Ms. Carol Heathington, Bureau of Reclamation
Mr. Todd Hileman, City Manager, City of Avondale
Mr. Pat McDermott, City Manager, City of Chandler
Mr. Todd Bostwick, Archaeologist, City of Phoenix
Ms. Barbara Stocklin, Historical Preservation Office, City of Phoenix
Mr. Ralph Valez, City Manager, City of Tolleson
Mr. Rick Anduze, Archaeologist, Salt River Project
Mr. David Jacobs, Ph.D., Compliance Specialist, State Historic Preservation Office
Mr. Terry Enos, Chairman, Ak Chin Indian Community
Mr. Richard Narcia, Gila River Indian Community
Mr. Leigh Kuwanwisiwma, Cultural Preservation Office, Hopi Tribe
Ms. Joni Ramos, President, Salt River Pima-Maricopa Indian Community
Mr. Pete Steere, Tribal Historic Preservation Officer, Tohono O’odham Nation
Mr. Joe Joaquin, Cultural Affairs Office, Tohono O’odham Nation
Mr. Vincent Randall, Chairman, Yavapai-Apache Nation
Mr. Ernest Jones, Sr., President, Yavapai-Prescott Indian Tribe



September 8, 2003

Robert E. Hollis
Division Administrator
U.S. Department of Transportation
FHWA – Arizona Division
400 E. Van Buren Street
Phoenix, AZ 85004

Re: HA-AZ, NR-202(ADY), 202L MA 054 H5764 01L, Loop 202, South Mountain, Initial Section 106 Consultation

Dear Mr. Hollis:

Your office recently forwarded a "Class I" report to my office regarding the proposed Loop 202 freeway corridor. The purpose of the report as explained in your letter is to identify "previously recorded cultural resources" to help with the process of identifying feasible project alternatives for the proposed freeway.

I have a number of concerns regarding this report. They are as follows:

+ It does not appear that this initial study attempted to identify non-archeological historic properties that have been previously identified through historic surveys or determined National Register eligible by the State Historic Preservation Office (SHPO). I am aware of at least several known National Register eligible historic properties located within the corridor area, including the Webster Farmstead at 75th Avenue and Baseline Road (previously determined National Register eligible by the SHPO), South Mountain Park (may or may not be partially in the boundaries of the corridor study), and potentially historic canals and canal laterals (need to confer with Bureau of Reclamation and Salt River Project).

+ A search of the National Register and Section 106 files of the Arizona State Historic Preservation Office and the survey files of the City Historic Preservation Office is needed to locate any historic non-archeological properties in the project corridor and "to identify previously recorded cultural resources" as stated in your letter. We highly recommend that the cultural resources "Class I Overview" be amended at this time to incorporate a records search of surveyed and designated historic buildings, structures, districts and objects.

+ My office also recommends that all further cultural resources identification efforts for this project include a qualified architectural historian on the identification team. This is needed given the high potential to locate other historic non-archeological properties within the project's area of potential effects.

If I can provide additional information, please feel free to contact me at (602) 262-7468.

Sincerely,

Barbara Stocklin, City Historic Preservation Officer

cc: Kae Neustadt, Arizona Department of Transportation
Jim Garrison, State Historic Preservation Office ✓

200 West Washington Street, 17th Floor • Phoenix, Arizona 85003 • 602-261-8699 FAX: 602-534-4571

Recycled Paper

Katherine Neustadt

From: Barbara.Stocklin@phoenix.gov
Sent: Tuesday, September 09, 2003 7:19 PM
To: KNeustadt@dot.state.az.us
Cc: SLaine@dot.state.az.us; jgarrison@pr.state.az.us; bcollins@pr.state.az.us
Subject: RE: Loop 202 , South Mountain, HA-AZ, NH-202-D(ADY), 202L MA 054 H5764 01L

Thanks for the information Kim. I continue to recommend that a "records search" effort occur for historic non-archeological properties at this stage in the project prior to selection of alternatives just as it has for archeological resources. Identification efforts for archeological and non-archeological historic resources should parallel one another. If archeological resources and other environmental resources/impacts are being identified at this preliminary stage prior to selection of alternatives, then the same level of identification effort should be occurring at the same time for non-archeological cultural resources. I don't understand why they would be treated differently.

My office would desire that non-historic cultural resources show up on the same constraints map on which archeological resources appear when ADOT draws/decides on its selection of alternatives to consider further. If ADOT sees a known National Register historic property on their constraints map, then hopefully they would think twice before even drawing an alternative that might include that resource.

I don't recommend that a programmatic agreement be executed prior to ADOT at least doing a records search for non-archeological cultural resources so that all parties have at least a conceptual idea as to the extent and type of historic resources that may be impacted by the project.

As previously noted, there are known National Register eligible/listed historic properties in the project corridor. I don't foresee the suggestion that ADOT do a records search of known historic resources prior to executing a Programmatic Agreement as an unreasonable request. This should be a relatively easy and routine request for a large public agency as ADOT who carries out Section 106 responsibilities on a regular basis. However, I will defer to the SHPO for their opinion.

Thanx.

Barbara Stocklin
City of Phoenix, Historic Preservation Officer

KNeustadt@dot.state.az.us

09/09/2003 10:00 AM

To: Barbara Stocklin/MGR/PHX@PHXENT
cc: SLaine@dot.state.az.us
Subject: RE: Loop 202 , South Mountain, HA-AZ, NH-202-D(ADY), 202L MA 054 H5764 01L

Thank you for your response. The Class I inventory of historic properties for the South Mountain Corridor was a very preliminary document prepared by the Gila River Indian Community for planning purposes. Once the corridor is examined in light of the information provided in the Class I inventory and reviews done to address other environmental concerns, alternatives will be selected for further, more in-depth review. FHWA and ADOT recognize that the Class I overview was not complete with regards to non-archaeological historic sites, but are waiting until more information is known on the possible alternatives before conducting an in-depth cultural resources survey, including complete review of all historic property records, such as

SHPO, AZSITE and ASM, as well as pedestrian survey of the proposed alternatives.

I hope this addresses some of your concerns. I have forwarded your email to Serelle Laine, Historic Preservation Team Leader, so she may address your general concerns with the reports you have been receiving from ADOT. Please let me know if you have any further concerns and if the City of Phoenix will concur with the recommendation to develop a Programmatic Agreement for the South Mountain project to outline the process of dealing with adverse effects to historic properties that are likely to occur as a result of the project.

Thank you,
Kae

Kae Neustadt, MA
Historic Preservation Specialist
ADOT EEG
205 S. 17th Avenue, MD619E
Phoenix, AZ 85007
602/712-8148 (phone)
602/712-3066 (fax)
kneustadt@dot.state.az.us

-----Original Message-----
From: Barbara.Stocklin@phoenix.gov [mailto:Barbara.Stocklin@phoenix.gov]
Sent: Monday, September 08, 2003 4:19 PM
To: kneustadt@dot.state.az.us
Subject: Loop 202 , South Mountain, HA-AZ, NH-202-D(ADY) , 202L MA 054 H5764 01L

Hi Kim.

My office received a Class I overview report of the proposed Loop 202 freeway corridor to identify previously identified cultural resources.

I have a number of concerns regarding this report:

- + There does not appear to be any efforts undertaken to identify non-archeological historic properties that have been previously identified or designated. I am aware of at least several known National Register eligible historic properties located within the corridor area, including the Webster Farmstead at 75th Avenue and Baseline Road (previously determined National Register eligible by the SHPO), South Mountain Park (may or may not be partially in the boundaries of the corridor study), and historic canals and canal laterals (need to confer with Bureau of Reclamation and Salt River Project).
- + A search of the National Register files of the Arizona State Historic Preservation Office and the City Historic Preservation Office for historic non-archeological properties does not appear to have occurred, and is needed "to identify previously recorded cultural resources" as stated in the cover letter.
- + In recent months, I have received various cultural resource reports from your office to review, and am concerned in general regarding the consistent lack of information on historic non-archeological resources - including buildings, structures, objects and districts in particular - in the front end of the planning process.

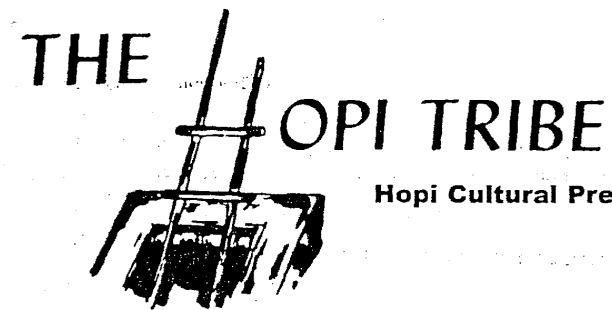
In summary, prior to completing a "Class I overview of the freeway to identify previously recorded cultural resources", I am recommending that additional work be done to identify previously identified historic non-archeological resources.

2

Thanx.

Barbara Stocklin, City Historic Preservation Officer

3



THE HOPI TRIBE

Hopi Cultural Preservation Office

Wayne Taylor, Jr.
Chairman

Caleb Johnson
Vice Chairman

September 10, 2003

Robert E. Hollis, Division Administrator
U.S. Department of Transportation
Federal Highway Administration, Arizona Division
400 E. Van Buren St., Suite 410
Phoenix, Arizona 85004

Re: Loop 202, South Mountain

Dear Mr. Hollis,

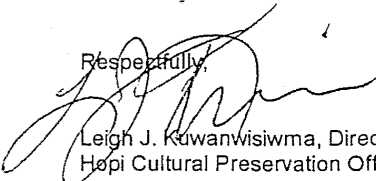
This letter is in response to your correspondence dated August 20, 2003, regarding the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to I-10 south of Phoenix. As you know the Hopi Tribe appreciates FHWA's and ADOT's continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office understands that the project area has not yet been defined, and we have reviewed the enclosed *A Class I Overview of the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*, by the Gila River Indian Community Cultural Resources Management Program. We further understand that 301 cultural resources were identified as being within the proposed corridor, including two prehistoric sites listed on the National Register, 27 sites recommended as eligible, 15 sites recommended as ineligible, and 136 sites not evaluated.

Therefore, we concur that the likelihood is high that historic properties would be affected by this proposal, and look forward to further consultations once surveys of the preferred alternatives are completed and a Programmatic Agreement is being developed to address impacts. We also support ADOT's continuing use of the Gila River Indian Community Cultural Resources Management Program for the identification and mitigation of historic properties that will be adversely affected by this project.

Should you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office. Thank you again for your consideration.

Respectfully,

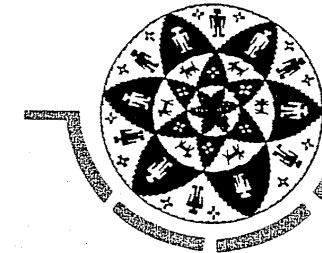

Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: John Raveslout, Barnaby Lewis, Gila River Indian Community Cultural Resources Management Program
Kae Neustadt, Arizona Department of Transportation
Arizona State Historic Preservation Office

P.O. Box 123

KYKOTSMOVI, AZ 86039

(928) 734-3000



Y A V A P A I
PRESCOTT INDIAN TRIBE

September 10, 2003


Mr. Robert E. Hollis
Division Administrator
USDOT, FHWA, Arizona Division
One Arizona Center, Suite 41D
400 E. Van Buren St.
Phoenix, AZ 85004

RE: HA-AZ, NH-202-D (ADY), 202L MA054 H5764 01L
Loop 202, South Mountain

Dear Mr. Hollis:

We have reviewed your letter dated August 20, 2003 regarding the above named project. Since this project lies in the South Mountain area we will defer to the tribes nearer to that area. If you have any questions regarding this matter please contact our Tribal Culture Research Director, Nancy Lee Hayden at (928) 445-8790 ext. 135.

Sincerely,


Ernest Jones, Sr.
President

EJS:lj:2003

530 E. MERRITT PRESCOTT, AZ 86301-2038 Phone 928-445-8790 FAX 928-778-9445

2003 SEP 12 PM 12:24



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
August 20, 2003

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

Ms. Carol Heathington
Bureau of Reclamation
P.O. Box 81169
2222 W. Dunlap, Suite 330
Phoenix, Arizona 85069-1169

Dear Ms. Heathington:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been decided, land ownership of the project area is not yet known. Consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

The scope of this project would involve the construction of a freeway to connect I-10 south of Phoenix to I-10 west of Phoenix. The project team is in the process of identifying potential project alternatives, but the area of potential effect (APE) has not yet been defined.

The GRIC Cultural Resources Management Program performed a Class I overview of the freeway corridor to identify previously recorded cultural resources. The results of the Class I overview are presented in a draft report entitled "A Class I Overview of the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona" (Burden 2002) and is enclosed for your review.

A total of 301 cultural resources were identified as being within the proposed project corridor. Two of these cultural resources, sites AZ T:12:9(ASM), the Villa Buena site, and site AZ T:11:39(ASM), the

Cashion site, are listed on the National Register of Historic Places (NRHP). An additional 27 sites were previously recommended as eligible for the NRHP. Fifteen (15) sites were identified as being previously recommended as ineligible to the NRHP. One hundred thirty-six (136) sites either were not evaluated for the NRHP eligibility or would require additional information in order to determine their NRHP eligibility. The Class I overview acknowledges the presence of prior survey data for the South Mountain corridor area and the need for further investigations into the eligibility of the historic properties identified within the corridor. FHWA recommends that future cultural resource survey and eligibility determinations be made once potential project alternatives are identified.

As a cultural resources survey has not yet occurred for this project, FHWA is not currently making any recommendations of project effect. As additional information regarding the project alternatives, project scope, and historic properties becomes available, it will be provided to your agency through continued Section 106 consultation. However, because the likelihood is high that historic properties would be affected, FHWA proposes that a Programmatic Agreement (PA) be developed to address the effects of the project as they become known.

Please review the enclosed report and the information provided in this letter. If you agree with FHWA's recommendation that this report serve as consultation initiation and that consultation regarding eligibility, area of potential effect, and project scope as well as effect, be continued once surveys of the preferred alternatives are completed and that a PA be developed to address potential impacts to historic properties, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Kae Neustadt, ADOT Historic Preservation Specialist at 602-712-8148 or email kneustadt@dot.state.az.us. Thank you.

Sincerely,

Robert E. Hollis
Division Administrator

Signature for BOR Concurrence

11 Sep 03
Date

Enclosure



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

ARIZONA DIVISION

One Arizona Center, Suite 410

400 E. Van Buren St.

Phoenix, AZ. 85004

August 20, 2003

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

Mr. Todd Bostwick
Archaeologist
City of Phoenix
Pueblo Grande Museum
4619 E. Washington
Phoenix, Arizona 85034

Dear Mr. Bostwick:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been decided, land ownership of the project area is not yet known. Consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

The scope of this project would involve the construction of a freeway to connect I-10 south of Phoenix to I-10 west of Phoenix. The project team is in the process of identifying potential project alternatives, but the area of potential effect (APE) has not yet been defined.

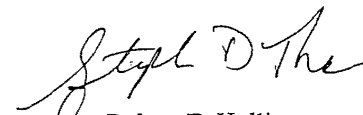
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A total of 301 cultural resources were identified as being within the proposed project corridor. Two of these cultural resources, sites AZ T:12:9(ASM), the Villa Buena site, and site AZ T:11:39(ASM), the Cashion site, are listed on the National Register of Historic Places (NRHP). An additional 27 sites were previously recommended as eligible for the NRHP. Fifteen (15) sites were identified as being previously recommended as ineligible to the NRHP. One hundred thirty-six (136) sites either were not evaluated for the NRHP eligibility or would require additional information in order to determine their NRHP eligibility. The Class I overview acknowledges the presence of prior survey data for the South Mountain corridor area and the need for further investigations into the eligibility of the historic properties identified within the corridor. FHWA recommends that future cultural resource survey and eligibility determinations be made once potential project alternatives are identified.

As a cultural resources survey has not yet occurred for this project, FHWA is not currently making any recommendations of project effect. As additional information regarding the project alternatives, project scope, and historic properties becomes available, it will be provided to your agency through continued Section 106 consultation. However, because the likelihood is high that historic properties would be affected, FHWA proposes that a Programmatic Agreement (PA) be developed to address the effects of the project as they become known.

Please review the enclosed report and the information provided in this letter. If you agree with FHWA's recommendation that this report serve as consultation initiation and that consultation regarding eligibility, area of potential effect, and project scope as well as effect, be continued once surveys of the preferred alternatives are completed and that a PA be developed to address potential impacts to historic properties, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Kae Neustadt, ADOT Historic Preservation Specialist at 602-712-8148 or email kneustadt@dot.state.az.us. Thank you.

Sincerely,


Robert E. Hollis
Division Administrator


Signature for City of Phoenix Concurrence

9-17-03
Date

Enclosure



Archaeology Section
Pueblo Grande Museum
4619 E. Washington St.
Phoenix, AZ 85034

Report Review Form

Project No.: ADOT **Date Report Submitted:** 9-5-03

Report Title: A Class I Overview of the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona.

XDraft **Final**

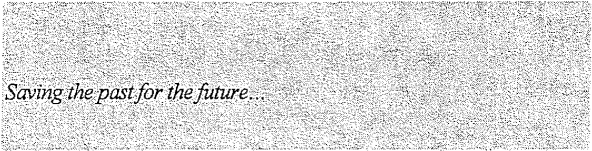
Author: Damon Burden **Firm:** GRIC

Action: **Accepted** **More Information Requested** **XRevise & Resubmit**

Comments: On the abstract page under agency, it should read Phoenix Parks and Recreation Department. Library is now its own separate Department. On page 2-14, third paragraph, please add river after lower salt and before valley. On page 2-15, first paragraph, the second sentence should read like this, For example, habitation sites comprised of courtyard groups focusing on a mutual extramural work areas become a common settlement organizational pattern. In figure 5.3 does the legend explain what the colors of the sites stand for or for the colors of their boundaries? Please add something in the legend to explain this. Figure 5.4 and 5.5 need the same clarification that figure 5.3 does. On page 5-14, last paragraph, please add river between Salt and Valley. Also on the same page please replace is with are after examples. Please add Bostwick (2002) and Stubing et al (2000) to your references cited section. Also add these references and projects to the table you have on previous research in section 3.1.

Recommendations: Please revise report accordingly and send the City Archaeologist one final bound copy.

Reviewed By: Robert A. Serocki Jr. and
Todd W. Bostwick, Ph.D. **Date:** 9-17-03



References to be added:

Stubing, Michael, Chris T. Wenker, John M. Lindly, Ph.D., and Douglas Mitchell
2000 *Archaeological Testing at Site AZ T:12:117 (ASM) for the Foothills Reserve Development, Phoenix, Arizona.* SWCA Cultural Resource Report No. 00-91.

Bostwick, Ph.D., Todd and Peter Krocek
2002 *Landscape of the Spirits: Hohokam Rock Art at South Mountain Park.* University of Arizona Press.



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
August 20, 2003

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

David Jacobs, Ph.D.
Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 W. Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been decided, land ownership of the project area is not yet known. Consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

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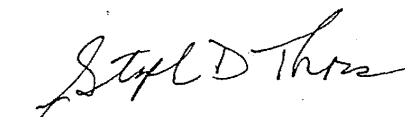
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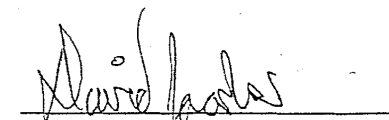
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Sincerely,


Robert E. Hollis
Division Administrator


Signature for SHPO Concurrence

19 SEPT 03
Date

Enclosure

* Current submittal failed to mention some significant historic properties within corridor area.

Cc: Kae Neustadt, ADOT



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
August 20, 2003

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

Ms. Connie Stone, Archaeologist
Bureau of Land Management
Phoenix Field Office
21605 N 7th Ave
Phoenix, Arizona 85027

Dear Ms. Stone:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been decided, land ownership of the project area is not yet known. Consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

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Sincerely,

Robert E. Hollis
Division Administrator

Signature for BLM Concurrence

Date Sept 22, 2003

Enclosure



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
August 20, 2003

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

Mr. Garry Cantley, Archaeologist
Bureau of Indian Affairs
BIA-WRO/EQS
P.O. Box 10
Phoenix, Arizona 85001

Dear Mr. Cantley:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been decided, land ownership of the project area is not yet known. Consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

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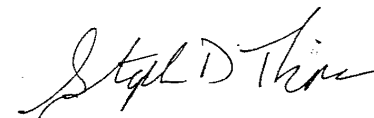
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Sincerely,


Robert E. Hollis
Division Administrator


Signature for BIA Concurrence

OCT 27 2003

Date

Enclosure



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
August 20, 2003

Environmental Compliance
Environmental Services

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
202L MA 054 H5764 01L
Loop 202, South Mountain
Initial Section 106 Consultation

Mr. Rick Anduze
Archaeologist
Salt River Project
M.S. PAB 355
P.O. Box 5625
Phoenix, Arizona 85072-2025

Dear Mr. Anduze:

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The scope of this project would involve the construction of a freeway to connect I-10 south of Phoenix to I-10 west of Phoenix. The project team is in the process of identifying potential project alternatives, but the area of potential effect (APE) has not yet been defined.


The GRIC Cultural Resources Management Program performed a Class I overview of the freeway corridor to identify previously recorded cultural resources. The results of the Class I overview are presented in a draft report entitled "*A Class I Overview of the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*" (Burden 2002) and is enclosed for your review.

A total of 301 cultural resources were identified as being within the proposed project corridor. Two of these cultural resources, sites AZ T:12:9(ASM), the Villa Buena site, and site AZ T:11:39(ASM), the Cashion site, are listed on the National Register of Historic Places (NRHP). An additional 27 sites were previously recommended as eligible for the NRHP. Fifteen (15) sites were identified as being previously recommended as ineligible to the NRHP. One hundred thirty-six (136) sites either were not evaluated for the NRHP eligibility or would require additional information in order to determine their NRHP eligibility. The Class I overview acknowledges the presence of prior survey data for the South Mountain corridor area and the need for further investigations into the eligibility of the historic properties identified within the corridor. FHWA recommends that future cultural resource survey and eligibility determinations be made once potential project alternatives are identified.

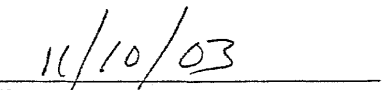
As a cultural resources survey has not yet occurred for this project, FHWA is not currently making any recommendations of project effect. As additional information regarding the project alternatives, project scope, and historic properties becomes available, it will be provided to your agency through continued Section 106 consultation. However, because the likelihood is high that historic properties would be affected, FHWA proposes that a Programmatic Agreement (PA) be developed to address the effects of the project as they become known.

Please review the enclosed report and the information provided in this letter. If you agree with FHWA's recommendation that this report serve as consultation initiation and that consultation regarding eligibility, area of potential effect, and project scope as well as effect, be continued once surveys of the preferred alternatives are completed and that a PA be developed to address potential impacts to historic properties, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Kae Neustadt, ADOT Historic Preservation Specialist at 602-712-8148 or email kneustadt@dot.state.az.us. Thank you.

Sincerely,


Robert E. Hollis
Division Administrator


Signature for SRP Concurrence


Date

Enclosure



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M.
Mendez
Director

December 9, 2003

Bill Higgins
Acting State
Engineer

Steve Ross
Cultural Resource Manager
Arizona State Land Department
1616 W. Adams
Phoenix, AZ 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
Loop 202; South Mountain
Continuing Section 106 Consultation

Dear Mr. Ross:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. Previous consultation with the Arizona State Historic Preservation Office (SHPO) recommended a Programmatic Agreement (PA) be developed to address the effects of the project as they become known. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 19, 2003).

At this time, ADOT, on behalf of FHWA, is submitting a draft PA for your review and comment. Please review the enclosed draft PA. If you find the PA adequate, please sign below to indicate your concurrence. If you have any comments or changes to request, please respond in writing. If you have any questions or concerns, please feel free to contact me at (602) 712-8148 or via email at kneustadt@dot.state.az.us. Thank you.

Sincerely,

Kae Neustadt
Historic Preservation Specialist
Environmental & Enhancement Group
205 S 17th Avenue, Room 213E / MD 619E
Phoenix, AZ 85007

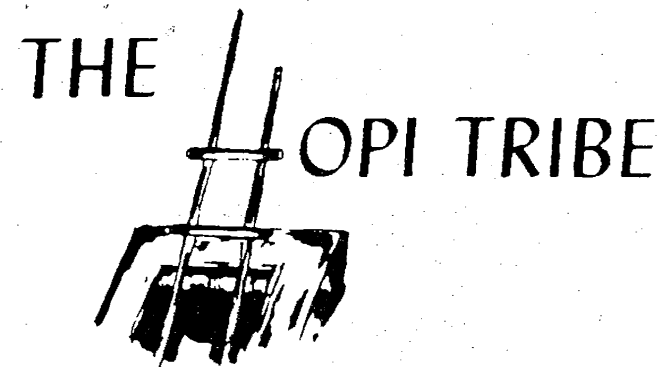
Signature for ASLD Concurrence

Date

Enclosure

c: SThomas
WVachon

The previous letter was also sent to:
Ms. Connie Stone, Archaeologist, Bureau of Land Management
Mr. John Czaplick, Bureau of Reclamation
Dr. Todd Bostwick, Archaeologist, City of Phoenix
Ms. Barbara Stocklin, Historic Preservation Office, City of Phoenix
Mr. Rick Anduze, Archaeologist, Salt River Project
Dr. David Jacobs, Ph.D., Compliance Specialist, State Historic Preservation Office
Mr. Richard Narcia, Governor , Gila River Indian Community
Mr. Leigh Kuwanwisiwma, Cultural Preservation Office, Hopi Tribe



Wayne Taylor, Jr.
CHAIRMAN

Caleb Johnson
VICE-CHAIRMAN

December 11, 2003

Kae Neustadt, Historic Preservation Specialist
Arizona Department of Transportation, Environmental & Enhancement Group
206 South 17th Avenue, Room 213E, Mail Drop 619E
Phoenix, Arizona 85007-3213

Re: Loop 202; South Mountain, Draft Programmatic Agreement

Dear Ms. Neustadt,

This letter is in response to your correspondence with an enclosed draft Programmatic Agreement dated December 9, 2003, regarding the Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to I-10 south of Phoenix. As you know, the Hopi Tribe appreciates FHWA and ADOT's continuing solicitation of our input and your efforts to address our concerns.

In a letter dated September 10, 2003, in response to a correspondence from the Federal Highway Administration dated August 20, 2003, the Hopi Cultural Preservation Office reviewed the cultural resources overview report for this project by the Gila River Indian Community that identifies 301 cultural resources within the proposed project corridor. We stated we support the continuing use of the Gila River Indian Community Cultural Resources Management Program for the identification and mitigation of historic properties that will be adversely affected by this project.

We note that the Gila River Indian Community is a party in the enclosed draft Programmatic Agreement, and therefore we defer to the Gila River Indian Community as a party to the Programmatic Agreement. However, we request to be provided copies of the cultural resource surveys, archaeological treatment plans, and archeological reports for review and comment. If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office. Thank you again for consulting with the Hopi Tribe.

Respectfully,

Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

cc: John Raveslout, Barnaby Lewis, Gila River Indian Community Cultural Resources Program
Arizona State Historic Preservation Office



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M.
Mendez
Director

Bill Higgins
Acting State
Engineer

December 9, 2003

Todd Bostwick
Archaeologist
City of Phoenix
Pueblo Grande Museum
4619 E. Washington
Phoenix, AZ 85034

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
Loop 202; South Mountain
Continuing Section 106 Consultation

Dear Mr. Bostwick:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. Previous consultation with the Arizona State Historic Preservation Office (SHPO) recommended a Programmatic Agreement (PA) be developed to address the effects of the project as they become known. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 19, 2003).

At this time, ADOT, on behalf of FHWA, is submitting a draft PA for your review and comment. Please review the enclosed draft PA. If you find the PA adequate, please sign below to indicate your concurrence. If you have any comments or changes to request, please respond in writing. If you have any questions or concerns, please feel free to contact me at (602) 712-8148 or via email at kneustadt@dot.state.az.us. Thank you.

Sincerely,

Kae Neustadt
Historic Preservation Specialist
Environmental & Enhancement Group
205 S 17th Avenue, Room 213E / MD 619E
Phoenix, AZ 85007

Signature for COP Concurrence

12-17-03
Date

Enclosure

c: SThomas
WVachon



United States Department of the Interior

BUREAU OF RECLAMATION
Phoenix Area Office
PO Box 81169
Phoenix, Arizona 85069-1169

IN REPLY REFER TO:
PXAO-1500
ENV-3.00

DEC 18 2003

Ms. Kae Neustadt
Historic Preservation Specialist
Arizona Department of Transportation
Environmental & Enhancement Group
205 South 17th Avenue, Room 213E/MD 619E
Phoenix, Arizona 85007

Subject: Draft Programmatic Agreement (PA) Loop 2002, South Mountain – Project
No. NH-202-D(ADY); TRACS No. 202L MA 054 H5764 01L

Dear Ms. Neustadt:

We have reviewed the subject PA and have several comments. On page 2, the seventh WHEREAS dealing with treatment of human remains under NAGPRA applies only to remains found on federally-owned lands. The last WHEREAS should refer to State and private lands only; a permit issued by the Arizona State Museum is not valid on federally-owned land. Another WHEREAS should be added that addresses permitting on Federal lands under the Archaeological Resource and Protection Act (ARPA). In this particular case, an ARPA permit from Reclamation is required for any archaeological activity on lands under Reclamation's jurisdiction.

On page 5 under Item "9. Curation," all records and materials from archaeological investigations conducted on lands under Reclamation's jurisdiction shall be curated at the Huhugam Heritage Center (HHC), Gila River Indian Reservation. In January 2004, Reclamation's temporary curatorial facility in Tucson (the Central Arizona Project Repository) will close, and the collections will be moved to the new permanent repository at the HHC. The HHC will serve as Reclamation's new curation facility for all future Reclamation cultural resource activities.

Item "12. Discoveries" on page 12 must be changed to reflect that in the case of discovery situations on lands under the jurisdiction of Reclamation, the Phoenix Area Office archaeological staff shall be notified immediately. This is especially true in cases involving potential or known human remains, in which case Reclamation is responsible for consultation under NAGPRA.

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Thank you for the opportunity to review and comment on the draft PA. We would appreciate the chance to review the revised PA prior to signing the final version. If you have questions, please contact staff Archaeologist Jon S. Czaplicki at 602-216-3862.

Sincerely,

Bruce D. Ellis
Chief, Environmental Resource
Management Division



Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor
Victor M. Mendez
Director

December 9, 2003

Bill Higgins
Acting State
Engineer

Connie Stone, Archaeologist
Bureau of Land Management
Phoenix Field Office
21605 N 7th Ave
Phoenix, AZ 85027

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
Loop 202; South Mountain
Continuing Section 106 Consultation

Dear Ms. Stone:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. Previous consultation with the Arizona State Historic Preservation Office (SHPO) recommended a Programmatic Agreement (PA) be developed to address the effects of the project as they become known. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 19, 2003).

At this time, ADOT, on behalf of FHWA, is submitting a draft PA for your review and comment. Please review the enclosed draft PA. If you find the PA adequate, please sign below to indicate your concurrence. If you have any comments or changes to request, please respond in writing. If you have any questions or concerns, please feel free to contact me at (602) 712-8148 or via email at kneustadt@dot.state.az.us. Thank you.

Sincerely,

Kae Neustadt
Historic Preservation Specialist
Environmental & Enhancement Group
205 S 17th Avenue, Room 213E / MD 619E
Phoenix, AZ 85007

Connie L. Stone
Signature for BLM Concurrence
Enclosure Archaeologist

Dec. 30, 2003
Date

c: SThomas
WVachon



Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor
Victor M. Mendez
Director

December 9, 2003

Bill Higgins
Acting State
Engineer

David Jacobs, Ph.D.
Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 W Washington
Phoenix, AZ 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
Loop 202; South Mountain
Continuing Section 106 Consultation

Dear Dr. Jacobs

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. Previous consultation with the Arizona State Historic Preservation Office (SHPO) recommended a Programmatic Agreement (PA) be developed to address the effects of the project as they become known. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 19, 2003).

At this time, ADOT, on behalf of FHWA, is submitting a draft PA for your review and comment. Please review the enclosed draft PA. If you find the PA adequate, please sign below to indicate your concurrence. If you have any comments or changes to request, please respond in writing. If you have any questions or concerns, please feel free to contact me at (602) 712-8148 or via email at kneustadt@dot.state.az.us. Thank you.

Sincerely,

Kae Neustadt
Historic Preservation Specialist
Environmental & Enhancement Group
205 S 17th Avenue, Room 213E / MD 619E
Phoenix, AZ 85007

David Jacobs
Signature for SHPO Concurrence

12 JAN 04
Date

Enclosure

c: SThomas
WVachon



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
March 4, 2004

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
Loop 202; South Mountain
Council notification

Ms. Jane Crisler
Historic Preservation Specialist
Advisory Council on Historic Preservation
12136 W. Bayaud Avenue
Suite 330
Lakewood, Colorado 80228

Dear Ms. Crisler:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix with I-10 south of Phoenix. As this project is qualified for federal-aid funding, it is considered an undertaking subject to Section 106 review. Because alternatives have not yet been determined, land ownership for the project is not yet known. Consulting parties for this project include FHWA, ADOT, SHPO, the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Western Area Power Administration (WAPA), the Bureau of Reclamation (BOR), the Arizona State Land Department (ASLD), the Cities of Phoenix, Avondale, Tolleson and Chandler, the Salt River Project (SRP), Roosevelt Irrigation District, the Gila River Indian Community (GRIC), the Ak Chin Indian Community, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Hopi Tribe, the Yavapai-Prescott Tribe and the Yavapai Apache Nation.

The scope of this project would involve the construction of a freeway to connect I-10 south of Phoenix to I-10 west of Phoenix. The project team is in the process of identifying potential project alternatives, and the area of potential effect (APE) has not yet been defined.

Because of the scope of the project, it is unlikely that the project would avoid all historic properties. Consultation with the SHPO recommended the development of a Programmatic Agreement (PA) to address the effects of the project on any historic properties as they become known. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 19, 2003, enclosed).

The purpose of this letter is to notify the Advisory Council on Historic Preservation and to determine Council participation pursuant to 36 CFR § 800.6(1). Attached to this letter is documentation specified in § 800.11(e). Please review this information and if the Council plans to participate in consultation, inform us within 15 days of receipt of this notice. If there is any

2

additional information you require for this project or if you have any questions or comments, please contact Kae Neustadt at (602) 712-8148 or via email at kneustadt@dot.state.az.us. Thank you.

Sincerely,

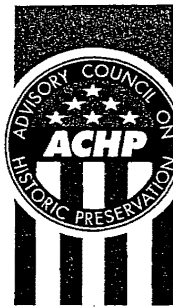
STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:

SThomas
WVachon
KNeustadt (619E)
SDT:cdm



Preserving America's Heritage

March 30, 2004

Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004

RE: *Proposed Programmatic Agreement Regarding Construction of a loop highway between Interstate 10 (I-10) west of Phoenix and I-10 south of Phoenix.*

Dear Mr. Hollis:

On March 12, 2004, we received your notification and supporting documentation regarding the FHWA's intent to develop a Programmatic Agreement (PA) with the Arizona State Historic Preservation Officer (SHPO) and other parties regarding the construction of a loop highway between I-10 west of Phoenix and I-10 south of Phoenix. We appreciate your notifying the ACHP early in planning, but at present there is not enough information available about the historic properties that may be affected to determine if the ACHP's participation is warranted. We encourage you to proceed to develop the PA in consultation with the SHPO and other parties without our participation. As consultation proceeds, please notify us if any of the criteria for ACHP involvement appear to be met.

The criteria for ACHP involvement are included in Appendix A of our regulations (36 CFR Part 800). According to these criteria, the ACHP is likely to participate in consultation when the undertaking:

- (1) Has substantial impacts on important historic properties;
- (2) Presents important questions of policy or interpretation;
- (3) Has the potential for presenting procedural problems; or
- (4) Presents issues of concern to Indian tribes or Native Hawaiian organizations.

If none of these criteria apply, you will need to file the final PA, developed in consultation with the Arizona State Historic Preservation Officer (SHPO), Arizona Department of Transportation (ADOT), and other parties, at the conclusion of the consultation process pursuant to 36 CFR 800.6(b)(1)(iv). Please also provide us at that time with a description of the undertaking, including maps and illustrations as needed, the views of consulting parties and the public, and any additional information you feel appropriate. The filing of this PA with the ACHP is required in order for the FHWA to complete its compliance responsibilities under Section 106 of the National Historic Preservation Act.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

12136 West Bayaud Avenue, Suite 330 • Lakewood, Colorado 80228
Phone: 303-969-5110 • Fax: 303-969-5115 • achp@achp.gov • www.achp.gov

Thank you for providing us with your notification. If you have any questions, please contact Carol Legard at (303) 969-5110 or via E-mail at clegard@achp.gov.

Sincerely,

Carol Legard
FHWA Liaison
Office of Federal Agency Programs



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

December 9, 2003

Bill Higgins
Acting State Engineer

Rick Anduze
Archaeologist
Salt River Project
M.S. PAB 355
P.O. Box 5625
Phoenix, AZ 85072-2025

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
Loop 202; South Mountain
Continuing Section 106 Consultation

Dear Mr. Anduze:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway between Interstate 10 (I-10) west of Phoenix to the I-10 south of Phoenix. Previous consultation with the Arizona State Historic Preservation Office (SHPO) recommended a Programmatic Agreement (PA) be developed to address the effects of the project as they become known. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 19, 2003).

At this time, ADOT, on behalf of FHWA, is submitting a draft PA for your review and comment. Please review the enclosed draft PA. If you find the PA adequate, please sign below to indicate your concurrence. If you have any comments or changes to request, please respond in writing. If you have any questions or concerns, please feel free to contact me at (602) 712-8148 or via email at kneustadt@dot.state.az.us. Thank you.

Sincerely,

Kae Neustadt
Historic Preservation Specialist
Environmental & Enhancement Group
205 S 17th Avenue, Room 213E / MD 619E
Phoenix, AZ 85007

Signature for SRP Concurrence

Date

4/1/04

Enclosure

c: SThomas
WVachon



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

July 1, 2005

John A. Bogert
Chief of Staff

Mr. Steve Ross, Archaeologist
Arizona State Land Department
1616 W. Adams
Phoenix, Arizona 85007

RE: Project No: NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report
Second Draft Programmatic Agreement

Dear Mr. Ross:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan

Ross
July 1, 2005
Page 2 of 6

Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: “*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*” (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005), which is enclosed for consultation and discussed below.
- Addendum Class I overview and Addendum Class III survey to address the expansion (late 2004 and early 2005) of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments. These two additional reports will be forthcoming as part of the Section 106 consultations. The results of these two studies will be provided in the near future.

The initial alternative alignments, defined in March 2003, were surveyed by the Gila River Indian Community’s Cultural Resource Management Program (GRIC-CRMP). The results are reported in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review and comment. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.

- AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) are prehistoric Hohokam villages with existing and/or historically documented public architecture. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the village structure and the development of irrigation communities south of the Salt River.



Ross
July 1, 2005
Page 3 of 6

- AZ T:11:164 (ASM), AZ T:12:91 (ASM), AZ T:12:127 (ASM) (Baseline Ruin), AZ T:12:202 (ASM), AZ T:12:203 (ASM), AZ T:12:204 (ASM), AZ T:12:205 (ASM), and AZ T:12:206 (ASM) are prehistoric Hohokam artifact scatters. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the development and structure of irrigation communities.
- AZ T:12:197 (ASM), AZ T:12:201 (ASM), and AZ T:12:211 (ASM) are trail sites with associated features (age and cultural affiliation unknown, but likely Native American in origin). AZ T:12:207 (ASM) is a prehistoric trail site with an associated Hohokam artifact scatter. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including social mobility and transportation networks.
- AZ T:12:210 (ASM) is a prehistoric quarry (age and cultural affiliation unknown, but likely Native American in origin). The site is recommended as eligible for the NRHP under Criterion D for its potential to provide important information prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including lithic resource procurement and ground stone technology.
- AZ T:12:199 (ASM) and AZ T:12:200 (ASM) are historic O’odham artifact scatters. AZ T:12:199 (ASM) is recommended as eligible for the NRHP under Criterion D for its potential to provide important information on historical-period O’odham settlement and land use near the confluence of the Gila and Salt Rivers, including the use of upland areas for subsistence and religious practices. AZ T:12:200 (ASM) is recommended as not eligible for the NRHP due to a lack of integrity and information potential.
- AZ T:12:198 (ASM) and AZ T:12:208 (ASM) are prehistoric petroglyph sites with historic components. The sites are considered eligible to the NRHP under Criterion D for their potential to provide important information of prehistoric Hohokam and historic O’odham settlement and land use at the confluence of the Gila and Salt Rivers, including the use of upland areas for religious practices.
- AZ T:10:83 (ASM) (Roosevelt Canal) and AZ T:12:154 (ASM) (Western Canal) are historic American irrigation canals. Both sites have previously been determined eligible for the NRHP under Criterion A for their important associations with the development of Arizona’s agricultural industry and irrigation networks.

All sites are located on private land, except for AZ T:10:83 (ASM) – Roosevelt Irrigation District; AZ T:12:154 (ASM) – Bureau of Reclamation / Salt River Project; AZ T:12:207 (ASM) – City of Phoenix, Park and Recreation; and AZ T:12:211 (ASM) – Arizona State Land Department. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.

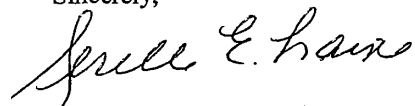


Ross
July 1, 2005
Page 4 of 6

In addition, FHWA/ADOT is recirculating a second draft Programmatic Agreement (PA, enclosed) because few tribes opted to participate in the PA when it was originally circulated in August 2003. This recirculation will allow the tribes another opportunity to participate in the PA. This second draft PA has been edited to address any comments from the first draft as well as to also addresses TCP properties more specifically.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed survey report, PA, and information provided in this letter. If you find the survey report adequate, agree with the eligibility recommendation for site AZ T:12:211 (ASM), and find the second draft PA acceptable, please sign below to indicate your concurrence and return to ADOT within 30 days. If you have any comments or changes to request for the PA, please respond in writing. We look forward to continuing consultation with your office as we develop the final PA to address project effects as the environmental documentation continues. If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,



Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for ASLD Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)

This letter was also sent to:

Mr. Garry Cantley, Western Regional Archaeologist, Bureau of Indian Affairs

Dr. Connie Stone, Archaeologist, Bureau of Land Management

Mr. Richard Boston, Archaeologist, Bureau of Reclamation

Mr. Todd Bostwick, Archaeologist, City of Phoenix

Mr. Rick Anduze, Archaeologist, Salt River Project

Dr. David Jacobs, Compliance Specialist, State Historic Preservation Office



2001 Award Recipient



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

July 7, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Draft Programmatic Agreement

Mr. Terry Enos, Chair
Ak-Chin Indian Community
42507 W. Peters & Nall Rd.
Maricopa, Arizona 85239

Dear Chairperson Enos:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), Salt River Project (SRP), Roosevelt Irrigation District (RID), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.



The Gila River Indian Community’s Cultural Resource Management Program (GRIC-CRMP) conducted a Class III cultural resources survey of the proposed alternative alignments. The results of the GRIC-CRMP survey are presented in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.

Because of the presence of the South Mountain Range and because areas of traditional cultural significance are not always identified through archaeological surveys, FHWA would like to request your participation in discussions regarding the potential effects to such resources that could result from the South Mountain Freeway project.

At this time, FHWA is inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns.

Additionally, FHWA is in the process of finalizing the South Mountain Corridor Programmatic Agreement (PA) to address project effects as the environmental documentation continues. The original draft PA was circulated in August 2003. At that time few tribes opted to participate. FHWA is re-circulating the draft PA (enclosed) and would like to offer another opportunity for your tribe/community to participate in the PA. Please sign below if you would like to be included as a Concurring Party to the PA and return to FHWA within in 30 days.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your tribe/community through continued Section 106 consultation. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Serelle E. Laine at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,

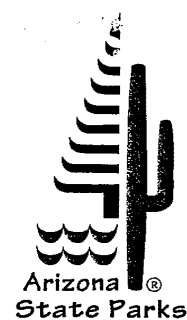
STEPHEN D. THOMAS
Robert E. Hollis
Division Administrator

Signature for Ak-Chin Indian Community
Concurrence

Date

Enclosures under separate cover (Chair: map and Programmatic Agreement)
cc:
Nancy Nelson, Archaeologist, Ak-Chin Indian Community, 47685 N. Eco Museum Rd., Maricopa, AZ 85239 (Enclosures under separate cover: map, site table, Programmatic Agreement, and cultural resources survey report)
SThomas, WVachon, SLaine (619E), RELlis (619E)
SDThomas:cdm

- The previous letter was also sent to:
- Mr. Edward Smith, Chairman, Chemehuevi Indian Tribe
 - Ms. Sherry Cordova, Chairwoman, Cocopah Indian Tribe
 - Mr. Daniel Eddy, Jr., Chairman, Colorado River Indian Tribe
 - Mr. Ralph Bear, President, Fort McDowell Yavapai Nation
 - Ms. Nora McDowell, Chairwoman, Fort Mojave Tribe
 - Mr. Mike Jackson, Sr., President, Fort Yuma-Quechan Tribe
 - Mr. Richard Narcia, Governor, Gila River Indian Community
 - Mr. Don Watahonigie, Chairman, Havasupai Tribe
 - Mr. Leigh Kuwanisiwma, Cultural Preservation Office, Hopi Tribe
 - Ms. Loretta Jackson, Tribal Historic Preservation Office, Hualapai Tribe
 - Ms. Carmen Bradley, Chair, Kaibab Band of Paiute Indians
 - Mr. Alan Downer, Ph.D., Tribal Historic Preservation Officer, Navajo Nation Historic Preservation Department
 - Ms. Herminia Frias, Chairwoman, Pascua Yaqui Tribe
 - Mr. Arden Qewwakia, Governor, Pueblo of Zuni
 - Ms. Joni Ramos, President, Salt River Pima-Maricopa Indian Community
 - Ms. Kathleen Wesley-Kitcheyan, Chairwoman, San Carlos Apache Nation
 - Mr. John Lehi, Sr., President, San Juan Southern Paiute
 - Mr. Peter Steere, Tribal Historic Preservation Officer, Tohono O’odham Nation
 - Mr. Joe Joaquin, Cultural Resource Specialist, Tohono O’odham Nation
 - Mr. Ivan Smith, Chairman, Tonto Apache Tribe
 - Mr. Dallas Massey, Sr., Chairman, White Mountain Apache Tribe
 - Ms. Jamie Fullmer, Chairman, Yavapai-Apache Nation
 - Mr. Ernest Jones, Sr., President, Yavapai-Prescott Indian Tribe



"Managing and conserving natural, cultural, and recreational resources"

July 11, 2005

Serelle Laine
Historic Preservation Coordinator
Environmental and Enhancement Group
Arizona Department of Transportation
205 South 17th Avenue Room 213E
Phoenix, AZ 85007-3212

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report; Draft PA
SHPO-2003-1890 (24603)

Janet Napolitano
Governor

State Parks
Board Members

Chair
Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
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Yarnell

Mark Winkelman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Dear Ms. Laine:

Thank you for consulting with this office regarding the cultural resources survey report and the second draft of a Programmatic Agreement (PA) associated with the South Mountain Transportation Corridor pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 CFR Part 800. We have reviewed the submitted materials and offer the following comments.

The submitted cultural resource report [*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*] by J. Andrew Darling identified 21 sites and 191 Isolated Occurrences (IOs). One of sites [i.e., AZ T:12:200 (ASM)] is recommended as ineligible, and well as all of the IOs. Many of the IOs should be reconsidered as parts of larger entities, such as known prehistoric habitation sites, canals, and avenues of travel.

For instance, the report grouped some of the IOs into twelve IO clusters in "areas where numerous artifacts co-occur but in concentrations less than would merit an archaeological site designation (Darling 2005:4-13)." One of these areas is noted in association with several prehistoric trails and trail sites (Darling 2005:4-14), with the additional comment that some of these trails continue to be used by GRIC today. It is suggested that these associations be distinguished with the assignment of a linear site number to the trail in question, and the IOs linked as features to their associated site. This will help guarantee, as Darling (2005:5-12) notes, that investigations of these non-site features "include detailed surface studies or subsurface investigations."

Regarding eligibility recommendations, besides the above comments about IOs, two of the identified historic properties are historic period canals. Both AZ T:10:83 (ASM), the Roosevelt Canal, and AZ T:12:154 (ASM), the Western Canal, are recommended as eligible under Criterion "d", however, our records suggest Criterion "a" should also be considered.

July 11, 2005

Page 2, Laine

The submitted draft PA contains provisions for federal, state, and private land, but not tribal land? Twenty-three tribal groups are listed on the first page of the draft PA, yet if any tribal land is involved in the area of potential effect (which is not defined in the draft PA document), then the tribal interactions will change.

One specific concern about the draft PA involves the number of days consulting parties will have from receipt to review and provide comments. The number of days is not mentioned in the first several stipulations, however, Stipulation #4 regarding data recovery work plans states 30 calendar days' review. Stipulation #11 of the draft PA deals with additional inventory survey and the number of calendar days provided for resolution of any disagreement, and the suggested twenty days seems inappropriate.

We do appreciate your cooperation with this office in considering the impacts of federal undertakings on cultural resources situated in Arizona, and we look forward to reviewing the revised data recovery report. If you have any questions, please contact me at (602) 542-7140 or electronically via djacobs@pr.state.az.us.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

July 7, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Draft Programmatic Agreement

Mr. Arden Quewakia, Governor
Pueblo of Zuni
P. O. Box 339
Zuni, New Mexico 87327

Dear Governor Quewakia:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), Salt River Project (SRP), Roosevelt Irrigation District (RID), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

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survey are presented in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.


Because of the presence of the South Mountain Range and because areas of traditional cultural significance are not always identified through archaeological surveys, FHWA would like to request your participation in discussions regarding the potential effects to such resources that could result from the South Mountain Freeway project.

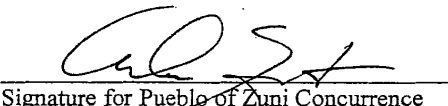
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Additionally, FHWA is in the process of finalizing the South Mountain Corridor Programmatic Agreement (PA) to address project effects as the environmental documentation continues. The original draft PA was circulated in August 2003. At that time few tribes opted to participate. FHWA is re-circulating the draft PA (enclosed) and would like to offer another opportunity for your tribe/community to participate in the PA. Please sign below if you would like to be included as a Concurring Party to the PA and return to FHWA within 30 days.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your tribe/community through continued Section 106 consultation. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Serelle E. Laine at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,


Robert E. Hollis
Division Administrator


Signature for Pueblo of Zuni Concurrence

7-12-05
Date

Enclosures under separate cover: (Governor: map and Programmatic Agreement)
cc:

Jonathan Damp, Archaeologist, Pueblo of Zuni, Cultural Resources Enterprise, P.O. Box 1149, Zuni, NM, 87328 (Enclosures under separate cover: map, site table, Programmatic Agreement, and cultural resources survey report)



United States Department of the Interior

BUREAU OF RECLAMATION
Phoenix Area Office
P.O. Box 81169
Phoenix, Arizona 85069-1169



IN REPLY REFER TO:
PXA0-1500
ENV-3.00

JUL 12 2005

Ms. Serrelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue
Rm. 213E, Mail Drop 619E
Phoenix, Arizona 85007-3213

Subject: Project No: NH-202-D(ADY), TRACS No. 202L MA H5764 01L, South Mountain Transportation Corridor

Dear Ms. Laine:

We have reviewed the report titled, "*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005)," and find it complete and adequate with one minor revision. The summary of Site Eligibility on page 5-21, paragraph 5, should indicate that the Western Canal AZ T:12:154 (ASM) has been determined eligible for listing on the National Register of Historic Places.

We have also reviewed the second draft Programmatic Agreement for the project and look forward to signing as a concurring party. If you any questions, please do not hesitate to call Mr. Richard Boston at 602-216-3941.

Sincerely,

Bruce D. Ellis
Chief, Environmental Resource
Management Division



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

John A. Bogert
Chief of Staff

July 1, 2005

Mr. Todd Bostwick, Archaeologist
City of Phoenix
Pueblo Grande Museum
4619 E. Washington
Phoenix, Arizona 85034

RE: Project No: NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report
Second Draft Programmatic Agreement

Dear Mr. Bostwick:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

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Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan

Bostwick
July 1, 2005
Page 2 of 6

Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: “*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*” (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwawisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005), which is enclosed for consultation and discussed below.
- Addendum Class I overview and Addendum Class III survey to address the expansion (late 2004 and early 2005) of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments. These two additional reports will be forthcoming as part of the Section 106 consultations. The results of these two studies will be provided in the near future.

The initial alternative alignments, defined in March 2003, were surveyed by the Gila River Indian Community’s Cultural Resource Management Program (GRIC-CRMP). The results are reported in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review and comment. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.

- AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) are prehistoric Hohokam villages with existing and/or historically documented public architecture. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the village structure and the development of irrigation communities south of the Salt River.



Bostwick
July 1, 2005
Page 3 of 6

- AZ T:11:164 (ASM), AZ T:12:91 (ASM), AZ T:12:127 (ASM) (Baseline Ruin), AZ T:12:202 (ASM), AZ T:12:203 (ASM), AZ T:12:204 (ASM), AZ T:12:205 (ASM), and AZ T:12:206 (ASM) are prehistoric Hohokam artifact scatters. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the development and structure of irrigation communities.
- AZ T:12:197 (ASM), AZ T:12:201 (ASM), and AZ T:12:211 (ASM) are trail sites with associated features (age and cultural affiliation unknown, but likely Native American in origin). AZ T:12:207 (ASM) is a prehistoric trail site with an associated Hohokam artifact scatter. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including social mobility and transportation networks.
- AZ T:12:210 (ASM) is a prehistoric quarry (age and cultural affiliation unknown, but likely Native American in origin). The site is recommended as eligible for the NRHP under Criterion D for its potential to provide important information prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including lithic resource procurement and ground stone technology.
- AZ T:12:199 (ASM) and AZ T:12:200 (ASM) are historic O’odham artifact scatters. AZ T:12:199 (ASM) is recommended as eligible for the NRHP under Criterion D for its potential to provide important information on historical-period O’odham settlement and land use near the confluence of the Gila and Salt Rivers, including the use of upland areas for subsistence and religious practices. AZ T:12:200 (ASM) is recommended as not eligible for the NRHP due to a lack of integrity and information potential.
- AZ T:12:198 (ASM) and AZ T:12:208 (ASM) are prehistoric petroglyph sites with historic components. The sites are considered eligible to the NRHP under Criterion D for their potential to provide important information of prehistoric Hohokam and historic O’odham settlement and land use at the confluence of the Gila and Salt Rivers, including the use of upland areas for religious practices.
- AZ T:10:83 (ASM) (Roosevelt Canal) and AZ T:12:154 (ASM) (Western Canal) are historic American irrigation canals. Both sites have previously been determined eligible for the NRHP under Criterion A for their important associations with the development of Arizona’s agricultural industry and irrigation networks.

All sites are located on private land, except for AZ T:10:83 (ASM) – Roosevelt Irrigation District; AZ T:12:154 (ASM) – Bureau of Reclamation / Salt River Project; AZ T:12:207 (ASM) – City of Phoenix, Park and Recreation; and AZ T:12:211 (ASM) – Arizona State Land Department. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.

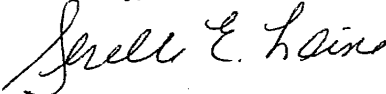


Bostwick
July 1, 2005
Page 4 of 6

In addition, FHWA/ADOT is recirculating a second draft Programmatic Agreement (PA, enclosed) because few tribes opted to participate in the PA when it was originally circulated in August 2003. This recirculation will allow the tribes another opportunity to participate in the PA. This second draft PA has been edited to address any comments from the first draft as well as to also addresses TCP properties more specifically.


As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed survey report, PA, and information provided in this letter. If you find the survey report adequate, agree with the eligibility recommendation for site AZ T:12:207 (ASM), and find the second draft PA acceptable, please sign below to indicate your concurrence and return to ADOT within 30 days. If you have any comments or changes to request for the PA, please respond in writing. We look forward to continuing consultation with your office as we develop the final PA to address project effects as the environmental documentation continues. If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,



Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures


Signature for City of Phoenix Concurrence

7-18-05
Date

cc: SThomas (FHWA); WVachon (FHWA)



Archaeology Section
Pueblo Grande Museum
4619 E. Washington St.
Phoenix, AZ 85034

Report Review Form

Project No.: ADOT

Date Report Submitted: 7/5/05

Report Title: A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona

Draft: X

Final:

Author: Darling

Firm: ADOT

Action: Accepted More Information Requested X Revise & Resubmit


Comments:

- Under Agency on the Abstract page (i): Other agencies should be listed here (SHPO, COP, Tribes, other cities, etc.).
- Under the Introduction, page 1-1, final paragraph, line 2: Insert the word *a* between *of* and *detailed*.
- Under the Introduction, page 1-1, final paragraph: The owners of the property on which the Class III survey was conducted should be listed.
- On Figure 1.1, page 1-2: Put *TO* (the projected freeway corridors) in the key. Also, why is *TO5* not displayed in the figure (both here and in the rest of the report)?
- Under Project Location and Area of Potential Effect (APE), page 2-1, initial paragraph, final sentence: Please explain why there is no *TO5* corridor.
- On Figure 2.1, page 2-3: Please cite which publication this chronology was adapted from.
- Under Field Methodology, page 3-1, initial paragraph, initial line: Insert *A* at the beginning of the initial sentence.
- On Figures 4.2 through Figure 4.7, pages 4-3 through 4-12, respectively: Please provide the reasons certain areas were not surveyed or refer the reader to a page where this information can be found.
- Under View 5—Laveen and Lone Butte Quadrangles (Alignments T01-T06), page 4-9, initial paragraph, second-to-last sentence: You mention that the APE crosses several ridges of South Mountain. It is worth noting that most of these ridges are within the South Mountain Preserve.
- Under Site Significance, page 5-7, final paragraph, sentence 5: How is it known that only "one other site in the South Mountains" contains prehistoric and historic petroglyphs? There are more of these sites that are known to the City of Phoenix Archaeology Office.

Saving the past for the future...

- An important reference not cited in this report is:
Bostwick, Todd
2001 Gold-Gold-Gold: The Rise and Fall of Mining in Phoenix's South Mountain Park. In *The Journal of Arizona History*, Spring 2001.

Recommendations:
Please revise the report accordingly and send one final bound copy of this report to the City of Phoenix Archaeology Office.

Reviewed By: Robert A. Serocki Jr. and
Todd W. Bostwick, Ph.D. 

Date: 7/19/05

Collection to be submitted: No
Remarks: No collections were made.



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

July 7, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Draft Programmatic Agreement

Mr. Ernest Jones, Sr., President
Yavapai-Prescott Indian Tribe
530 E. Merritt
Prescott, Arizona 86301-2038

Dear President Jones:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), Salt River Project (SRP), Roosevelt Irrigation District (RID), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The Gila River Indian Community's Cultural Resource Management Program (GRIC-CRMP) conducted a Class III cultural resources survey of the proposed alternative alignments. The results of the GRIC-CRMP



2

survey are presented in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.

Because of the presence of the South Mountain Range and because areas of traditional cultural significance are not always identified through archaeological surveys, FHWA would like to request your participation in discussions regarding the potential effects to such resources that could result from the South Mountain Freeway project.

At this time, FHWA is inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns.

Additionally, FHWA is in the process of finalizing the South Mountain Corridor Programmatic Agreement (PA) to address project effects as the environmental documentation continues. The original draft PA was circulated in August 2003. At that time few tribes opted to participate. FHWA is re-circulating the draft PA (enclosed) and would like to offer another opportunity for your tribe/community to participate in the PA. Please sign below if you would like to be included as a Concurring Party to the PA and return to FHWA within in 30 days.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your tribe/community through continued Section 106 consultation. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Serelle E. Laine at 602-712-8636 or e-mail slaine@azdot.gov.

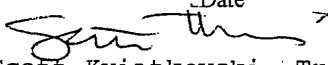
Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

The Yavapai-Prescott Indian Tribe does not wish to be a party to the Programmatic agreement for this project as it occurs entirely outside aboriginal Yavapai Territory. We defer to the southern tribes.

Signature for Yavapai-Prescott Indian Tribe
Concurrence


Scott Kwiatkowski, Tribal Anthropologist

Enclosures under separate cover: (President: map and Programmatic Agreement)

22 July 2005

cc:

Nancy Hayden, Director, Cultural Research Program, Yavapai-Prescott Indian Tribe (Enclosures under separate cover: map, site table, Programmatic Agreement, and cultural resources survey report)
SThomas, WVachon, SLaine (619E), RELIS (619E)
SDThomas:cdm



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

John A. Bogert
Chief of Staff

July 1, 2005

Dr. Connie Stone, Archaeologist
Bureau of Land Management
Phoenix Field Office
21605 N. 7th Ave.
Phoenix, Arizona 85027-2099

RE: Project No: NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report
Second Draft Programmatic Agreement

Dear Dr. Stone:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan

Stone
July 1, 2005
Page 2 of 6

Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: “*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*” (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005), which is enclosed for consultation and discussed below.
- Addendum Class I overview and Addendum Class III survey to address the expansion (late 2004 and early 2005) of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments. These two additional reports will be forthcoming as part of the Section 106 consultations. The results of these two studies will be provided in the near future.

The initial alternative alignments, defined in March 2003, were surveyed by the Gila River Indian Community’s Cultural Resource Management Program (GRIC-CRMP). The results are reported in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review and comment. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.

- AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) are prehistoric Hohokam villages with existing and/or historically documented public architecture. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the village structure and the development of irrigation communities south of the Salt River.



Stone
July 1, 2005
Page 3 of 6

- AZ T:11:164 (ASM), AZ T:12:91 (ASM), AZ T:12:127 (ASM) (Baseline Ruin), AZ T:12:202 (ASM), AZ T:12:203 (ASM), AZ T:12:204 (ASM), AZ T:12:205 (ASM), and AZ T:12:206 (ASM) are prehistoric Hohokam artifact scatters. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the development and structure of irrigation communities.
- AZ T:12:197 (ASM), AZ T:12:201 (ASM), and AZ T:12:211 (ASM) are trail sites with associated features (age and cultural affiliation unknown, but likely Native American in origin). AZ T:12:207 (ASM) is a prehistoric trail site with an associated Hohokam artifact scatter. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including social mobility and transportation networks.
- AZ T:12:210 (ASM) is a prehistoric quarry (age and cultural affiliation unknown, but likely Native American in origin). The site is recommended as eligible for the NRHP under Criterion D for its potential to provide important information prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including lithic resource procurement and ground stone technology.
- AZ T:12:199 (ASM) and AZ T:12:200 (ASM) are historic O’odham artifact scatters. AZ T:12:199 (ASM) is recommended as eligible for the NRHP under Criterion D for its potential to provide important information on historical-period O’odham settlement and land use near the confluence of the Gila and Salt Rivers, including the use of upland areas for subsistence and religious practices. AZ T:12:200 (ASM) is recommended as not eligible for the NRHP due to a lack of integrity and information potential.
- AZ T:12:198 (ASM) and AZ T:12:208 (ASM) are prehistoric petroglyph sites with historic components. The sites are considered eligible to the NRHP under Criterion D for their potential to provide important information of prehistoric Hohokam and historic O’odham settlement and land use at the confluence of the Gila and Salt Rivers, including the use of upland areas for religious practices.
- AZ T:10:83 (ASM) (Roosevelt Canal) and AZ T:12:154 (ASM) (Western Canal) are historic American irrigation canals. Both sites have previously been determined eligible for the NRHP under Criterion A for their important associations with the development of Arizona’s agricultural industry and irrigation networks.

All sites are located on private land, except for AZ T:10:83 (ASM) – Roosevelt Irrigation District; AZ T:12:154 (ASM) – Bureau of Reclamation / Salt River Project; AZ T:12:207 (ASM) – City of Phoenix, Park and Recreation; and AZ T:12:211 (ASM) – Arizona State Land Department. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.



Stone
July 1, 2005
Page 4 of 6

In addition, FHWA/ADOT is recirculating a second draft Programmatic Agreement (PA, enclosed) because few tribes opted to participate in the PA when it was originally circulated in August 2003. This recirculation will allow the tribes another opportunity to participate in the PA. This second draft PA has been edited to address any comments from the first draft as well as to also addresses TCP properties more specifically.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed survey report, PA, and information provided in this letter. If you find the survey report adequate and the second draft PA acceptable, please sign below to indicate your concurrence and return to ADOT within 30 days. If you have any comments or changes to request for the PA, please respond in writing. We look forward to continuing consultation with your office as we develop the final PA to address project effects as the environmental documentation continues. If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,

Serelle E. Laine
Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Connie L. Stone
Signature for BLM Concurrence
Archaeologist

cc: SThomas (FHWA); WVachon (FHWA)

Date *July 26, 2005*



Cantley
July 1, 2005
Page 4 of 6

In addition, FHWA/ADOT is recirculating a second draft Programmatic Agreement (PA, enclosed) because few tribes opted to participate in the PA when it was originally circulated in August 2003. This recirculation will allow the tribes another opportunity to participate in the PA. This second draft PA has been edited to address any comments from the first draft as well as to also addresses TCP properties more specifically.

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Sincerely,

Serelle E. Laine
Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for BIA Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)

*BIA decline participation
review 8/3/05
written 8/11/05*





Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor
Victor M. Mendez
Director

August 3, 2005

John A. Bogert
Chief of Staff

Mr. Ralph Velez, City Manager
City of Tolleson
9555 West Van Buren Street
Tolleson, Arizona 85353

RE: Project No: NH-202-D()
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Draft Cultural Resources "Programmatic Agreement"

Dear Mr. Velez:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length. Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

The cultural resources component of the EIS includes four technical studies:

- *A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona* (Burden 2002).
- *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005).
- *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005).
- *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005).

Velez
August 3, 2005
Page 2 of 2

Twenty-two archaeological sites and Twenty-one historic sites were identified in the proposed alternative alignments. In addition, the South Mountain Range is identified as place of traditional cultural importance to Native American tribes.

FHWA/ADOT is circulating the draft Programmatic Agreement (PA) that addresses cultural resources for the project for your review. If you find the PA adequate and wish to participate in the final PA, please indicate your concurrence by signing below and return within in 20 days. If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,

Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for City of Tolleson Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)



The previous letter was also sent to:
Mr. Charlie McClendon, City Manager, City of Avondale
Mr. Mike Normand, Transportation Services and Planning Manager, City of Chandler
Mr. Ed Beasley, City Manager, City of Glendale



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

July 7, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Draft Programmatic Agreement

Mr. Raphael Bear, President
Fort McDowell Yavapai Nation
P.O. Box 17779
Fountain Hills, Arizona 85269

Dear President Bear:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), Salt River Project (SRP), Roosevelt Irrigation District (RID), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The Gila River Indian Community's Cultural Resource Management Program (GRIC-CRMP) conducted a Class III cultural resources survey of the proposed alternative alignments. The results of the GRIC-CRMP survey are presented in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South*.



Mountain Freeway Corridor Study Area, Maricopa County, Arizona (Darling 2005), which is enclosed for your review. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.


Because of the presence of the South Mountain Range and because areas of traditional cultural significance are not always identified through archaeological surveys, FHWA would like to request your participation in discussions regarding the potential effects to such resources that could result from the South Mountain Freeway project.

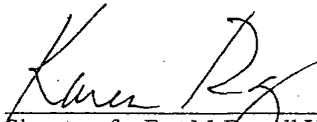
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Additionally, FHWA is in the process of finalizing the South Mountain Corridor Programmatic Agreement (PA) to address project effects as the environmental documentation continues. The original draft PA was circulated in August 2003. At that time few tribes opted to participate. FHWA is re-circulating the draft PA (enclosed) and would like to offer another opportunity for your tribe/community to participate in the PA. Please sign below if you would like to be included as a Concurring Party to the PA and return to FHWA within in 30 days.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your tribe/community through continued Section 106 consultation. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Serelle E. Laine at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,


Robert E. Hollis
Division Administrator


Signature for Fort McDowell Yavapai Nation
Concurrence

8-5-05
Date

Enclosures under separate cover: map, site table, Programmatic Agreement, and cultural resources survey report



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

John A. Bogert
Chief of Staff

July 1, 2005

Mr. Rick Anduze, Archaeologist
Salt River Project
P.P. Box 52025, Mailstop PAB 352
Phoenix, Arizona 85072-2025

RE: Project No: NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report
Second Draft Programmatic Agreement

Environmental Compliance
Environmental Services

Dear Mr. Anduze:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

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Anduze
July 1, 2005
Page 2 of 6

Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: "*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*" (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: "*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*" (Darling 2005), which is enclosed for consultation and discussed below.
- Addendum Class I overview and Addendum Class III survey to address the expansion (late 2004 and early 2005) of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments. These two additional reports will be forthcoming as part of the Section 106 consultations. The results of these two studies will be provided in the near future.

The initial alternative alignments, defined in March 2003, were surveyed by the Gila River Indian Community's Cultural Resource Management Program (GRIC-CRMP). The results are reported in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), which is enclosed for your review and comment. Twenty-one archaeological sites were identified in the proposed alternative alignments (see attached table). Twenty sites are recommended as eligible to the National Register of Historic Places (NRHP) under Criterion D. One site is recommended as not eligible to the NRHP.

- AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) are prehistoric Hohokam villages with existing and/or historically documented public architecture. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the village structure and the development of irrigation communities south of the Salt River.



Anduze
July 1, 2005
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- AZ T:11:164 (ASM), AZ T:12:91 (ASM), AZ T:12:127 (ASM) (Baseline Ruin), AZ T:12:202 (ASM), AZ T:12:203 (ASM), AZ T:12:204 (ASM), AZ T:12:205 (ASM), and AZ T:12:206 (ASM) are prehistoric Hohokam artifact scatters. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the development and structure of irrigation communities.
- AZ T:12:197 (ASM), AZ T:12:201 (ASM), and AZ T:12:211 (ASM) are trail sites with associated features (age and cultural affiliation unknown, but likely Native American in origin). AZ T:12:207 (ASM) is a prehistoric trail site with an associated Hohokam artifact scatter. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including social mobility and transportation networks.
- AZ T:12:210 (ASM) is a prehistoric quarry (age and cultural affiliation unknown, but likely Native American in origin). The site is recommended as eligible for the NRHP under Criterion D for its potential to provide important information prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including lithic resource procurement and ground stone technology.
- AZ T:12:199 (ASM) and AZ T:12:200 (ASM) are historic O'odham artifact scatters. AZ T:12:199 (ASM) is recommended as eligible for the NRHP under Criterion D for its potential to provide important information on historical-period O'odham settlement and land use near the confluence of the Gila and Salt Rivers, including the use of upland areas for subsistence and religious practices. AZ T:12:200 (ASM) is recommended as not eligible for the NRHP due to a lack of integrity and information potential.
- AZ T:12:198 (ASM) and AZ T:12:208 (ASM) are prehistoric petroglyph sites with historic components. The sites are considered eligible to the NRHP under Criterion D for their potential to provide important information of prehistoric Hohokam and historic O'odham settlement and land use at the confluence of the Gila and Salt Rivers, including the use of upland areas for religious practices.
- AZ T:10:83 (ASM) (Roosevelt Canal) and AZ T:12:154 (ASM) (Western Canal) are historic American irrigation canals. Both sites have previously been determined eligible for the NRHP under Criterion A for their important associations with the development of Arizona's agricultural industry and irrigation networks.

All sites are located on private land, except for AZ T:10:83 (ASM) – Roosevelt Irrigation District; AZ T:12:154 (ASM) – Bureau of Reclamation / Salt River Project; AZ T:12:207 (ASM) – City of Phoenix, Park and Recreation; and AZ T:12:211 (ASM) – Arizona State Land Department. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.



Anduze
July 1, 2005
Page 4 of 6

In addition, FHWA/ADOT is recirculating a second draft Programmatic Agreement (PA, enclosed) because few tribes opted to participate in the PA when it was originally circulated in August 2003. This recirculation will allow the tribes another opportunity to participate in the PA. This second draft PA has been edited to address any comments from the first draft as well as to also addresses TCP properties more specifically.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed survey report, PA, and information provided in this letter. If you find the survey report adequate, agree with the eligibility recommendation for site AZ T:12:154 (ASM), and find the second draft PA acceptable, please sign below to indicate your concurrence and return to ADOT within 30 days. If you have any comments or changes to request for the PA, please respond in writing. We look forward to continuing consultation with your office as we develop the final PA to address project effects as the environmental documentation continues. If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,


Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures


Signature for SRP Concurrence

8 August 2005
Date

cc: SThomas (FHWA); WVachon (FHWA)



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

David P. Jankofsky
Deputy Director

August 17, 2005

Terry Enos, Chair
Ak-Chin Indian Community
42507 West Peters & Nall Rd.
Maricopa, Arizona 85239

RE: Project No: NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Draft Programmatic Agreement follow-up

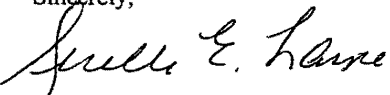
Dear Chair Enos:

The Arizona Department of Transportation (ADOT) on behalf of the Federal Highway Administration (FHWA) is following up on our recent request for input on the draft Programmatic Agreement (PA) for the South Mountain Corridor freeway project (letter from Hollis, FHWA, July 7, 2005). ADOT/FHWA are in the process of finalizing the South Mountain Corridor PA to address project effects as the environmental documentation continues for the project. A draft PA was circulated in July 2005 along with an invitation to participate in discussions regarding the potential effects of the project on areas of traditional cultural significance, however, at this time, few tribes have opted to participate.

ADOT on behalf of FHWA would like to offer another opportunity for your tribe/community to participate in the PA and in discussions regarding potential effects to areas of traditional cultural significance. Please sign below if you would like to be included as a Concurring Party to the final PA and return to ADOT by September 2, 2005. If your office opts to participate in cultural resource consultation at a later date, ADOT/FHWA would make a good faith effort to address any concerns.

If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,


Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Signature for Ak-Chin Community Concurrence

Date

cc: Nancy Nelson, Archaeologist
SThomas (FHWA)

The previous letter was also sent to:

Mr. Edward Smith, Chairman, Chemehuevi Indian Tribe
Ms. Sherry Cordova, Chairwoman, Cocopah Indian Tribe
Mr. Daniel Eddy, Jr., Chairman, Colorado River Indian Tribes
Mr. Ralph Bear, President, Fort McDowell Yavapai Nation
Ms. Nora McDowell, Chairwoman, Fort Mojave Tribe
Mr. Mike Jackson, Sr., President, Fort Yuma-Quechan Tribe
Mr. Richard Narcia, Governor, Gila River Indian Community
Mr. Don Watahonigie, Chairman, Havasupai Tribe
Mr. Leigh Kuwanisiwma, Cultural Preservation Officer, Hopi Tribe
Ms. Loretta Jackson, Tribal Historic Preservation Office, Hualapai Tribe
Ms. Carmen Bradley, Chair, Kaibab-Band of Paiute Indians
Mr. Alan Downer, Ph.D., Tribal Historic Preservation Officer, Navajo Nation Historic Preservation Department
Ms. Herminia Frias, Chairwoman, Pascua Yaqui Tribe
Ms. Joni Ramos, President, Salt River Pima-Maricopa Indian Community
Ms. Kathleen Wesley-Kitcheyan, Chairwoman, San Carlos Apache Nation
Mr. John Lehi, Sr., President, San Juan Southern Paiute
Mr. Peter Steere, Tribal Historic Preservation Officer, Tohono O'odham Nation
Mr. Joe Joaquin, Cultural Resource Specialist, Tohono O'odham Nation
Mr. Ivan Smith, Chairman, Tonto Apache Tribe
Mr. Mark Altaha, Tribal Historic Preservation Officer, White Mountain Apache Tribe
Ms. Jamie Fullmer, Chairwoman, Yavapai-Apache Nation



Janet Napolitano
Governor
Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

August 31, 2005

Diana Stewart, Environmental Planner
Flood Control District Maricopa County
2801 West Durango Street
Phoenix, Arizona 85009

RE: Project No: NH-202-D()
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Draft Cultural Resources "Programmatic Agreement"

Dear Ms. Stewart:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length. Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

The cultural resources component of the EIS includes four technical studies:

- *A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona* (Burden 2002).
- *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005).
- *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005).
- *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005).

Stewart
August 31, 2005
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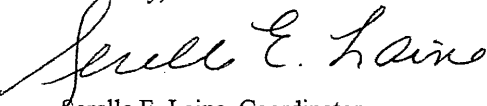
Twenty-two archaeological sites and 21 historic sites were identified in the proposed alternative alignments. In addition, the South Mountain Range is identified as place of traditional cultural importance to Native American tribes.

All sites are located on private land, except for the Sachs-Webster Farmhouse (7515 West Baseline Road) – Flood Control District Maricopa County; SRP 99th Avenue Lateral – Bureau of Reclamation/Salt River Project; US 80/ AZ FF:9:17 (ASM) – City of Phoenix, and the 6100 Block West Dobbins Road Streetscape – City of Phoenix. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.

The SRP 99th Avenue Lateral, located on the east side of South 99th Avenue and north of Lower Buckeye Road, is recommended as eligible to the NRHP under Criterion A as a rare irrigation feature that was once common in the agricultural landscape of the Salt River Valley. The lateral is being converted to an underground pipe in response to the Pecan Promenade and City of Phoenix development projects. SRP and Reclamation are currently in the process of preparing a report for the canal that documents its history and engineering, as a form of mitigation. Upon completion of these projects, the 99th Avenue Lateral will no longer be considered a contributing component of the overall SRP irrigation network.

FHWA/ADOT is circulating the draft Programmatic Agreement (PA) that addresses cultural resources for the project for your review. Please review the enclosed draft PA. If you find the PA adequate and wish to participate in the final PA, please indicate your concurrence by signing below and return within in 20 days. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,



Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for Flood Control District
Maricopa County Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)

This letter was also sent to:
Brian Kenny, Environmental Programs Manager, Maricopa County Dept.
of Transportation
Stanley Ashby, Superintendent, Roosevelt Irrigation District



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

August 31, 2005

Mr. Steven Ross, Cultural Resources Manager
Arizona State Land Department
1616 W. Adams
Phoenix, Arizona 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports

Dear Mr. Ross:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

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The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: "*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*" (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: "*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*" (Darling 2005). Consultation regarding adequacy of the report is on-going. To date, concurrence responses have been received from SHPO (Jacobs, July 11, 2005), Bureau of Reclamation (Ellis, July 12, 2005), Bureau of Land Management (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quewakia, July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
- An addendum Class I overview and addendum Class III survey to address the expansion of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments (late 2004 and early 2005). The addendum Class I report is titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. The Class III report is titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. Both reports are enclosed for consultation and discussed below.

Addendum Class I Overview Results

The addendum Class I overview, titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005), identified 27 previously recorded prehistoric and historic archaeological sites, five historical-period linear sites, and 129 historic building properties (see attached Table A). In addition, historical maps indicate that several prehistoric canal alignments pass through the study area. For the archaeological sites, five are considered eligible to the National Register of Historic Places (NRHP) under Criterion D, five sites are not eligible, nine sites have not been evaluated for eligibility, and the eligibility status of eight sites is unknown due to a lack of available information. Historically-



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documented prehistoric canals in the area are viewed as potentially eligible resources that should be investigated if encountered.

The Class I study revealed five historical-period linear sites in the study area. The linear sites are considered eligible overall under Criterion A with contributing and non-contributing segments.

Of the 129 historic building properties, 25 have been previously recommended as eligible to the NRHP under Criteria A and/or C, 37 have been recommended as not eligible, and 67 have not been evaluated. Seventy-one historic building properties are in the Capital Redevelopment Area in Phoenix, an unincorporated residential area with an abundance of historic building properties. Eighteen of the historic building properties are in the Villa Verde Historic District, which is listed on the Phoenix Register of Historic Places. Although the Villa Verde properties were previously recommended as not eligible to the NRHP, they should be re-evaluated within the context of an early Phoenix suburban neighborhood.

The vast majority of cultural resources identified in the addendum Class I study area will not be affected by any of the proposed alternative alignments. Cultural resources in the W55 and W71 alignments include AZ T:11:26 (ASM), AZ T:12:4 (MNA), AZ T:12:5 (MNA), AZ T:12:10 (ASM) (Los Colinas), AZ T:12:38 (ASM), and AZ T:12:178 (ASM) (Los Aumentos). Cultural resources in the W101 alignments include AZ T:7:167 (ASM) (Grand Canal), AZ T:10:83 (ASM) (Roosevelt Canal), AZ T:11:26 (ASM), AZ T:12:4 (MNA), and AZ T:12:178 (Los Aumentos).

Addendum Class III Survey Results

An addendum survey of shifted alternative alignments, defined in December 2004, and agricultural fields that had been plowed in early 2005 since the time of the initial Class III survey conducted by the GRIC (Darling 2004), was conducted by HDR Engineering, Inc. (HDR). In addition, the addendum Class III survey included documentation of 21 historic sites not included in the initial Class III survey (Darling 2004). The results are reported in a report titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005), which is enclosed for your review and comment. One archaeological site and 21 historic sites were identified in the proposed alternative alignments (see attached Table B). The archaeological site is recommended as eligible to the NRHP under Criterion D. Two historic sites are recommended as eligible under Criterion A. Three historic sites are recommended as eligible under Criterion C. One historic site is recommended as eligible under Criteria A and B. One historic site is recommended as eligible under Criteria A and C. One historic site is recommended as eligible under Criteria A and D. One historic site is recommended as eligible under Criterion A but non-contributing within the proposed alternative alignments. Twelve historic sites are recommended as not eligible.

Archaeological Sites

- AZ T:12:221 (ASM) is a prehistoric Hohokam artifact scatter. The site is recommended as eligible to the NRHP under Criterion D for its potential to provide important information on prehistoric settlement and land use in the lower Salt River Valley near the confluence of Gila and Salt rivers.



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Canals

- The SRP 99th Avenue Lateral, located on the east side of South 99th Avenue and north of Lower Buckeye Road, is recommended as eligible to the NRHP under Criterion A as a rare irrigation feature that was once common in the agricultural landscape of the Salt River Valley. The lateral is being converted to an underground pipe in response to the Pecan Promenade and City of Phoenix development projects. SRP and Reclamation are currently in the process of preparing a report for the canal that documents its history and engineering, as a form of mitigation. Upon completion of these projects, the 99th Avenue Lateral will no longer be considered a contributing component of the overall SRP irrigation network.

Commercial Properties

- Mother's Restaurant at 5760 West Buckeye Road is recommended as not eligible to the NRHP due to a lack historical significance and integrity. The original gas station is heavily modified as a result of its conversion to a restaurant in the 1970s. It no longer retains integrity of workmanship and design. Historically, the gas station was in a rural agricultural setting along a two-lane highway. Today, the property has lost its integrity of setting and feeling, as it is in a modern industrial zone with old US 80 (West Buckeye Road) widened to a five-lane urban thoroughfare.
- The Jarvis Marine Repair Shop at 5800 West Buckeye Road is recommended as not eligible to the NRHP due its age and lack of architectural significance.

Farms

- The Hudson Farm located at 9300 South 59th Avenue is recommended as eligible to the NRHP under Criterion A as an exceptional example of a historic farmstead in Laveen. It retains a complete suite of agricultural buildings and structures from the period of significance that are in good condition and well preserved. In addition, the farmstead does not have any intrusive modern buildings or structures that would detract from its historic setting and feeling (other than a large satellite dish which could be easily removed). The farmstead's combination and overall layout of older buildings and structures, along with other contributing elements such as the mature landscaping, palm tree-lined driveways and entrance gates, provides an inclusive picture of what a working farmstead was like in Laveen during the agricultural era period of significance. The property retains integrity of location, workmanship, materials, design, and association. Furthermore, the surrounding agricultural field provides the contextual framework within which the property conveys its historic character as a farmstead. Thus, the agricultural field is an important contributing component that defines and preserves the farmstead's integrity of setting and feeling. It is recommended that the entire 38-acre parcel is eligible for the NRHP under Criterion A as an exceptional example of a historic-period Laveen farmstead. Additionally, the pair of stave silos are recognized as individually eligible to the NRHP under Criterion C, as rare examples of a once common architectural form that was a fundamental component of Laveen's historic agricultural landscape.



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Farmsteads

- The Anderson Farm Tenant Residences at 9901 and 9903 West Van Buren Road are recommended as not eligible to the NRHP due to a lack of historical and architectural significance.
- The Carter Farmstead at 7201 and 7215 West Broadway Road is recommended as not eligible to the NRHP. The farmstead has lost too many of its primary elements to convey a good sense of its historic character. While it provides a picturesque rural setting, it does not provide an accurate portrayal of its historic composition.
- The Cecil and Mary Colvin Farmstead located at 5139 West Estrella Road is recommended as not eligible to the NRHP because it has lost too many of its period elements to convey its historic character. The farmhouse is the only primary element remaining from the historic period; however, it lacks integrity and architectural distinction.
- The Dad Farmstead at 6102 West Dobbins Road is recommended as not eligible for the NRHP due to a lack of historical significance, architectural merit, and integrity. Individually, the farmhouse and barn have been modified and lack architectural distinction. Overall, the property fails to convey its original historic character as a working farmstead.
- The Dean Farmstead at 9445 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials. The farmhouse is heavily modified through additions and is in a general state of disrepair.
- The Maddux House at 9115 West Broadway Road is recommended as not eligible for the NRHP due to a lack of historical and architectural significance.
- The Parker Farmstead at 3606 South 83rd Avenue is recommended as not eligible due to a lack of historical and architectural significance. None of the farmstead's historic period buildings and structures remain, except for the farmhouse built in 1950, which is heavily modified with additions and generally lacks integrity of design, workmanship, and materials.
- The Pitrat Farmstead at 5901 West Elliot Road is recommended as not eligible for the NRHP due to a lack of architectural integrity and historical significance. The historical layout of the farmstead has been lost as a result of property subdivisions and new construction. The house is heavily modified from its original form through multiple additions. Although the property is consistent with a rural agricultural landscape, in its current condition, it no longer conveys an accurate representation of its historical period character.



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- The Quinonez House at 9131 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials
- The Sachs-Webster Farmhouse at 7515 West Baseline Road was previously recommended as eligible for the NRHP under Criterion C as an outstanding example of the Pyramid Cottage or Neo-Classical bungalow style house. Not only is the house a rare example of a once common Territorial-period architectural style, it is also exceptional in that few homes built in Phoenix in the Pyramid Cottage style possess as many of the hallmark attributes as does the Sachs-Webster House.

Farmsteads with Dairy Components

- The Colvin-Tyson Farmstead/Barnes Dairy located at 6159 West Dobbins Road is recommended as not eligible to the NRHP as a whole because of a lack of integrity and historical significance. However, the dairy “head-to-toe” barn is recommended as individually eligible under Criterion C as a rare example of a once common architectural form that was a characteristic feature in Laveen’s historic landscape and an integral component of its local economy. It is one of the few standing family-operated dairy barns in Laveen. It is also recognized as important within the broader context of the Salt River Valley’s dairy industry as a surviving example of a dairy head-to-toe barn used during the height of its agricultural era.
- The Hackin Farmstead/Dairy at 10048 South 59th Avenue is recommended as not eligible to the NRHP because of a lack of integrity and historical significance. However, the dairy “flat” barn, is recommended as individually eligible under Criterion C as a rare example of a once common form that was a characteristic feature in Laveen’s historic landscape and an integral component of its local economy. It is one of the few remaining family-operated dairy barns in Laveen. It is also important within the broader context of the Salt River Valley’s dairy industry as a surviving example of a dairy flat barn used during the height of its agricultural era.

Feedlots

- The C.O. Pitrat & Sons Feedlot in the 6100 Block of West Elliot Road is recommended as not eligible for the NRHP because of a lack of historical and architecture significance. The feedlot is 50 years old; however, most of its operation occurred in modern times. The structures and buildings are poorly preserved and generally lack integrity.

Highways

- US 80 (AZ FF:9:17 [ASM]) is considered eligible to the NRHP under Criterion A at the national level as one of the first designated transcontinental routes and for its association with the development of the U.S. interstate transportation network. The segment within the study area has been widened and modernized and no longer retains integrity of design, workmanship, and materials. Furthermore, its integrity of setting and feeling are lost with most of the surrounding landscape



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transformed from rural agricultural to urban commercial/industrial. It is recommended that the segment in the study area is not eligible to the NRHP as a non-contributing component of US 80.

Historic Townsites

- The historic Santa Marie Townsite, located at the southwest corner of Lower Buckeye Road and 83rd Avenue, is recommended as eligible to the NRHP under Criteria A and B. The unincorporated townsite is a living example of an historic, rural Hispanic agricultural community in the Salt River Valley. Communities such as Santa Maria had an important role in the development and operation of the Valley’s agricultural industry throughout the 20th century. In addition, the townsite has an association with Khattar Joseph Nackard, an Arizona businessman who had an influential role developing and shaping the State’s economic and commercial future. As such, it is recommended that the Santa Marie Townsite is eligible for the NRHP under Criteria A and B.

Railroads

- The Southern Pacific Railroad Wellton-Phoenix-Eloy Main Line (AZ T:10:84 [ASM]) is recommended as eligible to the NRHP for its association with the development of Arizona’s railroad network. The railroad has been maintained and upgraded over the years and remains an important component of Arizona’s transportation network.

Streetscapes

- The 6100 Block West Dobbins Road Streetscape is recommended as eligible to the NRHP under Criteria A and D as an example and reflection of the lower Salt River Valley’s agricultural past. In contrast to a more common, barren rural streetscape defined by a two-lane road passing between broad, open agricultural fields, the 6100 Block contains a suite of rural agricultural elements that convey a strong sense of what rural life was like in Arizona in the early to mid 1900s; (i.e., it captures more of the human element). Rural streetscapes are becoming increasingly rare in the lower Salt River Valley, as agricultural communities are replaced by urban development. It is recommended that the 6100 Block West Dobbins Road Streetscape is eligible to the NRHP under Criteria A and D, not only for its association with Arizona’s early agricultural development, but more so for its information potential to provide future Arizonans with an idea of what rural agricultural life was like in the lower Salt River Valley during the early years of statehood.

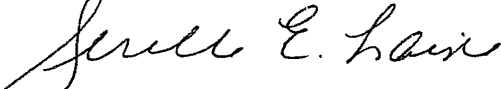
All sites are located on private land, except for the Sachs-Webster Farmhouse (7515 West Baseline Road) – Flood Control District Maricopa County; SRP 99th Avenue Lateral – Bureau of Reclamation/Salt River Project; US 80/ AZ FF:9:17 (ASM) – City of Phoenix, and the 6100 Block West Dobbins Road Streetscape – City of Phoenix. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.



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As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed Class I overview and Class III survey report and information provided in this letter. If you find the reports adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. The final Programmatic Agreement is being completed and will be submitted for signature in September 2005. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,



Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for ASLD Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)



Table A. Addendum Class I Overview Report Eligibility and Management Summary.

Alignments	Site	Type	Location	Jurisdiction	NRHP Eligibility (Criterion)	Management Recommendation
W55/W71	AZ T:11:26 (ASM)	Hohokam Artifact Scatter	T1N, R1E, S4	ADOT	Not Eligible	None
	AZ T:12:4 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S6	ADOT, Private	Not Eligible	None
	AZ T:12:5 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S5	ADOT, Private	Not Eligible	None
	AZ T:12:10 (ASM) Las Colinas	Hohokam Village	T2N, R2E, S36; T1N, R2E, S1, 2, 11	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:12:38 (ASM)	Hohokam Village	T1N, R2E, S3	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:12:178 (ASM) Los Aumentos	Hohokam Village	T1N, R1E, S2	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:7:167 (ASM) Grand Canal	Canal	T2N,R1E, S9, 16	Reclamation	Eligible (A, C)	Avoid, or else mitigate adverse effects
	AZ T:10:83 (ASM) Roosevelt Canal	Canal	T1N, R1E, S3, 4	Private	Eligible (A, C)	Avoid, or else mitigate adverse effects
	AZ T:11:26 (ASM)	Hohokam Artifact Scatter	T1N, R1E, S4	ADOT,	Not Eligible	None
	AZ T:12:4 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S6	ADOT, Private	Not Eligible	None
W101 Alignments ¹	AZ T:12:178 (ASM) Los Aumentos	Hohokam Village	T1N, R1E, S2	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects

¹ = Includes alignments W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, W101EFR

Table B. Addendum Class III Survey Report Eligibility and Management Summary.

Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
AZ T:12:221 (ASM)	n/a	Prehistoric Scatter	N	W55	Fowler	T1N, R2E, S31	Private	Eligible (D)	Avoid, or else mitigate
6100 Block West Dobbins Road Streetscape	6100 Block W. Dobbins Rd.	Rural Streetscape	N	W55	Laveen	T1S, R2E, S6,7	Private, Phoenix	Eligible (A,D)	Avoid, or else mitigate
Anderson Farm Tenant Residences	9901 and 9903 W. Van Buren Rd.	Tenant Residents	N	W101 (all)	Tolleson	T1N, R1E, S8	Private	Not Eligible	None
C. O. Pitrat & Sons Feedlot	6100 Block W. Elliot Rd.	Feedlot	N	W71, W101 (all)	Laveen	T1S, R2E, S18	Private	Not Eligible	None
Carter Farmstead	7201 and 7215 W. Broadway Rd.	Farmstead	N	W71	Fowler	T1N, R1E, S25	Private	Not Eligible	None
Cecil and Mary Colvin Farmstead	5139 W. Estrella Rd.	Farmstead	N	None ¹	Laveen	T1S, R2E, S20	Private	Not Eligible	None
Colvin-Tyson Farmstead/Barnes Dairy	6159 W. Dobbins Rd.	Farmstead/Dairy	N	W55	Laveen	T1S, R2E, S7	Private	Farmstead: Not Eligible; Dairy Barn: Eligible (C); contributing elements to 6100 Block Streetscape	Avoid dairy barn, or else mitigate; avoid portion within 6100 Block Streetscape boundaries, or else mitigate



Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
Dad Farmstead	6102 W. Dobbins Rd.	Farmstead	N	W55	Laveen	T1S, R2E, S6	Private	Farmstead: Not Eligible; contributing element to 6100 Block Streetscape	Avoid portion within 6100 Block Streetscape boundaries, or else mitigate
Dean Farmstead	9445 W. Broadway Rd.	Farmstead	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	Avoid
Hackin Farmstead/Dairy	100048 S. 59 th Ave.	Farmstead/Dairy	N	None ²	Laveen	T1N, R1E, S7	Private	Farmstead: Not Eligible; Dairy Barn: Eligible (C)	Avoid dairy barn, or else mitigate
Hudson Farm	9300 S. 59 th Ave.	Farm	N	W55	Laveen	T1S, R1E, S7	Private	Farm: Eligible (A); Silos: Eligible (C)	Avoid, or else mitigate
Jarvis Marine Repair Shop	5800 W. Buckeye Rd.	Commercial Building	N	W55	Fowler	T1N, R2E, S8	Private	Not Eligible	None
Maddux House	9115 W. Broadway Rd.	Farmhouse	N	W101 (all)	Tolleson	T1N, R1E, 28	Private	Not Eligible	None
Mother's Restaurant	5760 W. Buckeye Road	Commercial Building	N	W55	Fowler	T1N, R2E, S8	Private	Not Eligible	None
Parker Farmstead	3606 S. 83 rd Ave.	Farmstead	N	W101EPR, W101EFR	Fowler	T1N, R1E, S22	Private	Not Eligible	None
Pitrat Farmstead	5901 W. Elliot Rd.	Farmstead	N	None ³	Fowler	T1S, R2E, S18	Private	Not Eligible	None



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Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
Quinonez House	9131 W. Broadway Rd.	Farmhouse	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	None
Sachs-Webster Farmhouse	7515 W. Baseline Rd.	Farmhouse	P	W101 (all)	Tolleson	T1S, R1E, Ss	FCDMC	Eligible (C)	Avoid, or else mitigate
Santa Marie Townsite	Lower Buckeye Rd. and S. 83 rd Ave.	Townsite	N	W71	Fowler	T1N, R1E, S24	Private	Eligible (A,B)	Avoid, or else mitigate
SPRR Wellton- Phoenix-Eloy Main Line	UPRR R/W	Railroad	P	All	Fowler, Tolleson	T1N, R1E, S8,9,12; T1N, R2E, S8	UPRR	Eligible (A)	Avoid, or else mitigate
SRP 99 th Avenue Lateral	99 th Ave. and Lower Buckeye Rd.	Irrigation Canal	P	W101W99	Tolleson	T1N, R1E, S16	SRP/ Reclamation	Eligible (A)	Avoid, or else mitigate
US 80 (AZ FF:9:17 [ASM])	West Buckeye Road	Highway	P	All	Fowler, Tolleson	T1N, R1E, S8,9,12,13,16,17; T1N, R2E, S8, 17	Phoenix	Eligible (A) (non-contributing)	None

Table Notes:

- 1) all the alignments cross the property parcel but do not intersect the farmstead.
- 2) W55 crosses the property parcel but misses the farmstead and dairy barn;
- 3) All the alternative alignment pass within about 100 m of the farmstead but do not directly impact it.



The previous letter was also sent to:
Dr. Connie Stone, Archaeologist, Bureau of Land Management
Mr. Richard Boston, Archaeologist, Bureau of Reclamation
Ms. Barbara Stocklin, Historic Preservation Officer, City of Phoenix
Mr. Rick Anduze, Archaeologist, Compliance Specialist, Salt River Project
Dr. David Jacobs, State Historic Preservation Office
Dr. Todd Bostwick, Archaeologist, City of Phoenix



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19 September 2005

Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue, Rm. 213E, Mail Drop 619E
Phoenix, AZ 85007-3213

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports

Dear Ms. Laine:

I have reviewed the documents and agree to their adequacy with the following recommended changes. The discussions of the historic features are presented in great detail supporting their eligibility recommendations.

Class I report, page 60, discussion of the Grand Canal-

The canal is eligible under Criterion A but I believe only certain features of the canal would be eligible under Criterion C, and I know of no individual features that have been determined eligible.

The Grand Canal presently heads at the SRP Crosscut facility on Washington Street. Water from a forebay at the southern end of the Arizona Crosscut Canal flows through two penstocks to the Crosscut Hydro Plant. After passing through the hydro plant, no longer operative, the water enters the Grand Canal.

The HAER document for the canal was not completed as part of the recent PA. It was the result of a 1989 MOA between the U.S. Bureau of Reclamation and the AZ SHPO, with concurrence from SRP and ADOT, which stated HAER documentation would be adequate mitigation for present and future modifications to the canal system.

Also-

Various places in the report site AZ T:12:10 (ASM) is referred to as "Los Colinas", it is "Las Colinas".

EC 12800.095

Class III report, page 144 – The 99th Avenue lateral is technically not a lateral. It is a pump ditch/drain that transports tail and well water to Lateral 2-23. Land jurisdiction is SRP.
-page 153 – Ownership of the ditch is SRP.

Both documents need a thorough technical edit for grammar, errors/omissions, and typographical errors.

Please contact me (602-236-2804; raanduze@srpnet.com) if you have any questions or want to discuss these comments.

Sincerely,

Richard A. Anduze
Environmental Scientist/Archaeologist
Siting and Studies
Environmental Services

File: ORG 2-2

EC 12800.095



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

August 31, 2005

Richard Boston, Archaeologist
P.O. Box 81169
2222 W Dunlap, Suite 100
Phoenix, AZ 85069-1169

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports

Dear Mr. Boston:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

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The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: "*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*" (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: "*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*" (Darling 2005). Consultation regarding adequacy of the report is on going. To date, concurrence responses have been received from SHPO (Jacobs, July 11, 2005), Bureau of Reclamation (Ellis, July 12, 2005), Bureau of Land Management (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quewakia, July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
- An addendum Class I overview and addendum Class III survey to address the expansion of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments (late 2004 and early 2005). The addendum Class I report is titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. The Class III report is titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. Both reports are enclosed for consultation and discussed below.

Addendum Class I Overview Results

The addendum Class I overview, titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005), identified 27 previously recorded prehistoric and historic archaeological sites, five historical-period linear sites, and 129 historic building properties (see attached Table A). In addition, historical maps indicate that several prehistoric canal alignments pass through the study area. For the archaeological sites, five are considered eligible to the National Register of Historic Places (NRHP) under Criterion D, five sites are not eligible, nine sites have not been evaluated for eligibility, and the eligibility status of eight sites is unknown due to a lack of available information. Historically



2001 Award Recipient

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documented prehistoric canals in the area are viewed as potentially eligible resources that should be investigated if encountered.

The Class I study revealed five historical-period linear sites in the study area. The linear sites are considered eligible overall under Criterion A with contributing and non-contributing segments.

Of the 129 historic building properties, 25 have been previously recommended as eligible to the NRHP under Criteria A and/or C, 37 have been recommended as not eligible, and 67 have not been evaluated. Seventy-one historic building properties are in the Capital Redevelopment Area in Phoenix, an unincorporated residential area with an abundance of historic building properties. Eighteen of the historic building properties are in the Villa Verde Historic District, which is listed on the Phoenix Register of Historic Places. Although the Villa Verde properties were previously recommended as not eligible to the NRHP, they should be re-evaluated within the context of an early Phoenix suburban neighborhood.

The vast majority of cultural resources identified in the addendum Class I study area will not be affected by any of the proposed alternative alignments. Cultural resources in the W55 and W71 alignments include AZ T:11:26 (ASM), AZ T:12:4 (MNA), AZ T:12:5 (MNA), AZ T:12:10 (ASM) (Los Colinas), AZ T:12:38 (ASM), and AZ T:12:178 (ASM) (Los Aumentos). Cultural resources in the W101 alignments include AZ T:7:167 (ASM) (Grand Canal), AZ T:10:83 (ASM) (Roosevelt Canal), AZ T:11:26 (ASM), AZ T:12:4 (MNA), and AZ T:12:178 (Los Aumentos).

Addendum Class III Survey Results

An addendum survey of shifted alternative alignments, defined in December 2004, and agricultural fields that had been plowed in early 2005 since the time of the initial Class III survey conducted by the GRIC (Darling 2004), was conducted by HDR Engineering, Inc. (HDR). In addition, the addendum Class III survey included documentation of 21 historic sites not included in the initial Class III survey (Darling 2004). The results are reported in a report titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005), which is enclosed for your review and comment. One archaeological site and 21 historic sites were identified in the proposed alternative alignments (see attached Table B). The archaeological site is recommended as eligible to the NRHP under Criterion D. Two historic sites are recommended as eligible under Criterion A. Three historic sites are recommended as eligible under Criterion C. One historic site is recommended as eligible under Criteria A and B. One historic site is recommended as eligible under Criteria A and C. One historic site is recommended as eligible under Criteria A and D. One historic site is recommended as eligible under Criterion A but non-contributing within the proposed alternative alignments. Twelve historic sites are recommended as not eligible.

Archaeological Sites

- AZ T:12:221 (ASM) is a prehistoric Hohokam artifact scatter. The site is recommended as eligible to the NRHP under Criterion D for its potential to provide important information on prehistoric settlement and land use in the lower Salt River Valley near the confluence of Gila and Salt rivers.



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Canals

- The SRP 99th Avenue Lateral, located on the east side of South 99th Avenue and north of Lower Buckeye Road, is recommended as eligible to the NRHP under Criterion A as a rare irrigation feature that was once common in the agricultural landscape of the Salt River Valley. The lateral is being converted to an underground pipe in response to the Pecan Promenade and City of Phoenix development projects. SRP and Reclamation are currently in the process of preparing a report for the canal that documents its history and engineering, as a form of mitigation. Upon completion of these projects, the 99th Avenue Lateral will no longer be considered a contributing component of the overall SRP irrigation network.

Commercial Properties

- Mother's Restaurant at 5760 West Buckeye Road is recommended as not eligible to the NRHP due to a lack historical significance and integrity. The original gas station is heavily modified as a result of its conversion to a restaurant in the 1970s. It no longer retains integrity of workmanship and design. Historically, the gas station was in a rural agricultural setting along a two-lane highway. Today, the property has lost its integrity of setting and feeling, as it is in a modern industrial zone with old US 80 (West Buckeye Road) widened to a five-lane urban thoroughfare.
- The Jarvis Marine Repair Shop at 5800 West Buckeye Road is recommended as not eligible to the NRHP due its age and lack of architectural significance.

Farms

- The Hudson Farm located at 9300 South 59th Avenue is recommended as eligible to the NRHP under Criterion A as an exceptional example of a historic farmstead in Laveen. It retains a complete suite of agricultural buildings and structures from the period of significance that are in good condition and well preserved. In addition, the farmstead does not have any intrusive modern buildings or structures that would detract from its historic setting and feeling (other than a large satellite dish which could be easily removed). The farmstead's combination and overall layout of older buildings and structures, along with other contributing elements such as the mature landscaping, palm tree-lined driveways and entrance gates, provides an inclusive picture of what a working farmstead was like in Laveen during the agricultural era period of significance. The property retains integrity of location, workmanship, materials, design, and association. Furthermore, the surrounding agricultural field provides the contextual framework within which the property conveys its historic character as a farmstead. Thus, the agricultural field is an important contributing component that defines and preserves the farmstead's integrity of setting and feeling. It is recommended that the entire 38-acre parcel is eligible for the NRHP under Criterion A as an exceptional example of a historic-period Laveen farmstead. Additionally, the pair of stave silos are recognized as individually eligible to the NRHP under Criterion C, as rare examples of a once common architectural form that was a fundamental component of Laveen's historic agricultural landscape.



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Farmsteads

- The Anderson Farm Tenant Residences at 9901 and 9903 West Van Buren Road are recommended as not eligible to the NRHP due to a lack of historical and architectural significance.
- The Carter Farmstead at 7201 and 7215 West Broadway Road is recommended as not eligible to the NRHP. The farmstead has lost too many of its primary elements to convey a good sense of its historic character. While it provides a picturesque rural setting, it does not provide an accurate portrayal of its historic composition.
- The Cecil and Mary Colvin Farmstead located at 5139 West Estrella Road is recommended as not eligible to the NRHP because it has lost too many of its period elements to convey its historic character. The farmhouse is the only primary element remaining from the historic period; however, it lacks integrity and architectural distinction.
- The Dad Farmstead at 6102 West Dobbins Road is recommended as not eligible for the NRHP due to a lack of historical significance, architectural merit, and integrity. Individually, the farmhouse and barn have been modified and lack architectural distinction. Overall, the property fails to convey its original historic character as a working farmstead.
- The Dean Farmstead at 9445 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials. The farmhouse is heavily modified through additions and is in a general state of disrepair.
- The Maddux House at 9115 West Broadway Road is recommended as not eligible for the NRHP due to a lack of historical and architectural significance.
- The Parker Farmstead at 3606 South 83rd Avenue is recommended as not eligible due to a lack of historical and architectural significance. None of the farmstead's historic period buildings and structures remain, except for the farmhouse built in 1950, which is heavily modified with additions and generally lacks integrity of design, workmanship, and materials.
- The Pitrat Farmstead at 5901 West Elliot Road is recommended as not eligible for the NRHP due to a lack of architectural integrity and historical significance. The historical layout of the farmstead has been lost as a result of property subdivisions and new construction. The house is heavily modified from its original form through multiple additions. Although the property is consistent with a rural agricultural landscape, in its current condition, it no longer conveys an accurate representation of its historical period character.
- The Quinonez House at 9131 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials



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- The Sachs-Webster Farmhouse at 7515 West Baseline Road was previously recommended as eligible for the NRHP under Criterion C as an outstanding example of the Pyramid Cottage or Neo-Classical bungalow style house. Not only is the house a rare example of a once common Territorial-period architectural style, it is also exceptional in that few homes built in Phoenix in the Pyramid Cottage style possess as many of the hallmark attributes as does the Sachs-Webster House.

Farmsteads with Dairy Components

- The Colvin-Tyson Farmstead/Barnes Dairy located at 6159 West Dobbins Road is recommended as not eligible to the NRHP as a whole because of a lack of integrity and historical significance. However, the dairy "head-to-toe" barn is recommended as individually eligible under Criterion C as a rare example of a once common architectural form that was a characteristic feature in Laveen's historic landscape and an integral component of its local economy. It is one of the few standing family-operated dairy barns in Laveen. It is also recognized as important within the broader context of the Salt River Valley's dairy industry as a surviving example of a dairy head-to-toe barn used during the height of its agricultural era.
- The Hackin Farmstead/Dairy at 10048 South 59th Avenue is recommended as not eligible to the NRHP because of a lack of integrity and historical significance. However, the dairy "flat" barn, is recommended as individually eligible under Criterion C as a rare example of a once common form that was a characteristic feature in Laveen's historic landscape and an integral component of its local economy. It is one of the few remaining family-operated dairy barns in Laveen. It is also important within the broader context of the Salt River Valley's dairy industry as a surviving example of a dairy flat barn used during the height of its agricultural era.

Feedlots

- The C.O. Pitrat & Sons Feedlot in the 6100 Block of West Elliot Road is recommended as not eligible for the NRHP because of a lack of historical and architecture significance. The feedlot is 50 years old; however, most of its operation occurred in modern times. The structures and buildings are poorly preserved and generally lack integrity.

Highways

- US 80 (AZ FF:9:17 [ASM]) is considered eligible to the NRHP under Criterion A at the national level as one of the first designated transcontinental routes and for its association with the development of the U.S. interstate transportation network. The segment within the study area has been widened and modernized and no longer retains integrity of design, workmanship, and materials. Furthermore, its integrity of setting and feeling are lost with most of the surrounding landscape transformed from rural agricultural to urban commercial/industrial. It is recommended that the segment in the study area is not eligible to the NRHP as a non-contributing component of US 80.



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Historic Townsites

- The historic Santa Marie Townsite, located at the southwest corner of Lower Buckeye Road and 83rd Avenue, is recommended as eligible to the NRHP under Criteria A and B. The unincorporated townsite is a living example of an historic, rural Hispanic agricultural community in the Salt River Valley. Communities such as Santa Maria had an important role in the development and operation of the Valley's agricultural industry throughout the 20th century. In addition, the townsite has an association with Khattar Joseph Nackard, an Arizona businessman who had an influential role developing and shaping the State's economic and commercial future. As such, it is recommended that the Santa Marie Townsite is eligible for the NRHP under Criteria A and B.

Railroads

- The Southern Pacific Railroad Wellton-Phoenix-Eloy Main Line (AZ T:10:84 [ASM]) is recommended as eligible to the NRHP for its association with the development of Arizona's railroad network. The railroad has been maintained and upgraded over the years and remains an important component of Arizona's transportation network.

Streetscapes

- The 6100 Block West Dobbins Road Streetscape is recommended as eligible to the NRHP under Criteria A and D as an example and reflection of the lower Salt River Valley's agricultural past. In contrast to a more common, barren rural streetscape defined by a two-lane road passing between broad, open agricultural fields, the 6100 Block contains a suite of rural agricultural elements that convey a strong sense of what rural life was like in Arizona in the early to mid 1900s; (i.e., it captures more of the human element). Rural streetscapes are becoming increasingly rare in the lower Salt River Valley, as agricultural communities are replaced by urban development. It is recommended that the 6100 Block West Dobbins Road Streetscape is eligible to the NRHP under Criteria A and D, not only for its association with Arizona's early agricultural development, but more so for its information potential to provide future Arizonans with an idea of what rural agricultural life was like in the lower Salt River Valley during the early years of statehood.

All sites are located on private land, except for the Sachs-Webster Farmhouse (7515 West Baseline Road) – Flood Control District Maricopa County; SRP 99th Avenue Lateral – Bureau of Reclamation/Salt River Project; US 80/ AZ FF:9:17 (ASM) – City of Phoenix, and the 6100 Block West Dobbins Road Streetscape – City of Phoenix. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed Class I overview and Class III survey report and information provided in this letter. If you find the reports



Boston
August 31, 2005
Page 8 of 12

adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. The final Programmatic Agreement is being completed and will be submitted for signature in September 2005. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,

Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for Reclamation Concurrence

9/19/05
Date

cc: SThomas (FHWA); WVachon (FHWA)





"Managing and conserving natural, cultural, and recreational resources"

September 19, 2005

Dr. Ruth Greenspan
Historic Preservation Specialist
Environmental & Enhancement Group
Arizona Department of Transportation
205 South 17th Avenue Room 213E
Phoenix, AZ 85007-3212

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
SHPO-2003-1890 (25323)

Janet Napolitano
Governor

State Parks
Board Members

Chair
Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
Phoenix

John U. Hays
Yarnell

Mark Winkleman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Dear Dr. Greenspan:

Thank you for consulting with the State Historic Preservation Office (SHPO) pursuant to Section 106 of the National Historic Preservation Act regarding plans for the South Mountain Freeway connecting Interstate 10 in west Chandler to I-10 in west Phoenix, Maricopa County, Arizona, and submitting cultural resources reports and recommendations for review and comment. Dr. Bill Collins, Deputy SHPO/Historian, and I have reviewed the submitted materials and offer the following comments.

The submitted cultural resources reports [*An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* and *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*] are adequate. Before responding to the eligibility recommendations, some clarification is needed:

- 1) Page two of the cover letter states that the Class 1 identified 27 previously recorded prehistoric and historic archaeological sites; the breakdown of the eligibility status of these sites (i.e., 5 eligible, 7 not eligible, 7 not evaluated and 8 unknown) in the report differs from the characterization in the cover letter (i.e., 5 eligible, 5 not eligible, 9 not evaluated, and 8 unknown).
- 2) The text of the cover letter neglects to mention that the eligible Barnes Dairy Barn and the ineligible Dad Farmstead are part of the eligible 6100 West Dobbins Road Streetscape (although this is part of the listing in Table B to the cover letter). Dr. Collins also commented that the reasoning behind the suggested D eligibility of the 6100 West Dobbins Road Streetscape is actually more appropriate to A eligibility, so he disagrees with the recommendation that it is "more" eligible for D than A (see page 7 of cover letter). He agrees that it is A eligible, and did not see D eligibility properly evaluated at all.

We appreciate your cooperation with this office in considering the potential impacts of development on cultural resources situated in Arizona. If you have any questions or comments, please contact me at (602) 542-7140 or electronically at djacobs@pr.state.az.us.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office



Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
 Governor

Victor M. Mendez
 Director

August 31, 2005

Sam Elters
 State Engineer

Brian Kenny
 Environmental Programs Manager
 Maricopa County Department of Transportation
 2901 West Durango Street
 Phoenix, Arizona 85009

RE: Project No: NH-202-D()
 TRACS No. 202L MA 054 H5764 01L
 South Mountain Transportation Corridor
 Section 106 Consultation
 Draft Cultural Resources "Programmatic Agreement"

Dear Mr. Kenny:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors (T01, T02, T03, T04, and T06) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length. Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

The cultural resources component of the EIS includes four technical studies:

- *A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona* (Burden 2002).
- *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005).
- *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005).

Kenny
 August 31, 2005
 Page 2 of 2

- *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005).

Twenty-two archaeological sites and 21 historic sites were identified in the proposed alternative alignments. In addition, the South Mountain Range is identified as place of traditional cultural importance to Native American tribes. Please let me know if you would like to review any of the above reports and they will be sent to you.

FHWA/ADOT is circulating the draft Programmatic Agreement (PA) that addresses cultural resources for the project for your review. Please review the enclosed draft PA. If you find the PA adequate and wish to participate in the final PA, please indicate your concurrence by signing below and return within 20 days. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,

Serelle E. Laine, Coordinator
 Historic Preservation Team
 Environmental & Enhancement Group
 205 South 17th Avenue Rm. 213E Mail Drop 619E
 Phoenix, Arizona 85007-3213

Enclosures

Signature for Maricopa County
 Department of Transportation Concurrence

Date

9-20-05

cc: SThomas (FHWA), WVachon (FHWA)





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

September 27, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Draft Programmatic Agreement

Ms. Carol Legard
Historic Preservation Specialist
Advisory Council on Historic Preservation
12136 W. Baywood Avenue, Suite 330
Lakewood, Colorado 80228

Dear Ms. Legard:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map). As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

FHWA originally consulted with your office regarding the draft Programmatic Agreement (PA) in August 2003. At that time, the Council declined to participate. Recently, FHWA has re-circulated a second draft Programmatic Agreement to all consulting parties. It was decided to do this because when it was originally circulated, few tribes opted to participate at that time. FHWA felt this re-circulation of the PA would allow the tribes another opportunity to participate in the PA. This second draft PA has been edited to address any comments from the first draft as well as to also address TCP properties more specifically.

The purpose of this letter is to notify the Advisory Council on Historic Preservation and to determine Council participation pursuant to 36 CFR § 800.6(1). Please review this information and if the Council plans to participate in consultation, inform us within 15 days of receipt of this



notice. If there is any additional information you require for this project or if you have any questions or comments, please contact Ruth Greenspan at (602) 712-6266 or via email at rgreenspan@azdot.gov. Thank you.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure (Map and draft Programmatic Agreement)

Signature for Advisory Council on
Historic Preservation Concurrence

Date

cc:
SThomas
RGreenspan (619E)
REllis (619E)
SDThomas :cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

September 29, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places

Mr. Richard Narcia, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Narcia:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. As part of this effort, FHWA has previously invited you to review and comment on several cultural resource reports and on a draft Programmatic Agreement (PA), and has requested your participation in discussions regarding the potential effects of the proposed undertaking on areas of traditional cultural significance, including the South Mountain Range.

Although no written response to previous consultations has been received, on September 20, 2005, a meeting was held at the Gila River Indian Community (GRIC) to discuss Traditional Cultural Places (TCPs) and any other concerns your community has regarding historic properties of religious or cultural importance that have the potential to be affected by this project. In attendance at the meeting were Barnaby Lewis, Cultural Resource Specialist, GRIC; Andrew Darling, Assistant Coordinator, Cultural Resource Management Program, GRIC; Katherine Neustadt and Ruth Greenspan, Historic Preservation Team, (ADOT); and Mark Brodbeck, Coordinator, Cultural Resources Section, HDR, Inc.

The following items were discussed at the meeting:

1. The GRIC's Cultural Resource Specialist confirmed that all of South Mountain is viewed by the Akimel O'odham and Pee Posh as an important and sacred place, and that cutting across, or tunneling under, any part of it would be viewed as a desecration. In the opinions of Mr. Lewis and Dr. Darling the only way to mitigate impacts to South Mountain would be to avoid it completely.
2. It was acknowledged by all in attendance that the only ways to completely avoid South Mountain are:
 - a) the no-build alternative, and
 - b) constructing a segment of the freeway on the GRIC reservation.
 It was the opinion of Mr. Lewis that a freeway on the northern edge of the reservation would create an "unnatural" barrier that would serve to hinder access to South Mountain for Community members. In addition, Community members have voiced general objections to having a freeway on the reservation.
3. There are other TCPs and highly sensitive historic properties, such as the Villa Buena site, within some of the proposed alignments and in the general project area that have potential to be adversely affected by the proposed freeway.



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4. Mr. Lewis said he was not aware of any TCPs north of the Salt River within the study area, but added that other Native American tribes should be consulted to confirm that there are no TCP concerns in that area.

5. Mr. Lewis and Dr. Darling agreed that GRIC will provide FHWA and ADOT with a formal response to the consultation letter of July 7, 2005 regarding TCPs, and agreed that the response would include a map of the project area with areas that GRIC would like to see avoided in the event that an alternative other than the no-build alternative is selected. This response will be made by October 3, 2005.

6. Mr. Lewis and Dr. Darling confirmed that GRIC is interested in participating in continuing consultation on this project, and agreed that GRIC will review and provide comments on the draft Programmatic Agreement by October 3, 2005.

At this time, no decisions have been made regarding the various alternatives being studied for this project. If GRIC provides FHWA with a map and written information regarding locations and possible mitigation measures for those areas your community would like to see avoided by the proposed freeway, FHWA will be in a position to insure that GRIC's concerns are given full consideration in the decision-making process. Any information provided would be kept strictly confidential.

Additionally, if GRIC chooses to participate in future consultation as a Concurring Party to the Programmatic Agreement, any comments on the draft PA provided by October 3, 2005 will be considered in preparation of the final document. If GRIC opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns of the Community.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your tribe/community through continued Section 106 consultation. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Ruth L. Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:

Barnaby Lewis, Cultural Resource Specialist, Cultural Resource Management Program, Gila River Indian Community, P.O. Box E, Sacaton, AZ 85247
J. Andrew Darling, Assistant Coordinator, Cultural Resource Management Program, Gila River Indian Community, P.O. Box 2140, 192 S. Skill Center Road, Room 200, Sacaton, AZ 85247
Sandra Shade, Director, Department of Transportation, Gila River Indian Community, P.O. Box 97, Sacaton, AZ 85247
SThomas
RGreenspan (619E)
REllis (619E)
SDThomas:cdm

Richard P. Nardcia
GOVERNOR



MARY V. THOMA
LIEUTENANT GOVERNOR

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

September 30, 2005

Robert E. Hollis, Division Administrator
U. S. Department of Transportation
Federal Highway Administration
Arizona Division
400 East Van Buren Street, Suite 410
Phoenix, Arizona 85004

RE: South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places; HA-AZ NH-202-D (ADY); TRACS No. 202L MA 054 H5764 01L

Dear Mr. Hollis,

This letter is in response to your letter dated July 7, 2005 regarding the "South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places; HA-AZ NH-202-D (ADY); TRACS No. 202L MA 054 H5764 01L." The Environmental Impact Statement addresses nine variations of five alternative alignments for the proposed South Mountain Freeway. This project, which extends around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix, would be located in close proximity to the Gila River Indian Community and would negatively impact cultural resources; especially traditional cultural properties.

The Gila River Indian Community has concerns regarding 21 archaeological sites identified in the report "A Class III Cultural Resources Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County (Darling 2005)" as well as concerns for the protection of the traditional cultural properties in the South Mountain Range.

The cultural significance of South Mountain figures prominently in oral traditions of the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'Odham Nation) as well as the Pee Posh, formally known as the Maricopa Tribe of the Gila River Indian Community and of the Salt River Pima-Maricopa Indian Community.

The Gila River Indian Community identifies the South Mountain as a Traditional Cultural Property. Traditional cultural properties are defined as historic sites that are important because of "their association with cultural practices or beliefs of a living community that (a) are rooted in the community's history, and (b) are important in maintaining the

Robert E. Hollis, Division Administrator
RE: South Mountain Transportation Corridor
September 30, 2005

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continuing cultural identity of the community" (National Register Bulletin 38). Historic sites must exhibit four attributes: an age greater than 50 years; existence as a tangible property; integrity in relationship to the transmission and retention of cultural beliefs or the performance of ceremonial practices; and integrity of condition wherein their traditional cultural significance has not been reduced through alteration of location, setting, design or materials.

The Gila River Indian Community was established by an act of Congress in 1859 that comprises 372,000 acres that protected some of our ancestral lands and provided a land base for the Akimel O'Odham and Pee Posh. However Muhadagi Doag (Greasy Mountain) was not included as part of the present day community. This mistake restricted and prevented access by community members to this sacred mountain. South Mountain stands prominently within the landscape and is central to our traditional and spiritual understanding of respect for the natural resources and vast ecosystem. We believe this unique relationship enabled our ancestors to live harmoniously within this desert environment from time immemorial and this relationship is essential to the continued survival of our culture. Our elders reaffirm valuable cultural information regarding our people's use of the mountain area through oral tradition, which continuously reiterates and renews our ties with the land through stories and songs of the people of this community.

Muhadagi Doag (South Mountain's traditional name from the story of creation) has been well documented by several researchers in published literature as a traditional cultural property of central importance to the Akimel O'Odham of the Gila River Indian Community (Bahr 2001:13, 32; Bostwick 2002:1; Densmore 1929:41; Lloyd 1911:77, 125; Saxton and Saxton 1973:328; Rea 1996:18; Russell 1908:216,224, 278; Spier 1933:351). The South Mountain has also been documented as traditional cultural property known as Avikwax'os, which is documented in published literature as well (Harrington 1908:33; Rea 1996; Spier 1933:252-253). Muhadagi Doag is one of the mountain homes of Se'ehe also known as I'itoi an ancient deity of the O'Odham. Due to the sacred nature of the area, private traditional religious activities are still conducted in various forms by individual community members today.

Although some modern impacts have occurred since the establishment of the City of Phoenix, the South Mountain range continues to hold its religious and cultural significance. The proposed transportation corridor will be intrusive to the spiritual connections associated with the people of the Gila River Indian Community and it will forever alter the landscape and view-shed of South Mountain as they are experienced by the people of this Community. Trails and shrines located within the proposed corridor will be destroyed and contribute to diminishing our traditional way of life. Numerous petroglyphs have been recorded within and around South Mountain that demonstrate its traditional religious uses since the prehistoric days of our Hohokam ancestors.

The National Historic Preservation Act of 1966 as amended provides a compliance process for eligibility for the National Register of Historic Places and those impacts to these sites must be considered in order to provide an opportunity to protect traditional

Robert E. Hollis, Division Administrator
 RE: South Mountain Transportation Corridor
 September 30, 2005

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cultural properties. The Gila River Indian Community identifies archaeological sites, Villa Buena (AZ T:12:9 ASM) and Pueblo del Alamo (AZ T:12:52 ASM), as traditional cultural properties. Although modern development has impacted the Villa Buena site, in particular, and limited archaeological investigations have been conducted, this site still holds its physical and cultural integrity and its religious and cultural significance has not diminished.

FHWA must take appropriate mitigation measures in adversely affecting the physical integrity of these traditional cultural properties which are sacred sites. In our view cutting out part of the mountain or tunneling for the proposed road project will adversely impact South Mountain. Your full consideration of our compelling cultural connection to South Mountain must be acknowledged.

The Gila River Indian Community (GRIC) appreciates the efforts of the Federal Highway Administration in addressing our concerns and anticipates meaningful consultations in accordance with the National Historic Preservation Act on this undertaking. Please call GRIC Cultural Resource Specialist, Barnaby V. Lewis at 1-520-562-3570 should you have any questions or require further information.

Sincerely,

Mary V. Thomas, for
 Richard P. Nacria, Governor 9-30-05
 Gila River Indian Community

cc: John C. Ravesloot GRIC-CRMP Coordinator
 Larry Stephenson, GRIC Land Use Planning & Zoning
 Sandra Shade, GRIC Department of Transportation
 Kae Neustadt, ADOT Historic Preservation Specialist
 Ruth Greenspan, ADOT Historic Preservation Specialist
 Mark Brodbeck, HDR Engineering, Inc.
 Four Southern Tribes of Arizona



Janet Napolitano
 Governor

Victor M. Mendez
 Director

Joni Ramos, President
 Salt River Pima-Maricopa Indian Community
 Route 1, Box 216, 10005 E. Osborn
 Scottsdale, Arizona 85256

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

David P. Jankofsky
 Deputy Director

August 17, 2005

RE: Project No: NH-202-D(ADY)
 TRACS No. 202L MA 054 H5764 01L
 South Mountain Transportation Corridor
 Continuing Section 106 Consultation
 Second Draft Programmatic Agreement follow-up

Dear President Ramos:

The Arizona Department of Transportation (ADOT) on behalf of the Federal Highway Administration (FHWA) is following up on our recent request for input on the draft Programmatic Agreement (PA) for the South Mountain Corridor freeway project (letter from Hollis, FHWA, July 7, 2005). ADOT/FHWA are in the process of finalizing the South Mountain Corridor PA to address project effects as the environmental documentation continues for the project. A draft PA was circulated in July 2005 along with an invitation to participate in discussions regarding the potential effects of the project on areas of traditional cultural significance, however, at this time, few tribes have opted to participate.

ADOT on behalf of FHWA would like to offer another opportunity for your tribe/community to participate in the PA and in discussions regarding potential effects to areas of traditional cultural significance. Please sign below if you would like to be included as a Concurring Party to the final PA and return to ADOT by September 2, 2005. If your office opts to participate in cultural resource consultation at a later date, ADOT/FHWA would make a good faith effort to address any concerns.

If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,

Serelle E. Laine
 Serelle E. Laine, Coordinator
 Historic Preservation Team
 Environmental & Enhancement Group
 205 South 17th Avenue Rm. 213E Mail Drop 619E
 Phoenix, Arizona 85007-3213

Evalyn Andrews
 Signature for Salt River Pima-Maricopa Concurrence

10-2-05
 Date

cc: Dezbah Hatathli, Acting Cultural Programs Supervisor, Cultural and Environmental Services
 Kelly Washington, Acting Cultural Resources Department Director
 Hans Klose, Community Development Director
 SThomas (FHWA)



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

September 29, 2005

Dr. David Jacobs
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports
Eligibility Recommendations

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. As part of this effort, our office submitted two cultural resources reports on August 26, 2005. The reports were entitled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005) and *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005). In your response letter dated September 19, 2005, you found the report adequate and provided several comments requesting clarification on the following eligibility recommendations:

- The first comment noted inconsistencies between the eligibility summary in the consultation letter and the Class I report. We have confirmed that a total of 27 previously recorded historic and prehistoric archeological sites were identified in the Class I report. Five of the sites were previously determined eligible, 7 were considered not eligible, 7 had not been previously evaluated, and the eligibility status of 8 sites is unknown.
- The second comment noted that the consultation letter neglected to mention that the Barnes Dairy and the Dad Farmstead are part of the 6100 West Dobbins Road Streetscape. We would like to confirm that the Barnes Dairy is recommended as eligible both individually and as a contributing component of the Dobbins Streetscape. In contrast, while the Dad Farmstead is recommended as not eligible as an individual property, it is recommended eligible as a contributing component of the Dobbins Streetscape.
- Third, Dr. Collins commented that the 6100 West Dobbins Road Streetscape is more appropriately eligible under Criterion A than Criterion D. We concur that the Dobbins Streetscape is eligible under A, rather than D.

Jacobs
TRACS No. 202L MA 054 H5764 01L
September 29, 2005
Page 2 of 2

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. If you find the reports adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact me at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely,

Ruth L. Greenspan
Historic Preservation Specialist
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Signature for SHPO Concurrence

30 Oct 05
Date

cc:
SThomas (FHWA)
WVachon (FHWA)



2001 Award Recipient



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

August 31, 2005

Dr. Todd Bostwick, Archaeologist
City of Phoenix
Pueblo Grande Museum
4619 E. Washington
Phoenix, Arizona 85034

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports

Dear Dr. Bostwick:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

Bostwick
August 31, 2005
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The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: "*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*" (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: "*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*" (Darling 2005). Consultation regarding adequacy of the report is on going. To date, concurrence responses have been received from SHPO (Jacobs, July 11, 2005), Bureau of Reclamation (Ellis, July 12, 2005), Bureau of Land Management (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quewakia, July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
- An addendum Class I overview and addendum Class III survey to address the expansion of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments (late 2004 and early 2005). The addendum Class I report is titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. The Class III report is titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. Both reports are enclosed for consultation and discussed below.

Addendum Class I Overview Results

The addendum Class I overview, titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005), identified 27 previously recorded prehistoric and historic archaeological sites, five historical-period linear sites, and 129 historic building properties (see attached Table A). In addition, historical maps indicate that several prehistoric canal alignments pass through the study area. For the archaeological sites, five are considered eligible to the National Register of Historic Places (NRHP) under Criterion D, five sites are not eligible, nine sites have not been evaluated for eligibility, and the eligibility status of eight sites is unknown due to a lack of available information. Historically



2001 Award Recipient

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documented prehistoric canals in the area are viewed as potentially eligible resources that should be investigated if encountered.

The Class I study revealed five historical-period linear sites in the study area. The linear sites are considered eligible overall under Criterion A with contributing and non-contributing segments.

Of the 129 historic building properties, 25 have been previously recommended as eligible to the NRHP under Criteria A and/or C, 37 have been recommended as not eligible, and 67 have not been evaluated. Seventy-one historic building properties are in the Capital Redevelopment Area in Phoenix, an unnominated residential area with an abundance of historic building properties. Eighteen of the historic building properties are in the Villa Verde Historic District, which is listed on the Phoenix Register of Historic Places. Although the Villa Verde properties were previously recommended as not eligible to the NRHP, they should be re-evaluated within the context of an early Phoenix suburban neighborhood.

The vast majority of cultural resources identified in the addendum Class I study area will not be affected by any of the proposed alternative alignments. Cultural resources in the W55 and W71 alignments include AZ T:11:26 (ASM), AZ T:12:4 (MNA), AZ T:12:5 (MNA), AZ T:12:10 (ASM) (Los Colinas), AZ T:12:38 (ASM), and AZ T:12:178 (ASM) (Los Aumentos). Cultural resources in the W101 alignments include AZ T:7:167 (ASM) (Grand Canal), AZ T:10:83 (ASM) (Roosevelt Canal), AZ T:11:26 (ASM), AZ T:12:4 (MNA), and AZ T:12:178 (Los Aumentos).

Addendum Class III Survey Results

An addendum survey of shifted alternative alignments, defined in December 2004, and agricultural fields that had been plowed in early 2005 since the time of the initial Class III survey conducted by the GRIC (Darling 2004), was conducted by HDR Engineering, Inc. (HDR). In addition, the addendum Class III survey included documentation of 21 historic sites not included in the initial Class III survey (Darling 2004). The results are reported in a report titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005), which is enclosed for your review and comment. One archaeological site and 21 historic sites were identified in the proposed alternative alignments (see attached Table B). The archaeological site is recommended as eligible to the NRHP under Criterion D. Two historic sites are recommended as eligible under Criterion A. Three historic sites are recommended as eligible under Criterion C. One historic site is recommended as eligible under Criteria A and B. One historic site is recommended as eligible under Criteria A and C. One historic site is recommended as eligible under Criteria A and D. One historic site is recommended as eligible under Criterion A but non-contributing within the proposed alternative alignments. Twelve historic sites are recommended as not eligible.

Archaeological Sites

- AZ T:12:221 (ASM) is a prehistoric Hohokam artifact scatter. The site is recommended as eligible to the NRHP under Criterion D for its potential to provide important information on prehistoric settlement and land use in the lower Salt River Valley near the confluence of Gila and Salt rivers.



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Canals

- The SRP 99th Avenue Lateral, located on the east side of South 99th Avenue and north of Lower Buckeye Road, is recommended as eligible to the NRHP under Criterion A as a rare irrigation feature that was once common in the agricultural landscape of the Salt River Valley. The lateral is being converted to an underground pipe in response to the Pecan Promenade and City of Phoenix development projects. SRP and Reclamation are currently in the process of preparing a report for the canal that documents its history and engineering, as a form of mitigation. Upon completion of these projects, the 99th Avenue Lateral will no longer be considered a contributing component of the overall SRP irrigation network.

Commercial Properties

- Mother's Restaurant at 5760 West Buckeye Road is recommended as not eligible to the NRHP due to a lack historical significance and integrity. The original gas station is heavily modified as a result of its conversion to a restaurant in the 1970s. It no longer retains integrity of workmanship and design. Historically, the gas station was in a rural agricultural setting along a two-lane highway. Today, the property has lost its integrity of setting and feeling, as it is in a modern industrial zone with old US 80 (West Buckeye Road) widened to a five-lane urban thoroughfare.
- The Jarvis Marine Repair Shop at 5800 West Buckeye Road is recommended as not eligible to the NRHP due its age and lack of architectural significance.

Farms

- The Hudson Farm located at 9300 South 59th Avenue is recommended as eligible to the NRHP under Criterion A as an exceptional example of a historic farmstead in Laveen. It retains a complete suite of agricultural buildings and structures from the period of significance that are in good condition and well preserved. In addition, the farmstead does not have any intrusive modern buildings or structures that would detract from its historic setting and feeling (other than a large satellite dish which could be easily removed). The farmstead's combination and overall layout of older buildings and structures, along with other contributing elements such as the mature landscaping, palm tree-lined driveways and entrance gates, provides an inclusive picture of what a working farmstead was like in Laveen during the agricultural era period of significance. The property retains integrity of location, workmanship, materials, design, and association. Furthermore, the surrounding agricultural field provides the contextual framework within which the property conveys its historic character as a farmstead. Thus, the agricultural field is an important contributing component that defines and preserves the farmstead's integrity of setting and feeling. It is recommended that the entire 38-acre parcel is eligible for the NRHP under Criterion A as an exceptional example of a historic-period Laveen farmstead. Additionally, the pair of stave silos are recognized as individually eligible to the NRHP under Criterion C, as rare examples of a once common architectural form that was a fundamental component of Laveen's historic agricultural landscape.



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Farmsteads

- The Anderson Farm Tenant Residences at 9901 and 9903 West Van Buren Road are recommended as not eligible to the NRHP due to a lack of historical and architectural significance.
- The Carter Farmstead at 7201 and 7215 West Broadway Road is recommended as not eligible to the NRHP. The farmstead has lost too many of its primary elements to convey a good sense of its historic character. While it provides a picturesque rural setting, it does not provide an accurate portrayal of its historic composition.
- The Cecil and Mary Colvin Farmstead located at 5139 West Estrella Road is recommended as not eligible to the NRHP because it has lost too many of its period elements to convey its historic character. The farmhouse is the only primary element remaining from the historic period; however, it lacks integrity and architectural distinction.
- The Dad Farmstead at 6102 West Dobbins Road is recommended as not eligible for the NRHP due to a lack of historical significance, architectural merit, and integrity. Individually, the farmhouse and barn have been modified and lack architectural distinction. Overall, the property fails to convey its original historic character as a working farmstead.
- The Dean Farmstead at 9445 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials. The farmhouse is heavily modified through additions and is in a general state of disrepair.
- The Maddux House at 9115 West Broadway Road is recommended as not eligible for the NRHP due to a lack of historical and architectural significance.
- The Parker Farmstead at 3606 South 83rd Avenue is recommended as not eligible due to a lack of historical and architectural significance. None of the farmstead's historic period buildings and structures remain, except for the farmhouse built in 1950, which is heavily modified with additions and generally lacks integrity of design, workmanship, and materials.
- The Pitrat Farmstead at 5901 West Elliot Road is recommended as not eligible for the NRHP due to a lack of architectural integrity and historical significance. The historical layout of the farmstead has been lost as a result of property subdivisions and new construction. The house is heavily modified from its original form through multiple additions. Although the property is consistent with a rural agricultural landscape, in its current condition, it no longer conveys an accurate representation of its historical period character.
- The Quinonez House at 9131 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials



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- The Sachs-Webster Farmhouse at 7515 West Baseline Road was previously recommended as eligible for the NRHP under Criterion C as an outstanding example of the Pyramid Cottage or Neo-Classical bungalow style house. Not only is the house a rare example of a once common Territorial-period architectural style, it is also exceptional in that few homes built in Phoenix in the Pyramid Cottage style possess as many of the hallmark attributes as does the Sachs-Webster House.

Farmsteads with Dairy Components

- The Colvin-Tyson Farmstead/Barnes Dairy located at 6159 West Dobbins Road is recommended as not eligible to the NRHP as a whole because of a lack of integrity and historical significance. However, the dairy "head-to-toe" barn is recommended as individually eligible under Criterion C as a rare example of a once common architectural form that was a characteristic feature in Laveen's historic landscape and an integral component of its local economy. It is one of the few standing family-operated dairy barns in Laveen. It is also recognized as important within the broader context of the Salt River Valley's dairy industry as a surviving example of a dairy head-to-toe barn used during the height of its agricultural era.
- The Hackin Farmstead/Dairy at 10048 South 59th Avenue is recommended as not eligible to the NRHP because of a lack of integrity and historical significance. However, the dairy "flat" barn, is recommended as individually eligible under Criterion C as a rare example of a once common form that was a characteristic feature in Laveen's historic landscape and an integral component of its local economy. It is one of the few remaining family-operated dairy barns in Laveen. It is also important within the broader context of the Salt River Valley's dairy industry as a surviving example of a dairy flat barn used during the height of its agricultural era.

Feedlots

- The C.O. Pitrat & Sons Feedlot in the 6100 Block of West Elliot Road is recommended as not eligible for the NRHP because of a lack of historical and architecture significance. The feedlot is 50 years old; however, most of its operation occurred in modern times. The structures and buildings are poorly preserved and generally lack integrity.

Highways

- US 80 (AZ FF:9:17 [ASM]) is considered eligible to the NRHP under Criterion A at the national level as one of the first designated transcontinental routes and for its association with the development of the U.S. interstate transportation network. The segment within the study area has been widened and modernized and no longer retains integrity of design, workmanship, and materials. Furthermore, its integrity of setting and feeling are lost with most of the surrounding landscape transformed from rural agricultural to urban commercial/industrial. It is recommended that the segment in the study area is not eligible to the NRHP as a non-contributing component of US 80.



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Historic Townsites

- The historic Santa Marie Townsite, located at the southwest corner of Lower Buckeye Road and 83rd Avenue, is recommended as eligible to the NRHP under Criteria A and B. The unincorporated townsite is a living example of an historic, rural Hispanic agricultural community in the Salt River Valley. Communities such as Santa Maria had an important role in the development and operation of the Valley's agricultural industry throughout the 20th century. In addition, the townsite has an association with Khattar Joseph Nackard, an Arizona businessman who had an influential role developing and shaping the State's economic and commercial future. As such, it is recommended that the Santa Marie Townsite is eligible for the NRHP under Criteria A and B.

Railroads

- The Southern Pacific Railroad Wellton-Phoenix-Eloy Main Line (AZ T:10:84 [ASM]) is recommended as eligible to the NRHP for its association with the development of Arizona's railroad network. The railroad has been maintained and upgraded over the years and remains an important component of Arizona's transportation network.

Streetscapes

- The 6100 Block West Dobbins Road Streetscape is recommended as eligible to the NRHP under Criteria A and D as an example and reflection of the lower Salt River Valley's agricultural past. In contrast to a more common, barren rural streetscape defined by a two-lane road passing between broad, open agricultural fields, the 6100 Block contains a suite of rural agricultural elements that convey a strong sense of what rural life was like in Arizona in the early to mid 1900s; (i.e., it captures more of the human element). Rural streetscapes are becoming increasingly rare in the lower Salt River Valley, as agricultural communities are replaced by urban development. It is recommended that the 6100 Block West Dobbins Road Streetscape is eligible to the NRHP under Criteria A and D, not only for its association with Arizona's early agricultural development, but more so for its information potential to provide future Arizonans with an idea of what rural agricultural life was like in the lower Salt River Valley during the early years of statehood.

All sites are located on private land, except for the Sachs-Webster Farmhouse (7515 West Baseline Road) – Flood Control District Maricopa County; SRP 99th Avenue Lateral – Bureau of Reclamation/Salt River Project; US 80/ AZ FF:9:17 (ASM) – City of Phoenix, and the 6100 Block West Dobbins Road Streetscape – City of Phoenix. FHWA/ADOT is currently consulting with these agencies regarding the eligibility of these sites located on their land.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed Class I overview and Class III survey report and information provided in this letter. If you find the reports



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adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. The final Programmatic Agreement is being completed and will be submitted for signature in September 2005. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,

A handwritten signature in cursive script that reads 'Serelle E. Laine'.

Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

A handwritten signature in cursive script that reads 'Todd Bostwick'.
Signature for City of Phoenix Concurrence
with revisions

11-1-05
Date

cc: SThomas (FHWA); WVachon (FHWA)



Table A. Addendum Class I Overview Report Eligibility and Management Summary.

Alignments	Site	Type	Location	Jurisdiction	NRHP Eligibility (Criterion)	Management Recommendation
W55/W71	AZ T:11:26 (ASM)	Hohokam Artifact Scatter	T1N, R1E, S4	ADOT	Not Eligible	None
	AZ T:12:4 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S6	ADOT, Private	Not Eligible	None
	AZ T:12:5 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S5	ADOT, Private	Not Eligible	None
	AZ T:12:10 (ASM) Las Colinas	Hohokam Village	T2N, R2E, S36; T1N, R2E, S1, 2, 11	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:12:38 (ASM)	Hohokam Village	T1N, R2E, S3	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:12:178 (ASM) Los Aumentos	Hohokam Village	T1N, R1E, S2	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
W101 Alignments ¹	AZ T:7:167 (ASM) Grand Canal	Canal	T2N,R1E, S9, 16	Reclamation	Eligible (A, C)	Avoid, or else mitigate adverse effects
	AZ T:10:83 (ASM) Roosevelt Canal	Canal	T1N, R1E, S3, 4	Private	Eligible (A, C)	Avoid, or else mitigate adverse effects
	AZ T:11:26 (ASM)	Hohokam Artifact Scatter	T1N, R1E, S4	ADOT,	Not Eligible	None
	AZ T:12:4 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S6	ADOT, Private	Not Eligible	None
	AZ T:12:178 (ASM) Los Aumentos	Hohokam Village	T1N, R1E, S2	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects

¹ = Includes alignments W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, W101EFR

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Table B. Addendum Class III Survey Report Eligibility and Management Summary.

Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
AZ T:12:221 (ASM)	n/a	Prehistoric Scatter	N	W55	Fowler	T1N, R2E, S31	Private	Eligible (D)	Avoid, or else mitigate
6100 Block West Dobbins Road Streetscape	6100 Block W. Dobbins Rd.	Rural Streetscape	N	W55	Laveen	T1S, R2E, S6,7	Private, Phoenix	Eligible (A,D)	Avoid, or else mitigate
Anderson Farm Tenant Residences	9901 and 9903 W. Van Buren Rd.	Tenant Residents	N	W101 (all)	Tolleson	T1N, R1E, S8	Private	Not Eligible	None
C. O. Pitrat & Sons Feedlot	6100 Block W. Elliot Rd.	Feedlot	N	W71, W101 (all)	Laveen	T1S, R2E, S18	Private	Not Eligible	None
Carter Farmstead	7201 and 7215 W. Broadway Rd.	Farmstead	N	W71	Fowler	T1N, R1E, S25	Private	Not Eligible	None
Cecil and Mary Colvin Farmstead	5139 W. Estrella Rd.	Farmstead	N	None ¹	Laveen	T1S, R2E, S20	Private	Not Eligible	None
Colvin-Tyson Farmstead/Barnes Dairy	6159 W. Dobbins Rd.	Farmstead/Dairy	N	W55	Laveen	T1S, R2E, S7	Private	Farmstead: Not Eligible; Dairy Barn: Eligible (C); contributing elements to 6100 Block Streetscape	Avoid dairy barn, or else mitigate; avoid portion within 6100 Block Streetscape boundaries, or else mitigate



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Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
Dad Farmstead	6102 W. Dobbins Rd.	Farmstead	N	W55	Laveen	T1S, R2E, S6	Private	Farmstead: Not Eligible; contributing element to 6100 Block Streetscape	Avoid portion within 6100 Block Streetscape boundaries, or else mitigate impacts to streetscape
Dean Farmstead	9445 W. Broadway Rd.	Farmstead	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	Avoid
Hackin Farmstead/Dairy	100048 S. 59 th Ave.	Farmstead/Dairy	N	None ²	Laveen	T1N, R1E, S7	Private	Farmstead: Not Eligible; Dairy Barn: Eligible (C)	Avoid dairy barn, or else mitigate
Hudson Farm	9300 S. 59 th Ave.	Farm	N	W55	Laveen	T1S, R1E, S7	Private	Farm: Eligible (A); Silos: Eligible (C)	Avoid, or else mitigate
Jarvis Marine Repair Shop	5800 W. Buckeye Rd.	Commercial Building	N	W55	Fowler	T1N, R2E, S8	Private	Not Eligible	None
Maddux House	9115 W. Broadway Rd.	Farmhouse	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	None
Mother's Restaurant	5760 W. Buckeye Road	Commercial Building	N	W55	Fowler	T1N, R2E, S8	Private	Not Eligible	None
Parker Farmstead	3606 S. 83 rd Ave.	Farmstead	N	W101EPR, W101EFR	Fowler	T1N, R1E, S22	Private	Not Eligible	None
Pitrat Farmstead	5901 W. Elliot Rd.	Farmstead	N	None ³	Fowler	T1S, R2E, S18	Private	Not Eligible	None



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Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
Quinonez House	9131 W. Broadway Rd.	Farmhouse	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	None
Sachs-Webster Farmhouse	7515 W. Baseline Rd.	Farmhouse	P	W101 (all)	Tolleson	T1S, R1E, Ss	FCDMC	Eligible (C)	Avoid, or else mitigate
Santa Marie Townsite	Lower Buckeye Rd. and S. 83 rd Ave.	Townsite	N	W71	Fowler	T1N, R1E, S24	Private	Eligible (A,B)	Avoid, or else mitigate
SPRR Wellton- Phoenix-Eloy Main Line	UPRR R/W	Railroad	P	All	Fowler, Tolleson	T1N, R1E, S8,9,12; T1N, R2E, S8	UPRR	Eligible (A)	Avoid, or else mitigate
SRP 99 th Avenue Lateral	99 th Ave. and Lower Buckeye Rd.	Irrigation Canal	P	W101W99	Tolleson	T1N, R1E, S16	SRP/ Reclamation	Eligible (A)	Avoid, or else mitigate
US 80 (AZ FF:9:17 [ASM])	West Buckeye Road	Highway	P	All	Fowler, Tolleson	T1N, R1E, S8,9,12,13,16,17; T1N, R2E, S8, 17	Phoenix	Eligible (A) (non-contributing)	None

Table Notes:
1) all the alignments cross the property parcel but do not intersect the farmstead.
2) W55 crosses the property parcel but misses the farmstead and dairy barn;
3) All the alternative alignment pass within about 100 m of the farmstead but do not directly impact it.





Archaeology Section
Pueblo Grande Museum
4619 E. Washington St.
Phoenix, AZ 85034

Report Review Form

Project No.: ADOT **Date Report Submitted:** 9/26/05
Report Title: Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona
Draft: X **Final:**
Author: Brodbeck and Touchin **Firm:** HDR
Action: Revise & Resubmit

Comments:

- Under Agency on the Abstract page (iii): ASLD, BLM and the COP Parks and Recreation Department should also be in this section because they are listed as having jurisdiction for the alternative alignments on the first page of the cover letter of this report from Serelle E. Laine for ADOT. Please revise this.
- Under Location on the Abstract page (iii), partial paragraph at the bottom of the page, last line and partial paragraph at the top of page iv, first line: According to Figures 2-7, Sections 3 to 5, 8, 9, 16, 17, 20, 21, 28, 29, and 31 to 36 should read Sections 3 to 5, 8 to 10, 15 to 17, 20 to 22, 27 to 29, and 31 to 36. Also, Sections 31 to 36 of Township 2 North, Range 1 West and Sections 1 to 12 of Township 1 North, Range 1 West should be added to this section. Please fix this here and under the Introduction, page 1, final paragraph.
- Under List of Sites on the W55 and W71 Alignments on the Abstract page (iv), final line: *AZ T:5: (ASM)* should read *AZ T:12:5(MNA)* here and everywhere it occurs in the report.
- Under Management Recommendations on the Abstract page (v), final paragraph and under Summary and Management Recommendations, page 63, partial paragraph at the bottom of the page, and partial paragraph at the top of page 64: Add the following sentence at the end of each paragraph: *If the resources are identified within the City of Phoenix, the City of Phoenix Archaeology Office should also be contacted and allowed time to properly assess the materials.*
- On the Table of Contents page (vi), List of Figures: *v* should read *viii*.
- On the Table of Contents page (vi), List of Tables: *vi* should read *ix*.
- Under List of Figures, page viii: *Figure 4* should read *Figure 3*. As a result, all of the remaining figure numbers are off by one both here and in the text of the report. Please revise this here and wherever it occurs in the report.
- Under the Introduction, page 1, initial paragraph, line 3: Omit *is a* between *This* and *federally-funded*.
- Under Chapter 2: Environmental Context, page 4, initial paragraph, line 4: *Aqua Fria* should read *Agua Fria*.

Saving the past for the future...

- In Table 1, page 6: Please state whose cultural chronology you are basing the table on (Dean [1991])?
- In Table 1, page 6: You place the Vahki phase before the Pioneer period, yet under Early Formative and Pioneer Periods, page 8, partial paragraph at the bottom of the page, initial sentence, you state that the Vahki phase is a part of the Pioneer period. Please revise this.
- Under Paleo-Indian Period, page 7, line 4: *kills sites* should read *kill sites*.
- Under Paleo-Indian Period, page 7, line 10: You state that a single specimen was recovered from the northern edge of the basin. Please clarify which basin you are referring to. Also, for more information on Paleoindian finds in the area, please see:

North, Chris, Michael S. Foster, John M. Lindly and Douglas R. Mitchell
2005 A Newly Discovered Clovis Point from the Phoenix Basin and an Update on Arizona Clovis Point Attributes. *Kiva* 70(3): 293-307.

- Under Archaic Period, page 7, initial paragraph, line 9: Please move the dash from after *assemblages* to after *sedentism*.
- Under Archaic Period, page 8, partial paragraph at the top of the page, first and second lines: Please add the following report to your list of work done on Archaic sites in the Phoenix Basin:

Hackbarth, Mark R.
1998 *Archaic and Hohokam Occupation of the Mayo Boulevard Project Area in Northeast Phoenix, Arizona*. Pueblo Grande Museum Anthropological Papers No. 8.

- Under Colonial Period, page 10, partial paragraph at the top of the page, line 6: Insert the word *a* after *become*.
- Under Colonial Period, page 10, final paragraph, lines 4-5: Doyel (1978), Elson et al. (1995), Haury (1932) and Mitchell (1986) are not in the Referneces Cited section. Please revise this.
- Under Classic Period, page 12, partial paragraph at the top of the page, line 3: Howard (1987) is not in the References Cited section. Please revise this.
- Under Classic Period, page 12, partial paragraph at the top of the page, second complete sentence: For information on the platform mound at Pueblo Grande, please see:

Downum, Christian and Todd Bostwick
2003 The Platform Mound. In *Centuries of Decline during the Hohokam Classic Period at Pueblo Grande*, edited by David Abbott, pp. 166-200. University of Arizona Press, Tucson.

- Under Historic Period, page 13, line 2: *id divided* should read *is divided*.
- Under The Hispanic Era (A.D. 1694-1853), page 14, partial paragraph at the bottom of the page, initial sentence: It is not clear what group of people are you referring to


when you mention the word *Western*. Do you mean the Western Apache? Please revise this.

- Under The Hispanic Era (A.D. 1694-1853), page 15, final paragraph, final sentence: Mention the Mexican-American War and the Treaty of Guadalupe-Hidalgo (1848) as well.
- Under Chapter 4: Regulatory Context, page 17, paragraph 2, line 5: Please omit the comma after *NHPA* and add a period.
- Under Chapter 4: Regulatory Context, page 17, partial paragraph at the bottom of the page, initial line: *State Historic Preservation of 1982* seems incomplete. Do you mean *State Historic Preservation Act of 1982*?
- Under Chapter 5: Results, page 19, paragraph 2, line 2: You state that 76 projects were surveys, yet more than 80 surveys are listed in Table 2. Please revise this.
- Under Chapter 5: Results, page 19, paragraph 4, line 2 and under Chapter 6: Summary and Management Recommendations, page 63, paragraphs 2 and 4: You state that there were 129 historic buildings, yet 130 are listed in Table 7.
- Under Chapter 5: Results, page 19, paragraph 4, sentence 3: You state that five archaeological sites are not eligible, yet seven sites are listed as eligible in Table 5. Also, you state that nine archaeological sites have not been evaluated for eligibility, yet seven sites are listed as not evaluated in Table 5. Please revise this.
- In Table 2, page 20: The Janus Assoc. (1987b) survey is not shown in Figure 5. Please revise this.
- In Table 2, page 21: The Schroeder (1995) survey is not shown in Figure 5. Please revise this. Also, *Stubbing and Mitchell* should read *Stubing and Mitchell*.
- In Table 2, page 22: The Hart (1999) survey is not shown in Figure 3. Please revise this.
- In Table 2, page 23: Please indicate which Touchin and Brodbeck (2003) you mean (a or b).
- In Table 3, page 24: The projects listed for the Excavations at Las Colinas, the Clark and Henderson (2001) project and the Boston and Ryan (2002) project are not shown in Figure 5. Also, the Shepard (1998) project is not shown in Figure 3. Please revise this.
- In Table 4, page 25: The Marshall (1996) project is not shown in Figure 5. Please revise this.
- In Table 4, page 25: The location of the Hart (2001a) project should read *T2N, R2E, S32*.
- On Figure 2, page 26: Four UTMs must be displayed. Please revise this both here and throughout the report.
- On Figure 4, page 28: *Hart 2001c* should read *Hart 2001b*.
- On Figure 5, page 29: *Hart 2001d* should read *Hart 2001c*.
- In the caption of Table 5, page 32: *Previous* should read *Previously*.
- In Table 5, page 32: You mention the site labeled "ASU" and cite our base map as a reference, but this site is not labeled "ASU" on any of our maps. On whose records is this site labeled ASU?
- In Table 5, page 32: According to our records, Midvale-6 and AZ T:12:28b(ASU) are two separate sites. Please revise this.

- In Table 5, page 32: Site AZ T:12:184(ASM) should be placed in the Site Number column for the Fangmeier (2002) project.
- In Table 5, page 33: Marshall (1997c) is not in the References Cited section. Please revise this.
- In Table 5, page 34, References for Las Colinas: Hammack (1981) is Hammack and Sullivan (1981) in the References Cited section. Heathington (1985) is Heathington et al. (1985) in the References Cited section. Finally, Gregory (1988b) is not in the References Cited section. Please revise this.
- In Table 5, page 34: Site AZ T:12:13(PG) is located far from this project area. It is located in T1S R2E S3. There was originally some confusion on the PGM site card (which has been resolved) as to whether this site is located in T1N or T1S, which may have caused it to be erroneously placed in T1N on SHPO inventory 1210.
- In Table 5, page 35, References for AZ T:12:38(ASM): Please include the other report references that were listed in the site file you obtained when you conducted your search at PGM, especially Layhe (1988), Excavations at AZ T:12:38 (ASM). In *The 1982-1984 Excavations at Las Colinas: The Site and Its Features*.
- In Table 5, page 35: *O'Brien et al. 1997* should read *O'Brien et al. 1987*.
- In Table 6, page 36: Please indicate which Touchin and Brodbeck (2003) you are referring to (a or b).
- On Figure 9, page 47: Many sites are labeled but not displayed. Please revise this both here and in other figures where this occurs.
- On Figure 9, page 47: The site boundary of Los Aumentos does not match that in our database. Please explain any discrepancies in the way that this site is plotted.
- Under Archaeological Sites (NRHP-Ineligible), page 58, paragraph 2, initial sentence: You state that sites AZ T:12:4(MNA) and AZ T:12:5(MNA) have not been formally evaluated for eligibility and are located within the proposed alignments. Since there is federal involvement, these sites will need to be formally evaluated for eligibility if they will be impacted by the project.
- Under References Cited: Please insert spaces between the following reports: ASM (1998) and Basso (1983); McDermott(2003) and McDonald (1974); Rosenberg (1983a) and Rosenberg (1983b);
- Under References Cited, page 69: The Burden (2002) report that was mentioned in the cover letter from ADOT is not in the References Cited Section (*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*).

Recommendations:

Please revise the report accordingly and send one final bound copy of this report to the City of Phoenix Archaeology Office. Please send the appropriate number of final bound copies of this report to the lead federal agency. They will then forward copies to all consulting parties.

Reviewed By: Robert A. Serocki Jr. and
Todd W. Bostwick, Ph.D. 

Date: 11/1/05

Collection to be submitted: N/A
Remarks:



Archaeology Section
Pueblo Grande Museum
4619 E. Washington St.
Phoenix, AZ 85034

Report Review Form

Project No.: ADOT

Date Report Submitted: 9/26/05

Report Title: An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona

Draft: X

Final:

Author: Brodbeck

Firm: HDR

Action: Revise & Resubmit

Comments:

- Under Land Jurisdiction on the Abstract page (iii): FCDMC should also be in this section because it is listed as a land owner in the second table in the Abstract on page iv. Please revise this.
- Under Eligibility and Management Recommendations on the Abstract page (v), paragraph 2, initial line: You mention an archaeological site. Please clarify if this site is historic or prehistoric.
- Under Eligibility and Management Recommendations on the Abstract page (v), final paragraph and under Management Summary, page 150, final paragraph: Add the following sentence at the end of each paragraph: *If the resources are identified within the City of Phoenix, the City of Phoenix Archaeology Office should also be contacted and allowed time to properly assess the materials.*
- Under Feedlots on the Abstract page (viii), line 2 and under Feedlots, page 156, line 2: *architecture* should read *architectural*.
- Under Historic Townsites on the Abstract page (ix) and under Historic Townsites, page 157: If you will use both Santa Maria and Santa Marie to describe the same township, please explain the difference as you do on page 110.
- Under Project Background, page 1, line 14: The publication date for MAG (2003) is shown as 2002 in the References Cited section. Please revise this.
- In Table 1.1, page 4: Survey Area 5 looks much larger than 10 acres in Figure 1.5. Please revise this.
- On Figure 1.4, page 6: Please include the line that identifies quad map boundaries in the legend both here and in any figures where it occurs.
- Under Chapter 3: Cultural Context, page 16, lines 4-5: Please enclose the time period of the Formative Period in parentheses, as with the other major stages.

Saving the past for the future...

- Under Paleo-Indian Period, page 16, second-to-last line: For more information on Paleoindian finds in the area, please see:

North, Chris, Michael S. Foster, John M. Lindly and Douglas R. Mitchell
2005 A Newly Discovered Clovis Point from the Phoenix Basin and an Update on Arizona Clovis Point Attributes. *Kiva* 70(3): 293-307.

- Under Archaic Period, page 16, initial paragraph, line 9: Please move the dash from after *assemblages* to after *sedentism*.
- Under Archaic Period, page 17, initial paragraph, lines 3-4: Please add the following report to your list of work done on Archaic sites in the Phoenix Basin:

Hackbarth, Mark R.
1998 *Archaic and Hohokam Occupation of the Mayo Boulevard Project Area in Northeast Phoenix, Arizona*. Pueblo Grande Museum Anthropological Papers No. 8.

- Under Colonial Period, page 19, partial paragraph at the top of the page, line 8: Insert the word *a* after *become*.
- Under Colonial Period, page 19, final paragraph, line 5: Mitchell (1986) is not in the References Cited section. Please revise this.
- Under Classic Period, page 21, partial paragraph at the top of the page, third complete sentence: For information on the platform mound at Pueblo Grande, please see:


Downum, Christian and Todd Bostwick
2003 The Platform Mound. In *Centuries of Decline during the Hohokam Classic Period at Pueblo Grande*, edited by David Abbott, pp. 166-200. University of Arizona Press, Tucson.

- Under Classic Period, page 21, final paragraph, line 12: Sires (1983) is not in the References Cited section. Please revise this.
- Under The Hispanic Era (A.D. 1694-1853), page 23, partial paragraph at the bottom of the page, initial sentence: It is not clear what group of people are you referring to when you mention the word *Western*. Do you mean the Western Apache? Please revise this.
- Under The Hispanic Era (A.D. 1694-1853), page 24, final paragraph, final sentence: Mention the Mexican-American War and the Treaty of Guadalupe-Hidalgo (1848) as well.
- Under Chapter 4: Regulatory Context, page 26, paragraph 2, line 5: Omit the comma after *NHPA* and add a period.
- Under Chapter 4: Regulatory Context, page 26, partial paragraph at the bottom of the page, initial line: *State Historic Preservation of 1982* seems incomplete. Do you mean *State Historic Preservation Act of 1982*?
- Under Chapter 5: Methodology, page 28, initial paragraph, line 3: In addition to referring readers to the Burden (2002) report, refer readers to the Addendum Class I report that was recently completed as well (Brodbeck and Touchin 2005).

- Under NRHP Eligibility and Management Recommendations for site AZ T:12:221(ASM), page 33, initial sentence: Please insert the word *potentially* before *eligible*. Also, this site needs to be formally evaluated for eligibility.
- On Figure 6.4, page 34: The legend gives an aerial photo date of Summer, 2003, yet there is no aerial photo in this figure. Please revise this.
- Under References Cited, page 159: The Burden (2002) report that was mentioned in the cover letter of this report from Serelle E. Laine for ADOT is not in the References Cited Section (*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*).
- Under References Cited, page 162, Elson et al. (1995): 995 should read 1995.

Recommendations:

The City of Phoenix Archaeology Office concurs with the recommendation that archaeological and historic sites determined eligible for the NRHP should be avoided if possible. If avoidance is not possible, then any adverse effects should be mitigated. Please revise the report accordingly and send one final bound copy of this report to the City of Phoenix Archaeology Office. Please send the appropriate number of final bound copies of this report to the lead federal agency. They will then forward copies to all consulting parties.

Reviewed By: Robert A. Serocki Jr. and
Todd W. Bostwick, Ph.D. 

Date: 11/1/05

Collection to be submitted: No

Remarks: No collections were made.



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

David P. Jankofsky
Deputy Director

August 17, 2005

Peter Steere, Program Manager
Joe Joaquin, Cultural Resource Specialist
Tohono O'odham Nation
Cultural Affairs Office
P.O. Box 837
Sells, Arizona 85634

RE: Project No: NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Draft Programmatic Agreement follow-up

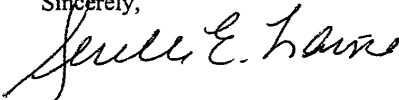
Dear Sirs:

The Arizona Department of Transportation (ADOT) on behalf of the Federal Highway Administration (FHWA) is following up on our recent request for input on the draft Programmatic Agreement (PA) for the South Mountain Corridor freeway project (letter from Hollis, FHWA, July 7, 2005). ADOT/FHWA are in the process of finalizing the South Mountain Corridor PA to address project effects as the environmental documentation continues for the project. A draft PA was circulated in July 2005 along with an invitation to participate in discussions regarding the potential effects of the project on areas of traditional cultural significance, however, at this time, few tribes have opted to participate.

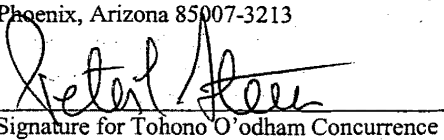
ADOT on behalf of FHWA would like to offer another opportunity for your tribe/community to participate in the PA and in discussions regarding potential effects to areas of traditional cultural significance. Please sign below if you would like to be included as a Concurring Party to the final PA and return to ADOT by September 2, 2005. If your office opts to participate in cultural resource consultation at a later date, ADOT/FHWA would make a good faith effort to address any concerns.

If you have any questions or concerns, please feel free to contact me at 602-712-8636 or e-mail slaine@azdot.gov.

Sincerely,



Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213


Signature for Tohono O'odham Concurrence

11-8-05

Date

cc: SThomas (FHWA)



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

November 22, 2005

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 HS764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places

Mr. Richard P. Narcia, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Narcia:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) appreciate your letter dated September 30, 2005 responding to our consultation regarding traditional cultural places. This consultation is part of the process of preparing an Environmental Impact Statement (EIS) for the South Mountain Freeway project. Your letter expressed concern for the protection of 21 archaeological sites and three areas of traditional cultural importance—South Mountain itself, the Villa Buena site, and the Pueblo del Alamo site. The letter also requested that FHWA take appropriate mitigation measures to address adverse effects to the physical integrity of these traditional cultural places, which are considered sacred sites. The purpose of this letter is to request more specific information regarding the boundaries and cultural importance of these properties so that mitigation strategies can be developed within the context of Section 106 consultations of the National Historic Preservation Act (36 CFR Part 800).

Under the National Historic Preservation Act (NHPA), Traditional Cultural Properties (TCP's) are defined as historic sites eligible for inclusion in the National Register because of their association with cultural practices or beliefs of a living community that (a) are rooted in the community's history, and (b) are important in maintaining the continuing cultural identity of the community (National Register Bulletin Number 38). Historic sites must exhibit four attributes: an age greater than 50 years; existence as a tangible property; integrity in relationship to the transmission and retention of cultural beliefs or the performance of ceremonial practices; and integrity of condition wherein their traditional cultural significance has not been reduced through alteration of location, setting, design or materials. A TCP may be eligible for the National Register under one or more of the following Criteria: (A) association with events that have made a significant contribution to the broad patterns of history; (B) association with the lives of persons significant in the past; (C) the embodiment of the distinctive characteristics of a type, period, or method of construction; and (D) history of yielding, potential to yield, information important in prehistory or history (National Register Bulletin Number 38).

Your letter dated September 30, 2005 identifies South Mountain as a TCP and explains how it is rooted in the community's history and is important in maintaining the continuing cultural identity of the Akimel O'odham and Pee Posh. In addition, it has been demonstrated that South Mountain has been used by Akimel O'odham and Pee Posh for religious and ceremonial activities for more than 50 years and it retains integrity in terms of condition and the transmission and retention of cultural beliefs. FHWA and



ADOT recommend that South Mountain is eligible to the National Register as a TCP under Criterion A for its association with the broad patterns of Akimel O'odham and Pee Posh ceremonial and religious activity that is rooted in their history and integral to continuation of their cultural identity. To finalize this recommendation and fulfill FHWA's Section 106 obligations, we need to be able define the South Mountain TCP as "a tangible property," as defined by the NHPA. Therefore, FHWA requests that the Gila River Indian Community provide a map marked with the physical boundaries of the South Mountain TCP, in order to assist with our environmental issues assessment.

Your letter also identifies two archaeological sites as TCP's, Villa Buena (AZ T:12:9 ASM) and Pueblo del Alamo (AZ T:12:52 ASM); however, no information is provided about the association of these sites with cultural practices or beliefs of the community that are rooted in the community's history and are important in maintaining the continuing cultural identity of the community. FHWA recommends the two archaeological sites as eligible for the NRHP under Criterion D. Additional research would be required to evaluate their status as TCP's. FHWA recommends that a TCP evaluation be prepared to address the sites' TCP eligibility, so FHWA can proceed appropriately. Any information provided in a TCP study would be kept strictly confidential and not included in any documents released to the public.

FHWA and ADOT appreciate the efforts of the Gila River Indian Community in addressing these complex issues and are committed to continuing consultation with the Community on these and other issues relating to this project. We are grateful for your efforts in providing a tangible boundary for the South Mountain TCP so that we can move forward with our legal obligations.

Please review the information provided in this letter. If you agree that a TCP evaluation would be appropriate to evaluate the eligibility of Villa Buena (AZ T:12:9 ASM) and Pueblo del Alamo (AZ T:12:52 ASM) for the National Register as TCP's, please indicate your concurrence by signing below. We look forward to continuing consultation with your office. If you have any question or concerns, please do not hesitate to call Steve Thomas at 602-379-3645 ext. 117 or email steve.thomas@fhwa.dot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for Gila River Indian Community Concurrence

Date

cc:
Barnaby Lewis, Cultural Resource Specialist, Gila River Indian Community, P.O. Box E, Sacaton, AZ 85247
John C. Ravesloot, Coordinator, Cultural Resource Management Program, Gila River Indian Community, P.O. Box 2140, Sacaton, AZ 85247
Sandra Shade, Director, Department of Transportation, Gila River Indian Community, P.O. Box 97, Sacaton, AZ 85247
SThomas, BVachon, KDavis, REllis (619E), RGreenspan (619E)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

November 30, 2005

In Reply Refer To: HA-AZ
NH-202-D (ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Programmatic Agreement

Mr. Richard P. Narcia, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Narcia:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are in the process of finalizing the South Mountain Corridor Programmatic Agreement (PA) to address project effects as the environmental documentation continues for the project. A draft PA was circulated in July 2005. At this time, FHWA is following up on our previous request for participation in the PA for the South Mountain Corridor freeway project (letter from Hollis, FHWA, July 7, 2005). FHWA

FHWA would like to offer another opportunity for your tribe/community to participate in the PA. Please sign below if you would like to be included as a Concurring Party to the PA and return to FHWA by December 23, 2005. If your office opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns you may have. We look forward to continuing consultation with your office. If you have any question or concerns, please do not hesitate to call Steve Thomas at 602-379-3645 x 117 or email: Steve.Thomas@fhwa.dot.gov.

Sincerely,

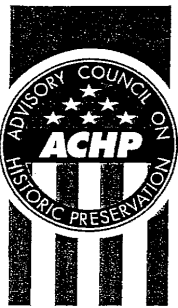
STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for GRIC Concurrence

Date

cc:
Barnaby V. Lewis, Cultural Resource Specialist, GRIC, P.O. Box E, Sacaton, AZ 85247
John C. Ravesloot, Coordinator, Cultural Resource Management Program, GRIC, P.O. Box 2140, Sacaton, AZ 85247
Sandra Shade, Director, Department of Transportation, GRIC, P.O. Box 97, Sacaton, AZ 85247
SThomas, RGreenspan (619E), RELLIS (619E)
SDThomas:cdm



Preserving America's Heritage

December 27, 2005

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, AZ 85004-2264

REF: Proposed South Mountain Transportation Corridor Project
Maricopa County, Arizona

Dear Mr. Hollis:

The ACHP received your notification and supporting documentation regarding the adverse effects of the referenced project on properties listed on and eligible for listing on the National Register of Historic Places. Based upon the information you provided, we do not believe that our participation in consultation to resolve adverse effects is needed. However, should circumstances change and you determine that our participation is required, please notify us. Pursuant to 36 CFR 800.6(b)(iv), you will need to file the final Memorandum of Agreement and related documentation at the conclusion of the consultation process. The filing of the Agreement with us is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Carol Legard, FHWA Liaison, at 202-606-8503.

Sincerely,

Raymond V. Wallace

Raymond V. Wallace
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION
1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

2006 JAN -5 PM 2:39



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
Deputy Director

January 12, 2006

Dr. David Jacobs
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report Eligibility Recommendations

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. As part of this effort, we submitted a Class III cultural resources survey report on July 1, 2005 prepared by the Gila River Indian Community's (GRIC) Cultural Resource Management Program (CRMP). The report was titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005). In your response letter dated July 11, 2005, you provided several comments regarding the treatment of isolated occurrences (IO) and on the Programmatic Agreement being prepared for the project. The purpose of this letter is to address the IO comments and request concurrence on the eligibility recommendations for the archaeological sites that were provided in the report (Darling 2005).

Isolated Occurrences

In your letter you noted that the report grouped IOs into 12 clusters in "areas where numerous artifacts co-occur but in concentrations less than would merit an archaeological site designation (Darling 2005:4-13.)" None of the areas with IOs has high enough artifact densities to meet standard site definition criteria. In fact, the term "cluster" is somewhat misapplied in the report. For example, IO Cluster 4 consists of six artifacts in a roughly 20-acre area; IO 6 has 17 artifacts in a 40-acre area; and, IO Cluster 7 consists of six artifacts in an approximately 15-acre area. The other IO "clusters" have similarly low artifact densities.

In your letter you also pointed out that the report notes that some of the IO Clusters are associated with prehistoric trails and trail sites near South Mountain with the additional note that some of the trails continue to be used by GRIC today. It should be pointed out that not all IOs in the study area are associated with trails, and in fact, at this point the relationships of the IOs with the trails and other cultural uses of South Mountain have not been investigated beyond collecting basic inventory and location information. ADOT and FHWA recognize that while the IOs are not individually considered eligible to the National Register of Historic Places (NRHP), they are an important component to

Jacobs
TRACS No. 202L MA 054 H5765 01L
January 12, 2006
Page 2 of 3

understanding the region's overall cultural pattern of prehistoric and historic use. ADOT and FHWA agree that proper mitigation of impacts to the cultural resources in the South Mountain Freeway corridor should include considerations of "non-site" areas. With this in mind, the IO's that are in proximity to other IOs, or in proximity to defined sites or trails, were called out in the report so that further investigation of them could be considered in any treatment plans that might be developed in the future. However, based on survey data alone, these IOs do not meet the ASM criteria for sites, or the NRHP criteria for historic properties, and we recommend that the site boundaries in the GRIC CRMP report should not be revised to include outlying IOs.

Eligibility Recommendations

Nineteen archaeological sites and two historic canals were identified in GRIC CRMP's Class III report (Darling 2005). The eligibility of the historic canals—AZ T:10:83 (ASM) (Roosevelt Canal) and AZ T:12:154 (ASM) (Western Canal)—are currently being reassessed and will be addressed in an eligibility assessment report being prepared by HDR Engineering's Cultural Resources Section which will be submitted to your office at a later date. Of the archaeological sites, 18 are recommended as eligible to the NRHP and one is recommended as not eligible:

- AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) are prehistoric Hohokam villages with existing and/or historically documented public architecture. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the village structure and the development of irrigation communities south of the Salt River.
- AZ T:11:164 (ASM), AZ T:12:91 (ASM), AZ T:12:127 (ASM) (Baseline Ruin), AZ T:12:202 (ASM), AZ T:12:203 (ASM), AZ T:12:204 (ASM), AZ T:12:205 (ASM), and AZ T:12:206 (ASM) are prehistoric Hohokam artifact scatters. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric Hohokam social organization, settlement, and land use in the lower Salt River Valley, including the development and structure of irrigation communities.
- AZ T:12:197 (ASM), AZ T:12:201 (ASM), and AZ T:12:211 (ASM) are trail sites with associated features (age and cultural affiliation unknown, but likely Native American in origin). AZ T:12:207 (ASM) is a prehistoric trail site with an associated Hohokam artifact scatter. The sites are recommended as eligible for the NRHP under Criterion D for their potential to provide important information on prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including social mobility and transportation networks.
- AZ T:12:210 (ASM) is a prehistoric quarry (age and cultural affiliation unknown, but likely Native American in origin). The site is recommended as eligible for the NRHP under Criterion D for its potential to provide important information prehistoric settlement and land use near the confluence of the Gila and Salt Rivers, including lithic resource procurement and ground stone technology.



2001 Award Recipient

Jacobs
TRACS No. 202L MA 054 H5765 01L
January 12, 2006
Page 3 of 3

- AZ T:12:199 (ASM) and AZ T:12:200 (ASM) are historic O’odham artifact scatters. AZ T:12:199 (ASM) is recommended as eligible for the NRHP under Criterion D for its potential to provide important information on historical-period O’odham settlement and land use near the confluence of the Gila and Salt Rivers, including the use of upland areas for subsistence and religious practices. AZ T:12:200 (ASM) is recommended as not eligible for the NRHP due to a lack of integrity and information potential.
- AZ T:12:198 (ASM) and AZ T:12:208 (ASM) are prehistoric petroglyph sites with historic components. The sites are considered eligible to the NRHP under Criterion D for their potential to provide important information of prehistoric Hohokam and historic O’odham settlement and land use at the confluence of the Gila and Salt Rivers, including the use of upland areas for religious practices.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. If you agree that (1) the IOs do not qualify as sites and that the boundaries of the existing sites, as defined by the GRIC CRMP (Darling 2005), should not be revised to include outlying IOs, (2) that the proper treatment of affected cultural resources in the APE should include considerations of non-site cultural resources, and (3) if you agree with the National Register eligibility recommendations for the 19 archaeological sites, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact me at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely,



Ruth L. Greenspan
Historic Preservation Specialist
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Signature for SHPO Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)



"Manage and conserving natural, cultural, and recreational resources"

January 23, 2006

Dr. Ruth Greenspan
Historic Preservation Specialist
Environmental and Enhancement Group
Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ 85007-3212

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Class III Survey Report; Eligibility Recommendations
SHPO-2003-1890 (26970)

Dear Dr. Greenspan:

Thank you for consulting with this office regarding the cultural resources survey report and the eligibility recommendations associated with the South Mountain Transportation Corridor pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 CFR Part 800. We have reviewed the submitted letter and eligibility recommendations, and offer the following comments.

The earlier submitted cultural resource report [*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*] by J. Andrew Darling identified 21 sites and 191 Isolated Occurrences (IOs). The current submitted letter [dated January 12, 2006] notes that the eligibility of the two historic canals [AZ T:10:83 (ASM), the Roosevelt Canal, and AZ T:12:154 (ASM), the Western Canal] are being reassessed, and will be addressed later. Of the remaining 19 sites, one [i.e., AZ T:12:200 (ASM)] is recommended as ineligible, and the 18 others [AZ T:11:164 (ASM) and AZ T:12:9, 52, 91, 127, 197, 198, 199, 201, 202, 203, 204, 205, 206, 207, 208, 210, and 211 (ASM)] are eligible to the National Register of Historic Places [NRHP] under Criterion D. We agree with these eligibility recommendations from a site-by-site consideration, however, consideration needs to be given to a broader context to properly understand the significance of the project area and the surrounding setting.

Our office noted in an earlier letter [dated July 11, 2005] that many of the IOs should be reconsidered as parts of larger entities, such as known prehistoric habitation sites, canals, and avenues of travel. Your letter acknowledges that "ADOT and FHWA recognize that while the IOs are not individually considered eligible to the NRHP, they are an important component to understanding the region's overall cultural pattern of prehistoric and historic use" and that "further investigation of them could be considered in any treatment plans that might be developed in the future." Our office agrees conceptually with this, but we are uncomfortable with your usage of the term "non-site" areas.

Janet Napolitano
Governor

State Parks
Board Members

Chair
Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
Phoenix

John U. Hays
Yarnell

Mark Winkleman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
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800.285.3703 from
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General Fax:
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Director's Office Fax:
602.542.4188

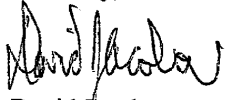
January 23, 2006
Page 2, Greenspan

Regarding the term "non-site" areas, the National Historic Preservation Act [NHPA] distinguishes five different property types [i.e., building, structure, site, district, and object] in contrast to the systematics to be found with the assignment of numbers by the Arizona State Museum [ASM]. In order for this project to meet federal standards, the National Register classification system should be used. In some cases, IOs may be considered to be contributing elements to structures (trails would be structures), districts, and landscapes. IOs may also be considered as objects, defined as constructions that are primarily artistic in nature or are relatively small in scale and simply constructed; although it may be, by nature or design, movable, an object is associated with a specific setting or environment. Examples of objects would include a boundary marker or milepost marker.

Regarding the project area, it is clear that a broader context [beyond the individual "site" and beyond the physical footprint of the project] needs to be considered to determine the significance of the many identified IOs, perhaps individually undistinguished, and even the purportedly ineligible and individually considered AZ T:12:200 (ASM), a historic O'odham artifact scatter. The property type of "district" and/or the notion of a cultural landscape should be seriously considered when addressing the significance of the "non-site" cultural resources within the South Mountain Transportation Corridor project area and the development of a treatment plan. Tribal input is crucial; the oral traditions of the O'odham identify the South Mountain area [Greasy Mountain?] as a place associated with Elder Brother [I'itoi].

We do appreciate your cooperation with this office in considering the impacts of federal undertakings on cultural resources situated in Arizona, and we look forward to reviewing the revised data recovery report. If you have any questions, please contact me at (602) 542-7140 or electronically via djacobs@pr.state.az.us.

Sincerely,



David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office

CC: Barnaby Lewis, Gila River Indian Community



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

March 7, 2006

In Reply Refer To: HRW-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H576401L
South Mountain Transportation Corridor
Section 106 Consultation

Mr. Steve Dibble
Archaeologist
United States Army Corp of Engineers
P.O. Box 532711
Los Angeles, California 90053-2325

Dear Mr. Dibble:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix (see attached map).

As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review. Furthermore, because the South Mountain Freeway would cross jurisdictional waters of the US, there will be United States Army Corps of Engineers (Corps) involvement. Section 106 consultations were initiated for the project in August 2003. At that time, the Corps was inadvertently excluded from the list of participating agencies. It is therefore the purpose of this letter is to provide a summary of the consultations to date along with accompanying reports; to provide the Corps an opportunity to review and comment on the draft Programmatic Agreement (PA) developed for the project; and to inquire as to whether the Corps would prefer to participate in the PA as a Signatory or as a Concurring Party.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation Department (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the



Bureau of Reclamation (Reclamation), the Corps, the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe. The Advisory Council on Historic Preservation has declined to participate in the PA at this time.

The Area of Potential Effect (APE) is comprised of five alternative (overlapping) freeway corridors that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are generally 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

To date, there have been four cultural resources technical reports prepared for the EIS, which include two Class I overviews and two Class III survey reports:

In 2001, the first phase of the technical studies began with the Gila River Indian Community’s Cultural Resource Management Program (GRIC-CRMP) preparing the initial Class I overview of the overall study area. The report is titled “A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona” (Burden 2002). Previous consultation regarding adequacy of the report resulted in responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix, Historic Preservation Office (Stocklin, September 8, 2003); City of Phoenix, Pueblo Grande Museum (Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).

The second phase of the project entailed pedestrian surveys of the proposed alternative alignments. The GRIC-CRMP conducted the Class III survey between November 2003 and March 2004. The results of the survey are presented in a report titled “A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona” (Darling 2005). Previous consultation regarding adequacy of the report resulted in responses from SHPO (Jacobs, January 23, 2006); BLM (Stone, July 26, 2005); BIA (Cantley, August 11, 2005); Reclamation (Czaplicki, July 12, 2005); City of Phoenix, Pueblo Grande Museum (Bostwick, July 18, 2005); and SRP (Anduze, August 8, 2005).

In late 2004 and early 2005, the third phase of the cultural studies included an addendum Class I overview that covered expanded portions of the study area along I-10 and the State Route 101L freeway corridors on the west side of Phoenix. HDR Engineering, Inc. (HDR) prepared the addendum Class I overview. The results were provided in a technical report titled “An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona” (Brodbeck and Touchin 2005). Previous consultation regarding adequacy of the report resulted in responses from SHPO (Jacobs, October 3, 2005), Reclamation (Czaplicki,

September 19, 2005); SRP (Anduze, September 19, 2005); City of Phoenix, Pueblo Grande Museum (Bostwick, November 1, 2005).

Finally, the fourth phase of the cultural resources studies entailed an addendum Class III survey. HDR conducted the survey in early 2005. The survey covered shifted proposed alignments, freshly plowed agricultural fields, and areas with historical resources that had been overlooked during the initial Class III survey (Darling 2005). The results are presented in a report titled “An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona” (Brodbeck 2005). Previous consultation regarding adequacy of the report resulted in responses from SHPO (Jacobs, October 3, 2005), Reclamation (Czaplicki, September 19, 2005); SRP (Anduze, September 19, 2005); and City of Phoenix, Pueblo Grande Museum (Bostwick, November 1, 2005).

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed cultural resources technical reports and the draft Programmatic Agreement (PA). If you concur with the adequacy of the reports and their eligibility recommendations, please indicate your concurrence by signing below as indicated. If you agree with the adequacy of the draft PA, please indicate your concurrence by signing below as indicated. In addition, please indicate below whether the Corps would like to participate as a Signatory or Concurring Party to the PA. We look forward to continuing consultation with your office to address project effects as the environmental documentation continues.

If you have any questions concerning this submission, please call Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for Corps concurrence with adequacy
of the reports and eligibility recommendations

Date

Signature for Corps Concurrence with adequacy
of the draft PA

Date

The Corps prefers to participate in the PA as a Signatory or Consulting Party. (please circle)

Enclosures (draft PA and four technical reports)

cc:

SThomas

WVachon,

REllis (ADOT 619E)

RGreenspan (ADOT 619E)

Cindy Lester – AZ Area Office, 3636 N Central Ave, Suite 900, Phoenix AZ 85012 (with enclosures)

SDThomas:cdm

NOTATION: THE FOLLOWING INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Steve Ross, Archaeologist
Arizona State Land Department
1616 West Adams Street
Phoenix, Arizona, 85007

Dear Mr. Ross:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 in west Chandler to I-10 west of Phoenix, south of the greater Phoenix metropolitan area. Alternative corridors are 1,000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.



The cultural resources component of the EIS includes five technical studies:

Previous Consultation:

- A Class I overview of the overall study area: “*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*” (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). Consultation regarding adequacy of the report is on-going. To date, concurring responses have been received from SHPO (Jacobs, July 11, 2005), Reclamation (Ellis, July 12, 2005), BLM (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quetawki), July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
- An addendum Class I overview and addendum Class III survey to address the expansion of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments (late 2004 and early 2005). The addendum Class I report was titled “*An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck and Touchin 2005). The Class III report was titled “*An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck 2005). To date, concurring responses have been received from SHPO (Jacobs, October 3, 2005), Reclamation (Ellis, September 19, 2005), City of Phoenix (Bostwick, November 1, 2005), and SRP (Anduze, September 19, 2005).

Current Consultation:

A second addendum cultural resources assessment report has been prepared by HDR, Inc. in order to address the National Register of Historic Places (NRHP) eligibility of four properties and clarifies the location of a fifth property relative to the APE. In September 2005, the W55 and W71 were shifted north of the Salt River to avoid potential impact to historic properties. As a result of this shift, two historic residential properties were added to the APE: 6304 West Dobbins Road and 7316 West Lower Buckeye Road. Furthermore, two properties in the existing APE required additional evaluation: South Mountain Park/Preserve and specific segments of the Roosevelt Canal (AZ T:10:83 [ASM]) in the alternative alignments. Finally, the location of the Western Canal (AZ T:12:154 [ASM]) relative to the APE is addressed. The report, “*A Second Addendum Cultural Resources Report for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck 2006), assesses the NRHP eligibility of South Mountain Park/Preserve and the Roosevelt Canal

(Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

Finally, the initial Class III survey report for the South Mountain Freeway study (Darling 2005) had identified the Western Canal (AZ T:12:154 [ASM]) as an historic property in the APE, in the E1 Alternative at Elliot Road. The Western Canal is owned and managed by Reclamation and SRP. Further study has indicated that this irrigation feature is actually a tail-water drainage ditch and that the Western Canal terminates prior to reaching the APE. FHWA and ADOT recommend that the Western Canal will not be affected by the proposed undertaking.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing

below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for ASLD Concurrence

Date

Enclosure
cc:
SThomas
RGreenspan (MD 619E)
SDThomas:cdm

The previous letter was also sent to:

- Mr. Garry Cantley, Western Regional Archaeologist, Bureau of Indian Affairs
- Ms. Cheryl Blanchard, Archaeologist, Bureau of Land Management
- Mr. Bryan Lausten, Archaeologist, Bureau of Reclamation
- Mr. Charlie McClendon, City Manager, City of Avondale
- Mr. Mike Normand, Transportation Services & Planning Manager, City of Chandler
- Mr. Ron Short, Deputy Director for Long Range Planning, City of Glendale
- Dr. Todd Bostwick, Archaeologist, City of Phoenix
- Ms. Barbara Stocklin, Historic Preservation Officer, City of Phoenix
- Mr. Ralph Valez, City Manager, City of Tolleson
- Mr. Larry Hendershot, Flood Control District of Maricopa County
- Mr. Brian Kenny, Environment Programs Manager, Maricopa County Department of Transportation
- Mr. Stanley Ashby, Superintendent, Roosevelt Irrigation District
- Mr. Rick Anduze, Archaeologist, Salt River Project
- Dr. David Jacobs, Compliance Specialist, State Historic Preservation Office
- Mr. Steve Dibble, Archaeologist, United States Army Corps of Engineers
- Ms. Delia M. Carlyle, Chairwoman, Ak-Chin Indian Community
- Mr. Charles Wood, Chairman, Chemehuevi Indian Tribe
- Ms. Sherry Cordova, Chairwoman, Cocopah Indian Tribe
- Mr. Daniel Eddy, Jr., Chairman, Colorado River Indian Tribes

- Mr. Ralph Bear, President, Fort McDowell Yavapai Nation
- Ms. Nora McDowell, Chairman, Fort Mojave Indian Tribe
- Mr. Mike Jackson, Sr., President, Fort Yuma-Quechan Tribe
- Mr. William Rhodes, Governor, Gila River Indian Community
- Mr. Thomas Siyuja, Chairman, Havasupai Tribe
- Mr. Leigh Kuwanisiwma, Hopi Tribe
- Mr. Gary Tom, Chairman, Kaibab-Band of Paiute Indian Tribes
- Dr. Allen Downer, Tribal Historic Preservation Officer, Navajo Nation Historic Preservation Department
- Ms. Herminia Frias, Chairwoman, Pascua Yaqui Tribe
- Mr. Arden Qewakia, Governor, Pueblo of Zuni
- Ms. Joni Ramos, President, Salt River Pima-Maricopa Indian Community
- Ms. Kathleen Wesley-Kitcheyan, Chairwoman, San Carlos Apache Nation
- Ms. Evelyn James, President, San Juan Southern Paiute
- Mr. Peter Steere, Tribal Historic Preservation Officer, Tohono O'odham Nation
- Mr. Joe Joaquin, Cultural Resource Specialist, Tohono O'odham Nation
- Mr. Ivan Smith, Chairman, Tonto Apache Tribe
- Mr. Dallas Massey, Sr., Chairman, White Mountain Apache Tribe
- Mr. Jamie Fullmer, Chairman, Yavapai-Apache Nation
- Mr. Ernest Jones, Sr., President, Yavapai-Prescott Indian Tribe



**Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674**

June 28, 2006

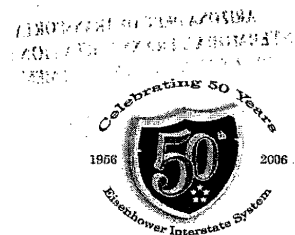
In Reply Refer To: HA-AZ
NH-202-D (ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Eligibility Evaluation Report

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from the I-10/ 202L traffic interchange to I-10 in west Phoenix. This project is a federal action that requires compliance with Section 106 of the National Historic Preservation Act. The area of potential effect (APE) is comprised of the alternative alignment corridors.

The proposed alternative alignments being studied for the EIS have potential to affect archaeological sites and natural features on the landscape that may be deemed sacred by Native American tribes and that may qualify for the National Register of Historic Places as traditional cultural properties. The Gila River Indian Community's Cultural Resource Management Program (CRMP) conducted the initial survey of the alternative alignments. The results were presented in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005). In the report, the CRMP identified ten properties as places of cultural importance that could potentially be eligible for the National Register of Historic Places as traditional cultural properties: the South Mountain Range (commonly referred to as "South Mountain"); two prehistoric villages, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two rock art sites, AZ T:12:198 (ASM) and AZ T:12:208 [ASM]), four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 [ASM]); and one shrine site, AZ T:12:112 (ASM) (Darling 2005). While the CRMP did not formally evaluate these sites as traditional cultural properties in their study, they recommended continued consultations to address the issue and the concerns of the community.



In response, FWH and ADOT requested additional information regarding any concerns regarding historic properties of religious or cultural importance to the community, in a letter dated July 7, 2005. FHW and ADOT appreciate the letter sent in response by former Governor Richard P. Narcia, dated September 30, 2005, which reconfirmed the cultural importance of three of the properties: South Mountain, Villa Buena, and Pueblo del Alamo.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to make a reasonable and good faith effort to identify historic properties that could be affected by a project, FHWA and ADOT have prepared the enclosed traditional cultural property assessment report, which evaluates the eligibility of the above mentioned properties for the National Register of Historic Places. The report is titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2006).

Please review the enclosed traditional cultural property evaluation report, and the information provided in this letter. If you agree with the adequacy of the report and eligibility recommendations, please sign below to indicate your concurrence. We look forward to continuing consultation with your office. If you have any question or concerns, please do not hesitate to call Ruth Greenspan at 602-712-6266 or email RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for Tribal Concurrence

Date _____

Enclosure

CC:

SThomas

RGreenspan (619E)

J. Andrew Darling, Coordinator, Cultural Resource Management Program, GRIC, P.O. Box 2140,
Sacaton, AZ 85247 (with enclosure)

Barnaby V. Lewis, Cultural Resource Specialist, GRIC, P.O. Box E, Sacaton, AZ 85247 (with enclosure)

SDThomas:cdm

This letter was also sent to Dr. David Jacobs, Compliance Specialist, State Historic Preservation Office



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 28, 2006

In Reply Refer To: HA-AZ
NH-202-D (ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Eligibility Evaluation Report

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from the I-10/ 202L traffic interchange to I-10 in west Phoenix. This project is a federal action that requires compliance with Section 106 of the National Historic Preservation Act. The area of potential effect (APE) is comprised of the alternative alignment corridors.

The proposed alternative alignments being studied for the EIS have potential to affect archaeological sites and natural features on the landscape that may be deemed sacred by Native American tribes and that may qualify for the National Register of Historic Places as traditional cultural properties. The Gila River Indian Community's Cultural Resource Management Program (CRMP) conducted the initial survey of the alternative alignments. The results were presented in a report titled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005). In the report, the CRMP identified ten properties as places of cultural importance that could potentially be eligible for the National Register of Historic Places as traditional cultural properties: the South Mountain Range (commonly referred to as "South Mountain"); two prehistoric villages, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two rock art sites, AZ T:12:198 (ASM) and AZ T:12:208 [ASM]], four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 [ASM]]; and one shrine site, AZ T:12:112 (ASM) (Darling 2005). While the CRMP did not formally evaluate these sites as traditional cultural properties in their study, they recommended continued consultations to address the issue and the concerns of the community.



In response, FHWA and ADOT requested additional information regarding any concerns regarding historic properties of religious or cultural importance to the community, in a letter dated July 7, 2005. FHWA and ADOT appreciate the letter sent in response by former Governor Richard P. Nacira, dated September 30, 2005, which reconfirmed the cultural importance of three of the properties: South Mountain, Villa Buena, and Pueblo del Alamo.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to make a reasonable and good faith effort to identify historic properties that could be affected by a project, FHWA and ADOT have prepared the enclosed traditional cultural property assessment report which evaluates the eligibility of the above mentioned properties for the National Register of Historic Places. The report is titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2006).

Please review the enclosed traditional cultural property evaluation report, and the information provided in this letter. If you agree with the adequacy of the report and eligibility recommendations, please sign below to indicate your concurrence. We look forward to continuing consultation with your office. If you have any question or concerns, please do not hesitate to call Ruth Greenspan at 602-712-6266 or email RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for Tribal Concurrence

Date

Enclosure
cc:

J. Andrew Darling, Coordinator, Cultural Resource Management Program, GRIC, P.O. Box 2140, Sacaton, AZ 85247
Barnaby V. Lewis, Cultural Resource Specialist, GRIC, P.O. Box E, Sacaton, AZ 85247
SThomas
RGreenspan (619E)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Mike Normand
Transportation Services & Planning Manager
City of Chandler
P.O. Box 4008, Mailstop 412
Chandler, Arizona, 85244-4008

Dear Mr. Normand:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 in west Chandler to I-10 west of Phoenix, south of the greater



Phoenix metropolitan area. Alternative corridors are 1,000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes five technical studies:

Previous Consultation:

- A Class I overview of the overall study area: “*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*” (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). Consultation regarding adequacy of the report is on-going. To date, concurring responses have been received from SHPO (Jacobs, July 11, 2005), Reclamation (Ellis, July 12, 2005), BLM (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quetawki, July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
- An addendum Class I overview and addendum Class III survey to address the expansion of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments (late 2004 and early 2005). The addendum Class I report was titled “*An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck and Touchin 2005). The Class III report was titled “*An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck 2005). To date, concurring responses have been received from SHPO (Jacobs, October 3, 2005), Reclamation (Ellis, September 19, 2005), City of Phoenix (Bostwick, November 1, 2005), and SRP (Anduze, September 19, 2005).

Current Consultation:

A second addendum cultural resources assessment report has been prepared by HDR, Inc. in order to address the National Register of Historic Places (NRHP) eligibility of four properties and clarifies the location of a fifth property relative to the APE. In September 2005, the W55 and W71 were shifted north of the Salt River to avoid potential impact to historic properties. As a result of this shift, two historic residential properties were added to the APE: 6304 West Dobbins Road and 7316 West Lower Buckeye Road. Furthermore, two properties in the existing APE required additional evaluation: South Mountain Park/Preserve and specific segments of the Roosevelt Canal (AZ T:10:83 [ASM]) in the alternative alignments. Finally, the location of the Western Canal (AZ T:12:154 [ASM]) relative to the APE is addressed. The report, “*A Second Addendum Cultural Resources Report for the 202L, South*

Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona” (Brodbeck 2006), assesses the NRHP eligibility of South Mountain Park/Preserve and the Roosevelt Canal (Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

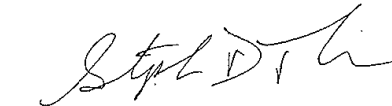
The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.


Finally, the initial Class III survey report for the South Mountain Freeway study (Darling 2005) had identified the Western Canal (AZ T:12:154 [ASM]) as an historic property in the APE, in the E1 Alternative at Elliot Road. The Western Canal is owned and managed by Reclamation and SRP. Further study has indicated that this irrigation feature is actually a tail-water drainage ditch and that the Western Canal terminates prior to reaching the APE. FHWA and ADOT recommend that the Western Canal will not be affected by the proposed undertaking.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for Chandler Concurrence

7/3/06
Date

Enclosure



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Brian Kenny
Environment Programs Manager
Maricopa County Department of Transportation
2901 West Durango Street
Phoenix, Arizona, 85009

Dear Mr. Kenny:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonito Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 in west Chandler to I-10 west of Phoenix, south of the greater



Phoenix metropolitan area. Alternative corridors are 1,000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes five technical studies:

Previous Consultation:

- A Class I overview of the overall study area: "*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*" (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
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South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

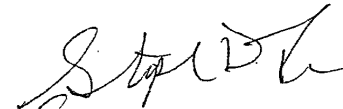
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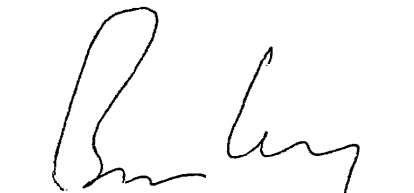
As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

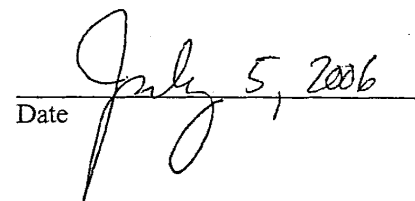
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cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for MCDOT Concurrence
Brian W. Kenny

Date  July 5, 2006

Enclosure



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Dr. Todd Bostwick, Archaeologist
City of Phoenix
Pueblo Grande Museum
4619 East Washington Street
Phoenix, Arizona, 85034

Dear Dr. Bostwick:

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In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

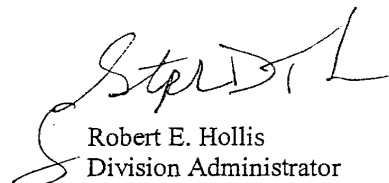
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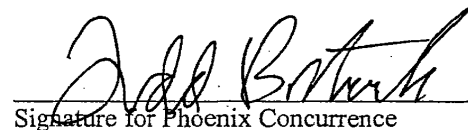
As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

4

cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for Phoenix Concurrence

7-5-06
Date

Enclosure

Brodbeck, Mark

From: Ruth Greenspan [RGreenspan@azdot.gov]
Sent: Thursday, July 06, 2006 4:49 PM
To: Steve Thomas
Cc: Brodbeck, Mark
Subject: S. Mt. consultation - response from CRIT

Hi, Steve--

I just got a phone call from Michael Tsosie, who is the director of the Colorado River Indian Tribes Museum, in response to the consultation letter sent for the 2nd Addendum report. He informed me that CRIT would be unable to concur with the consultation, because South Mountain is a TCP for them, and plays an important role in their creation myth. I asked him to please make a written response to the consultation letter outlining their concerns, and assured him that the written response would trigger another round of consultation.

Ruth

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S. Mt. consultation - response from CRIT

Page 1 of 1

7/6/06

Brodbeck, Mark

To: Allen, Jack; Edwards, Amy
Subject: FW: S. Mt. consultation - response from CRIT

FYI

From: Ruth Greenspan [mailto:RGreenspan@azdot.gov]
Sent: Thursday, July 06, 2006 4:49 PM
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White Mountain Apache Tribe Historic Preservation Office
PO Box 507, Fort Apache, AZ 85941
1(928) 338-3033 / fax: 338-6055

To: Ruth L. Greenspan, ADOT Historic Preservation Specialist.
Date: July 07, 2006,
Project: South Mountain Transportation Corridor – HA-AZ NH-202-D(ADY)

The White Mountain Apache Tribal Historic Preservation Office (THPO) appreciates receiving information on the proposed project, dated June 26, 06. In regards to this, please attend to the checked items below.

- There is no need to send additional information – unless project planning or implementation results in the discovery of sites or items having known or suspected Apache cultural affiliations.
- ☐ The proposed Project is located within an area of probable cultural or historical importance to the White Mountain Apache Tribe (WMAT). As part of the effort to identify historical properties that maybe affected by the project we recommend an entnohistorical study and interviews with Apache elders. Ramon Riley, the Cultural Resource Director is the contact person at (928) 338-4625.
- ☐ The proposed project is located within or adjacent to a known historic property of cultural or historical importance to the WMAT and will most likely result in adverse affects to said property. Please refrain from further steps in project planning or implementation.

NOTES: We have finally received and reviewed the information in regards to the conducted technical studies in support of the Environmental Impact Statement for the 202L, South Mountain Freeway and we have determined that the project poses no threat to the White Mountain Apache Tribe's (WMAT) Traditional Cultural Properties and/or important religious places in the APE. Please feel free to address any further question(s) and/or concerns regarding the project with our office. We perceive no problems and the proposed projects may proceed as planned.

We look forward to continued collaboration in the protection and preservation of places of cultural and historical significance.

Sincerely,

Mark T. Altaha
Tribal Historic Preservation Officer
White Mountain Apache Tribe



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Rick Anduze, Archaeologist
Salt River Project
P.O. Box 52025, Mailstop PAB 352
Phoenix, Arizona, 85072-2025

Dear Mr. Anduze:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 in west Chandler to I-10 west of Phoenix, south of the greater Phoenix metropolitan area. Alternative corridors are 1,000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.



The cultural resources component of the EIS includes five technical studies:

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- A Class III survey of the proposed alternative alignments: “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). Consultation regarding adequacy of the report is on-going. To date, concurring responses have been received from SHPO (Jacobs, July 11, 2005), Reclamation (Ellis, July 12, 2005), BLM (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quetawki), July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
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A second addendum cultural resources assessment report has been prepared by HDR, Inc. in order to address the National Register of Historic Places (NRHP) eligibility of four properties and clarifies the location of a fifth property relative to the APE. In September 2005, the W55 and W71 were shifted north of the Salt River to avoid potential impact to historic properties. As a result of this shift, two historic residential properties were added to the APE: 6304 West Dobbins Road and 7316 West Lower Buckeye Road. Furthermore, two properties in the existing APE required additional evaluation: South Mountain Park/Preserve and specific segments of the Roosevelt Canal (AZ T:10:83 [ASM]) in the alternative alignments. Finally, the location of the Western Canal (AZ T:12:154 [ASM]) relative to the APE is addressed. The report, “*A Second Addendum Cultural Resources Report for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck 2006), assesses the NRHP eligibility of South Mountain Park/Preserve and the Roosevelt Canal

(Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.


The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

Finally, the initial Class III survey report for the South Mountain Freeway study (Darling 2005) had identified the Western Canal (AZ T:12:154 [ASM]) as an historic property in the APE, in the E1 Alternative at Elliot Road. The Western Canal is owned and managed by Reclamation and SRP. Further study has indicated that this irrigation feature is actually a tail-water drainage ditch and that the Western Canal terminates prior to reaching the APE. FHWA and ADOT recommend that the Western Canal will not be affected by the proposed undertaking.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing

below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for SRP Concurrence

7 July 2006
Date

Enclosure



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Leigh Kuwanwisiwma
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona, 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

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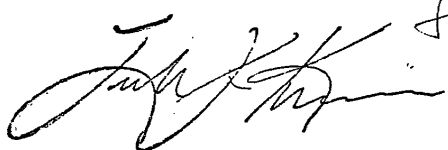
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As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing

below. At this time, FHWA is once again inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this determination of project effect. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator



Signature for Hopi Concurrence

Date

6/3/06

Enclosure

2006 JUL 11 AM 7:12



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Larry Hendershot
Flood Control District of Maricopa County
2801 West Durango Street
Phoenix, Arizona, 85009

Dear Mr. Hendershot:

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(Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

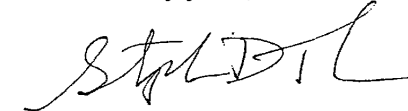
The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

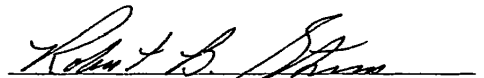
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As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing

below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for FCD Concurrence
Environmental Program Manager

7-06-06
Date

Enclosure

2006 JUL 12 PM 12:12



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ,
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 011.
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Ms. Kathleen Wesley-Kitcheyan, Chair
San Carlos Apache Tribe
P.O. Box 0
San Carlos, Arizona, 85550

Dear Chairperson Wesley-Kitcheyan:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 in west Chandler to I-10 west of Phoenix, south of the greater Phoenix metropolitan area. Alternative corridors are 1,000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.



The cultural resources component of the EIS includes five technical studies:

Previous Consultation:

- A Class I overview of the overall study area: “*A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona*” (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
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(Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

Finally, the initial Class III survey report for the South Mountain Freeway study (Darling 2005) had identified the Western Canal (AZ T:12:154 [ASM]) as an historic property in the APE, in the E1 Alternative at Elliot Road. The Western Canal is owned and managed by Reclamation and SRP. Further study has indicated that this irrigation feature is actually a tail-water drainage ditch and that the Western Canal terminates prior to reaching the APE. FHWA and ADOT recommend that the Western Canal will not be affected by the proposed undertaking.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing

below. At this time, FHWA is once again inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this determination of project effect. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Barth W. Hitchman
Signature for SCAT Concurrence

July 17, 2006
Date

Enclosure

cc.

Vernelda Grant, Tribal Archaeologist, P.O. Box 0, San Carlos, Arizona 85550 (enclosure)

SThomas

RGreenspan (MD 619E)

SDThomas:cdm



"Managing and conserving natural, cultural, and recreational resources"

July 19, 2006

Robert E. Hollis, Division Administrator
Federal Highway Administration, Arizona Division
U.S. Department of Transportation
One Arizona Center, Suite 410
400 E. Van Buren Street
Phoenix, AZ 85004-0674

Attention: Stephen Thomas

RE: HA-AZ; NH-202-D(ADY);
TRACS No. 202L MA 054 H5764 01L;
South Mountain Transportation Corridor
Continuing Section 106 Consultation
SHPO-2003-1890 (29666)

Janet Napolitano
Governor

State Parks
Board Members

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William C. Porter
Kingman

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Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Dear Mr. Hollis:

Thank you for consulting with the State Historic Preservation Office (SHPO) regarding the alternative alignments for the proposed South Mountain Freeway and submitting materials for review and comment pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 CFR Part 800. Dr. Bill Collins, Deputy SHPO/Historian, and I have reviewed the submitted materials and have the following comments.

The submitted report [*A Second Addendum Cultural Resources Report for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona*] addresses the eligibility for inclusion in the National Register of Historic Places (NRHP) of four properties in the area of potential effect (APE), and also discusses the location of the Western Canal, previously believed to fall with the APE. We concur with the FHWA/ADOT recommendations regarding the two rural residential properties [6304 West Dobbins Road and 7316 West Lower Buckeye Road], the Roosevelt Canal [AZ T:10:83 (ASM)], and the Western Canal [AZ T:12:154 (ASM)].

We also agree with the recommendation that the South Mountain Park/Preserve is eligible for inclusion to the NRHP under Criterion A, but suggest restating the eligibility in association with the development of parks and recreation in Phoenix [also in the West generally for the unique emphasis on mountain preserves] and not with the CCC. The CCC constitutes just a small portion of the park. Additionally, we agree with the FHWA/ADOT recommendations regarding eligibility of the South Mountain Park/Preserve for inclusion to the NRHP under Criteria B, C, and D.

July 19, 2006
Page 2, Hollis

If you have any questions, please contact me at (602) 542-7140 or electronically at djacobs@pr.state.az.us.

Sincerely,



David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office

CC: Ruth Greenspan, ADOT



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Charlie McClendon
City Manager
Avondale City Hall
11465 West Civic Center Drive, Suite 200
Avondale, Arizona, 85323

Dear Mr. McClendon:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

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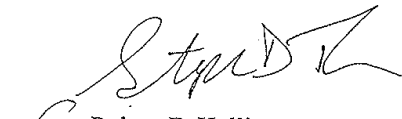
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As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for Avondale Concurrence

7-25-06
Date

Enclosure



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Bryan Lausten, Archaeologist
Bureau of Reclamation
Phoenix Area Office
6150 West Thunderbird Road
Glendale, Arizona, 85306

Dear Mr. Lausten:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 in west Chandler to I-10 west of Phoenix, south of the greater



Phoenix metropolitan area. Alternative corridors are 1,000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes five technical studies:

Previous Consultation:

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A second addendum cultural resources assessment report has been prepared by HDR, Inc. in order to address the National Register of Historic Places (NRHP) eligibility of four properties and clarifies the location of a fifth property relative to the APE. In September 2005, the W55 and W71 were shifted north of the Salt River to avoid potential impact to historic properties. As a result of this shift, two historic residential properties were added to the APE: 6304 West Dobbins Road and 7316 West Lower Buckeye Road. Furthermore, two properties in the existing APE required additional evaluation: South Mountain Park/Preserve and specific segments of the Roosevelt Canal (AZ T:10:83 [ASM]) in the alternative alignments. Finally, the location of the Western Canal (AZ T:12:154 [ASM]) relative to the APE is addressed. The report, “*A Second Addendum Cultural Resources Report for the 202L, South*

Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona” (Brodbeck 2006), assesses the NRHP eligibility of South Mountain Park/Preserve and the Roosevelt Canal (Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park’s entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park’s mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

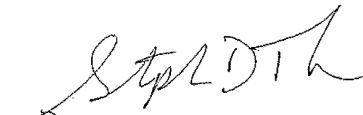
The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

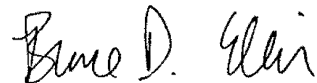
Finally, the initial Class III survey report for the South Mountain Freeway study (Darling 2005) had identified the Western Canal (AZ T:12:154 [ASM]) as an historic property in the APE, in the E1 Alternative at Elliot Road. The Western Canal is owned and managed by Reclamation and SRP. Further study has indicated that this irrigation feature is actually a tail-water drainage ditch and that the Western Canal terminates prior to reaching the APE. FHWA and ADOT recommend that the Western Canal will not be affected by the proposed undertaking.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for Reclamation Concurrence

8-1-06
Date

Enclosure

Ruth Greenspan

From: Amalia Reyes [Amalia.Reyes@pascuayaqui-nsn.gov]
Sent: Tuesday, August 01, 2006 2:15 PM
To: Ruth Greenspan
Subject: South Mountain Freeway

Ms.Greenspan,

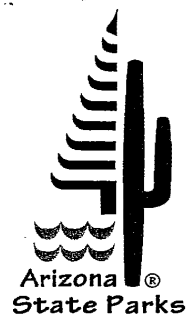
The Pascua Yaqui Tribe has received the documents for:

HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H576401L
South Mountain Transportation Corridor

The tribe has no concerns with the freeway corridor project. If you have any questions, please contact me at he address below.

Thank you.

Amalia A.M. Reyes
Resource Coordinator
Education Administration Division
amalia.reyes@pascuayaqui-nsn.gov
(520) 879-5742
Fax: (520) 883-5049



"Managing and conserving natural, cultural, and recreational resources"

August 1, 2006

Robert E. Hollis, Division Administrator
Federal Highway Administration, Arizona Division
U.S. Department of Transportation
One Arizona Center, Suite 410
400 E. Van Buren Street
Phoenix, AZ 85004-0674

Attention: Stephen Thomas

RE: HA-AZ; NH-202-D(ADY);
TRACS No. 202L MA 054 H5764 01L;
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Traditional Cultural Places; Eligibility Evaluation Report
SHPO-2003-1890 (29666)

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Governor

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Dear Mr. Hollis:

Thank you for consulting with the State Historic Preservation Office (SHPO) regarding the alternative alignments for the proposed South Mountain Freeway and submitting materials for review and comment pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 CFR Part 800. We have reviewed the submitted materials and have the following comments.

The submitted report [*An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona*] addresses the eligibility for inclusion in the National Register of Historic Places (NRHP) of ten properties in the area of potential effect (APE). Two obvious comments regarding eligibility are as follows:

First, the historic wagon road associated with AZ T:12:112 (ASM) in the report's text and figures should be assigned an ASM linear site number [although it actually is a structure in National Register terminology]. Figure 8 on page 52 labels it as the road to Phoenix, however, since additional petroglyphs are located along this transportation corridor about 100 meters to the northeast, it seems reasonable that it also served as a prehistoric route to what is now Phoenix. It is noted on page 53 that the petroglyph at the location of AZ T:12:112 (ASM) is problematic in terms of association, and states it is possible the petroglyph is a marker for a prehistoric trail, a precursor of the historic wagon road. As hinted at in the report, the petroglyph at AZ T:12:112 (ASM) appears to be associated with both the travel route and the shrine [both strategically placed on the landscape].

Secondly, there are some process issues with eligibility and integrity. There appears to be a conflation of the determination of eligibility and effect determination; Section 106 is a linear process with assessing eligibility occurring before assessing impacts. The determination of being eligible for inclusion in the NRHP includes the entire site; if there is agreement that any portion of the site is

August 1, 2006
Page 2, Hollis

eligible, then the site as a whole is eligible. The discussions regarding, for instance AZ T:12:9 (ASM) aka Villa Buena, should be revisited. Regarding that site, issues of integrity should consider the perspective of the associated native peoples; the Gila River Indian Community (GRIC) letter to FHWA dated September 30, 2005, clearly states that [they believe] the site retains integrity [cf. page 46 of report].

Our office is very interested in the tribal response to the traditional cultural property assessment report that evaluates the eligibility for the NRHP, and look forward to receiving copies of their response. We also look forward to reviewing an amended traditional cultural property assessment report.

If you have any questions, please contact me at (602) 542-7140 or electronically at djacobs@pr.state.az.us.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office

CC: Ruth Greenspan, ADOT



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Mr. Ernest Jones, Sr., President
Yavapai-Prescott Indian Tribe
530 East Merritt
Prescott, Arizona, 86301-2038

Dear President Jones:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 west of Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (COE), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County (FCDMC), the Maricopa County Department of Transportation (MCDOT), the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

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In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project’s APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties’ eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

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As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. At this time, FHWA is once again inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA would make a good faith effort to address any concerns. However, such consultation would not necessitate a reconsideration of this determination of project effect. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator


Signature for Yavapai-Prescott Concurrence

August 14, 2006
Date

Enclosure
cc.
Greg Glassco, Director, Cultural Research Program, 530 East Merritt, Prescott, Arizona 86301-2038
(enclosure)
SThomas
RGreenspan (MD 619E)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

June 26, 2006

In Reply Refer To: HA-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Second Addendum Class III Survey Report

Ms. Barbara Stocklin
City of Phoenix
Historic Preservation Officer
200 West Washington Street
Phoenix, Arizona, 85003

Dear Ms. Stocklin:

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2

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3

Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona" (Brodbeck 2006), assesses the NRHP eligibility of South Mountain Park/Preserve and the Roosevelt Canal (Brodbeck 2006). As subconsultants to HDR, architectural historians with EcoPlan Associates (EcoPlan) assessed the two residential properties (Brodbeck 2006, Appendix A). The report is enclosed for your review and comment.

South Mountain Park/Preserve is a municipal park owned by the City of Phoenix and managed by their Parks and Recreation Department. Approximately 32 acres of the 16,000+ acre-park is in the proposed E1 Alignment. FHWA and ADOT recommend that the South Mountain Park/Preserve is eligible for inclusion in the NRHP under Criterion A for its associations with the National Park Service (NPS) and Civilian Conservation Corps (CCC) New Deal programs in Phoenix during the Depression era. The park is also recommended as eligible under Criterion C for its overall sensitive design that set historical precedent in planning natural parks and implementing NPS design standards for improvements in wilderness area parks. While the current study focused on the 32 acres within the footprint of the E1 Alternative, further evaluation of the park's entire 16,000+ acres has the potential to establish eligibility under Criterion B for associations with influential NPS architects; under Criterion C for the architectural merit of its buildings and structures, both individually and collectively as a district; and under Criterion D for its collection of prehistoric archaeological sites and historical mining-related sites (components of the park's mining sites may also be eligible under Criterion A pending further study).

In its entirety, the Roosevelt Canal—AZ T:10:83 (ASM)—is considered eligible for the NRHP under Criterion A for its associations with the historical development of irrigation districts in lower Salt River Valley. While previous studies for the South Mountain EIS Study acknowledged that the Roosevelt Canal was NRHP eligible (Burden 2002; Darling 2005), the specific segments within the proposed alternative alignments had not been assessed in terms of whether they are contributing or non-contributing to that eligibility. The Roosevelt Canal intersects the proposed alternative alignment footprints in four locations. The canal segments that cross the W55 and W71 Alternatives south of Van Buren Road retain integrity and are recommended as eligible to the National Register under Criterion A as contributing components. The segments that cross the proposed alternative alignments in the I-10 and the 101L freeway corridors are modern realignments that lack historical integrity, and therefore are recommended to be non-contributing components.

The rural residences at 6304 West Dobbins Road and 7316 West Lower Buckeye Road were added to the project's APE as a result of alignment shifts referred to above. Both properties are on privately-owned land. Architectural historians with EcoPlan evaluated the properties' eligibility (Brodbeck 2006, Appendix A). Both properties lack important historical associations and architectural merit, therefore, FHWA and ADOT recommend that neither property is eligible for inclusion in the NRHP.

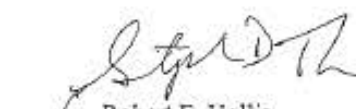
Finally, the initial Class III survey report for the South Mountain Freeway study (Darling 2005) had identified the Western Canal (AZ T:12:154 [ASM]) as an historic property in the APE, in the E1 Alternative at Elliot Road. The Western Canal is owned and managed by Reclamation and SRP. Further study has indicated that this irrigation feature is actually a tail-water drainage ditch and that the Western Canal terminates prior to reaching the APE. FHWA and ADOT recommend that the Western Canal will not be affected by the proposed undertaking.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed

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cultural resource assessment report and information provided in this letter. If you find the report adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely yours,


Robert E. Hollis
Division Administrator


Signature for Historic Preservation Office Concurrence

8/16/06
Date

Enclosure

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor



Jennifer Allison-Ray
Lieutenant Governor

September 25, 2006

Robert E. Hollis, Division Administrator
U. S. Department of Transportation
Federal Highway Administration
Arizona Division
400 East Van Buren Street, Suite 410
Phoenix, Arizona 85004

RE: South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places; HA-AZ NH-202-D (ADY); TRACS No. 202L MA 054 H5764 01L

Dear Mr. Hollis,

The Gila River Indian Community (GRIC) has received HDR Engineering, Inc. Cultural Resource Report 06-01, titled "An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona (Brodbeck 2006). The GRIC Cultural Resource Management Program is presently reviewing this report and wishes to present an evaluation of the document to the GRIC Cultural Resource Standing Committee prior to submission to the Federal Highway Administration.


We understand that in accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to make a reasonable and good faith effort to identify historic properties that could be affected by a proposed project. The aforementioned report was prepared for the Arizona Department of Transportation and evaluates the eligibility of historic properties identified in our letter of July 7, 2005.

The Gila River Indian Community wishes to maintain participation in discussions regarding the potential effects to such resources that could result from the South Mountain Freeway project. We anticipate forwarding a formal response to the submitted report in mid October 2006.

525 West Gu u Ki • P.O. Box 97 • Sacaton, Arizona 85247
Telephone: 520-562-9840 • Fax: 520-562-9849 • Email: executivemail@gric.nsn.us

The GRIC appreciates the efforts of the Federal Highway Administration in addressing our concerns and anticipates meaningful consultations in accordance with the National Historic Preservation Act on this undertaking. Please call GRIC Cultural Resource Specialist, Barnaby V. Lewis at 1-520-562-3570 should you have any questions or require further information.

Sincerely,


William R. Rhodes, Governor
Gila River Indian Community

cc: Andrew Darling GRIC-CRMP Assistant Coordinator
Errol Blackwater, GRIC Land Use Planning & Zoning
Doug Torres, GRIC Department of Transportation
Steve Thomas, Environmental Program Manager, FHWA Arizona Division
Kae Neustadt, ADOT Historic Preservation Specialist
Ruth Greenspan, ADOT Historic Preservation Specialist
Mark Brodeck, HDR Engineering, Inc.



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

December 11, 2006

In Reply Refer To: HOP-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
SR 202L; South Mountain
Final Programmatic Agreement

Ms. Cheryl Blanchard, Archaeologist
Bureau of Land Management
Phoenix Field Office
21605 North 7th Ave.
Phoenix, Arizona 85027-2099

Dear Ms. Blanchard:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway (State Route 202L) between Interstate 10 (I-10) west of Phoenix to I-10 south of Phoenix. As this project is qualified for federal-aid funding, it is considered an undertaking subject to Section 106 review. Because an alternative has not been chosen for the highway, land jurisdiction is unknown at this time. Consulting parties for this project have included FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), Arizona State Land Department, the Bureau of Land Management, the Bureau of Reclamation (Reclamation), the Army Corps of Engineers, the Bureau of Indian Affairs (BIA), the Salt River Project, Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi (Hopi) Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni (Zuni), the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute Tribe, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe (Y-PIT).

Previous consultation with SHPO recommended a Programmatic Agreement (PA) be developed to address potential effects of the project on historic properties. SHPO concurred with this recommendation (Jacobs [SHPO] to Hollis [FHWA] September 9, 2003). Drafts of the PA were submitted to consulting parties in December, 2003, June, 2004, and in July and August, 2005.

In 2004 the ACHP encouraged FHWA to develop a PA in consultation with SHPO and other consulting parties without ACHP participation, but requested to be informed if any criteria for ACHP involvement were met in the future. In September 2005 a revised draft PA was sent to ACHP, and they again responded that they did not feel their participation was necessary (Wallace [ACHP] to Hollis [FHWA]).



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The BIA declined to participate in the PA (telephone conversation between Serelle Laine [ADOT] and Garry Cantley [BIA], August 3, 2005). The Hopi Tribe deferred participation in the PA to the GRIC, but said they would like to continue to be consulted on any cultural resource reports relating to the project (Kuwanwisiwma [Hopi] to Neustadt [ADOT], December 11, 2003). The Y-PIT responded to consultation by saying that they do not wish to be a party to the PA, and that they defer to the Southern Tribes, as this project occurs entirely outside aboriginal Yavapai territory (Kwiatkowski [Y-PIT] to Hollis [FHWA], July 22, 2005).

Revisions to the draft PA were requested by SHPO (Jacobs [SHPO] to Laine [ADOT], July 11, 2005) and by Reclamation (Ellis [Reclamation] to Neustadt [ADOT], December 18, 2003). The changes requested by SHPO and Reclamation have been addressed in the final PA.

At this time, FHWA is submitting the final PA for signature. Please review the enclosed PA and the information provided in this letter. If you find the PA adequate, and wish to participate as a concurring party, please obtain the appropriate signature and return the document. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or email rgreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
RGreenspan (619E)
SDThomas:cdm

The previous letter was also sent to:

- Mr. Steve Ross, Archaeologist, Arizona State Land Department
- Mr. Bruce Ellis, Chief, Environmental Resource Management Division, Bureau of Reclamation
- Mr. Robert B. Stevens, Environmental Programs Manager, Flood Control District of Maricopa County
- Mr. Charlie McClendon, City Manager, City of Avondale
- Mr. Mike Normand, Transportation Services and Planning Manager, City of Chandler
- Mr. Ron Short, Deputy Director for Long Range Planning, City of Glendale
- Mr. Todd Bostwick, Archaeologist, City of Phoenix
- Ms. Barbara Stocklin, Historic Preservation Officer, City of Phoenix
- Mr. Ralph Velez, City Manager, City of Tolleson
- Mr. Brian Kenny, Environmental Programs Manager, Maricopa County Department of Transportation
- Mr. Stanley Ashby, Superintendent, Roosevelt Irrigation District
- Mr. Rick Anduze, Archaeologist, Salt River Project
- Ms. Lydia Lopez-Cruz, Archaeologist, United States Army Corps of Engineers
- Ms. Delia M. Carlyle, Chairwoman, Ak-Chin Indian Community
- Mr. Charles Wood, Chairman, Chemehuevi Indian Tribe
- Ms. Sherry Cordova, Chairwoman, Cocopah Tribe
- Mr. Daniel Eddy, Jr., Chairman, Colorado River Indian Tribes
- Mr. Raphael Bear, President, Fort McDowell Yavapai Nation

- Ms. Nora McDowell, Chairwoman, Fort Mojave Indian Tribe
- Mr. Mike Jackson, Sr., President, Fort Yuma-Quechan Tribe
- Mr. William Rhodes, Governor, Gila River Indian Community
- Mr. Thomas Siyuja, Chairman, Havasupai Tribe
- Mr. Leigh Kuwanwisiwma, Cultural Preservation Office, Hopi Tribe
- Ms. Loretta Jackson, Tribal Historic Preservation Officer, Hualapai Tribe
- Mr. Gary Tom, Chairwoman, Kaibab-Paiute Tribe
- Dr. Alan Downer, Tribal Historic Preservation Officer, Navajo Nation Historic Preservation Department
- Ms. Herminia Frias, Chairwoman, Pascua Yaqui Tribe
- Mr. Arlen Quetawki, Governor, Pueblo of Zuni
- Ms. Joni Ramos, President, Salt River Pima-Maricopa Indian Community
- Ms. Kathleen Wesley-Kitcheyan, Chairwoman, San Carlos Apache Nation
- Ms. Evelyn James, President, San Juan Southern Paiute
- Mr. Peter Steere, Tribal Historic Preservation Officer, Tohono O’odham Nation
- Mr. Joe Joaquin, Cultural Resource Specialist, Tohono O’odham Nation
- Mr. Ivan Smith, Chairwoman, Tonto Apache Tribe
- Mr. Ronnie Lupe, Chairwoman, White Mountain Apache Tribe
- Mr. Jamie Fullmer, Chairwoman, Yavapai-Apache Nation

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor



Jennifer Allison-Ray
Lieutenant Governor

December 19, 2006

Robert E. Hollis, Division Administrator
U.S. Department of Transportation
Federal Highway Administration
Arizona Division
400 East Van Buren Street, Suite 410
Phoenix, Arizona 85004

RE: South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places; HA-AZ NH-202-D (ADY); TRACS No. 202L MA 054 H5764 01L

Dear Mr. Hollis,

The Gila River Indian Community has received HDR Engineering, Inc. Cultural Resource Report 06-01, titled "An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona" (Brodbeck 2006). The purpose of this report was to assess eligibility of properties for listing on the National Register of Historic Places (NRHP) as Traditional Cultural Properties (TCPs). In review of this report we are providing the following comments;

Preliminary Statement

The Gila River Indian Community (GRIC) maintains that the cultural significance of South Mountain figures prominently in oral traditions of the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'Odham Nation) as well as the Pee Posh, formally known as the Maricopa Tribe of the GRIC and of the Salt River Pima-Maricopa Indian Community. Traditional religion has always been central to the O'Odham that defines their relationship to the natural world and the landscape they live in. Akimel O'Odham and Pee Posh religion, oral histories, creation stories, ritual activities, ceremonial practices, and concepts of power and sacred places on the land are all connected to every part of the natural environment and must be treated with reverence and respect. The National Historic Preservation Act of 1966 as amended provides a compliance process for eligibility for these Traditional Cultural Places (TCPs) to the National Register of Historic Places (NRHP). Impacts to these sites must be considered in order to provide some measure of protection. However, application of criteria of significance for the

NRHP by non-Indians, especially those who are not well-acquainted with O'odham and Pee Posh culture, consistently misunderstands, misconstrues, and ignores Native American religious beliefs and priorities, and the needs of the Tribe(s) for the perpetuation and health of their vibrant, living, traditional community.

Traditional Cultural Property Evaluations

Based on Class III Survey and Section 106 consultations, the Gila River Indian Community identified 10 culturally important places as potential traditional cultural properties (TCPs) per NRHP criteria. Construction of the proposed alternative alignments being studied for the EIS for the proposed Loop 202 (202L), South Mountain Freeway will adversely affect these properties. Each property is described below with the eligibility recommendation provided by HDR Engineering, Inc.

South Mountain Range TCP Recommendation: Eligible GRIC: Concur

NOTE: GRIC *does not concur* with the designation of a "core homeland" by Brodbeck (2006:62-63, Figure 16) as partial justification for TCP status.

NOTE: GRIC *does not concur* with the boundary of the South Mountain Range TCP as designated by Brodbeck (2006: Figure 14).

We concur with the recommendation that the South mountain Range is eligible to the NRHP under Criterion A and B as a traditional cultural property for its association with the broad patterns of traditional cultural practices and beliefs for the Akimel O'Odham, Pee Posh, and other tribes and for its association with O'Odham creator deity Se'ehe (Elder Brother).

However, an Akimel O'odham "core homeland" depicted in the TCP evaluation report is inaccurate and downplays the significance of Muhadagi Doag (South Mountain) to all O'odham, Pee Posh, and Colorado River Tribes, and possibly others who maintain an association with the South Mountain Range (Brodbeck 2006:62-63, Figure 16) Brodbeck identifies the traditional homeland of the Akimel O'Odham as a core area comprised of the Middle Gila River valley, generally from the Casa Grande Ruins National Monument near the City of Coolidge and the Town of Florence to the confluence of the Gila and Salt Rivers. The south-east end of the traditional core is framed by the Santan Mountains and Sacaton Mountains and the north-west end by the Estrella Mountains and South mountain ranges. This designation is apparently based on the present day boundaries of the Gila River Indian Community. **This representation is not accurate and the GRIC is highly disturbed by this designation**, even though Brodbeck does concede that "While the social, economic, political and religious spheres of the Akimel O'Odham ranged far beyond this land, across southern Arizona

and as far as northern Mexico and southern California...the land of their ancestors (the Hohokam), the place of their origin, and the nexus of their spiritual landscape” (2006:62).

We firmly recommend that reference to a “core homeland” and Figure 16 be stricken from the report. If reference to traditional aboriginal lands is necessary to the discussion, we suggest this designation be represented by the 1970 Indian Claims Commission (ICC) Aboriginal Lands title that identifies lands that had been continuously and exclusively used by the Akimel O’Odham (Pima) and the Pee Posh (Maricopa). The ICC ruling placed under aboriginal title an area in excess of over three million acres, far exceeding the reservation lands currently occupied by the peoples of the GRIC today. As a territory, these lands describe the tangible world of the Akimel O’Odham (Pima) and Pee Posh (Maricopa) cultures living in the GRIC, in which religious beliefs, ideology, and life-ways make sense, have place and shape a vibrant heritage and worldview. It should be kept in mind, however, that the aboriginal lands identified by the ICC for Gila River do not include the interests of other Tribes (such as the Colorado River Tribes or the remaining members of the Four Southern Tribes of Arizona) who may be concerned about the status of South Mountain.

South Mountain Range TCP boundary

We **do not concur** with the TCP boundary based on the geology of the mountain. We also do not agree that the boundary as recommended for the purposes of the TCP study is sensitive to its cultural importance and is inclusive of its traditional uses.

GRIC representatives at an on-site consultation on February 9, 2006 related that creating a boundary around Muhadagi Doag is inconsistent with O’Odham worldviews and Muhadagi Doag is a continuum of life and not an individual entity that can be isolated and analyzed. We understand that potential traditional cultural properties must be evaluated with reference to the National Register Criteria for Evaluation [36 CFR Part 60] in order to determine whether South Mountain is eligible for inclusion in the NRHP. The potential entity evaluated must be a “tangible property” and have some form of definition. The GRIC for the purpose of Section 106 consultation recommends that the boundary be a minimum of one mile radius from the base of the geological bedrock formations that protrude from the surrounding alluvial fans or *bajadas*, above the valley floor.

Villa Buena (AZ T:12:9 ASM) TCP Recommendation: Not Eligible
GRIC: Do Not Concur

NOTE: GRIC does not concur and recommends that the Villa Buena site is a TCP under NRHP criteria. The portion of the site located within the proposed South Mountain corridor may be considered noncontributing to the status of the site as a TCP overall (under criterion A). However, this portion in the corridor is eligible under Criterion D for its information potential.

We do not concur with the recommendation for the Villa Buena archaeological site. The GRIC identifies the Villa Buena (AZ T:12:9 ASM) archaeological site, which has shrines, ballcourts, and platform mounds, as a traditional cultural property and feels that it is a TCP under NRHP criteria. The assessment clearly was applied only to the portion of the site in the current proposed South Mountain Corridor located outside the reservation boundary. We believe that the report should specify this and that the portion of the site evaluated for the proposed South Mountain alignment is not representative of the total site’s eligibility. Although modern development has impacted the portion of the Villa Buena site outside the reservation, this site still holds its physical and cultural integrity and modern impact outside the GRIC does not diminish the site’s religious and cultural significance.

Pueblo Del Alamo (AZ T:12:52 ASM) TCP Recommendation: Not Eligible
GRIC: Concur (in general)

GRIC concurs generally with the ineligible TCP determination of the Pueblo del Alamo archaeological site based on NRHP criteria. The GRIC, however, believes the Pueblo Del Alamo (AZ T:12:52 ASM) archaeological site to be a spiritual, religious, and cultural place of significance to the Tribe. The ineligible determination was based on a lack of integrity of surface features. Based on traditional religious beliefs, the site is sacred and holds its sacredness within the earth because the site penetrates the entire earth in its spiritual realm. We understand that modern development has impacted the site but, even if recent developments obscure surface manifestations, subsurface features may still be present and future archaeological investigations may contribute to a revision of site status as a TCP under NRHP criteria. We find the statement (on page 85), “...it is not eligible as a traditional cultural property because in its current condition it no longer conveys its relevant relationship” to be very offensive. In our view the determination of eligibility does not diminish the site’s religious and cultural significance to the Community, even though surface preservation may suggest otherwise.

AZ T: 12:198 (ASM) – Petroglyph site TCP Recommendation: Eligible
GRIC: Concur

We concur that this site is eligible under Criterion A as a contributing component of the South Mountain TCP overall and that it is individually eligible to the NRHP under Criterion D as an archaeological site.

AZ T:12:197 (ASM) – Trail TCP Recommendation: Eligible GRIC: Concur

We concur that this site is eligible under Criterion A as a contributing component of the South Mountain TCP overall and that it is also considered individually eligible to the NRHP under Criterion D as an archaeological site with important information potential.

AZ T:12:208 (ASM) – Petroglyph site TCP Recommendation: Not Eligible
GRIC: Concur (in general)

We concur that the site is no longer an eligible TCP under NRHP criteria due to vandalism and looting. However, it continues to be a contributing feature to the overall TCP status of South Mountain and it should be recognized that this site retains cultural significance for Indian communities, despite the highly diminished integrity of the petroglyphs. Furthermore, the site remains eligible under Criterion D for its association with prehistoric lithic procurement and quarrying.

AZ T:12:201 (ASM); AZ T:12:207 (ASM); and AZ T:12:211 (ASM) – Trail Sites
TCP Recommendation: Not Eligible GRIC: Concur (in general)

We concur that these three trail sites are eligible under criterion D and may not be TCPs. It should be recognized that some trails may be eligible TCPs under Criterion A and B but this should be determined on a case by case basis.

Active Shrine AZ T:12:112 (ASM) TCP Recommendation: Eligible GRIC:
Concur

We concur that the shrine is eligible to the NRHP under Criterion A as a TCP and under Criterion D as an archeological site.

Management Recommendation:

The GRIC notes that this report only provides eligibility recommendations for TCP status for the sites considered. However, this is only a first step towards effective management. It is clear, but never acknowledged, that construction of the proposed South Mountain Freeway alignment will adversely impact TCPs. No substantive management recommendations, such as avoidance, for example, or other strategies for mitigation, are provided in the TCP evaluation by Brodbeck/HDR Engineering, Inc. It is our understanding that management recommendations for TCPs are required in the Environmental Impact Statement (EIS), which apparently exists in draft but has not been received for review by the GRIC Cultural Resource Specialist Office. However, such issues need to be considered in close consultation with the GRIC and other concerned Native American communities.

Conclusion

We reiterate at that the landscape view of Muhadagi Doag (South Mountain) will be forever altered by a transportation corridor that will be intrusive to the spiritual connections associated with the people of the Gila River Indian Community. We are highly concerned that the proposed transportation project will cause the destruction of sacred places and spaces, archeological sites, trails, and shrines located within the proposed corridor. The presence of Muhadagi Doag, the home of ancient deity Se'ehe evokes solemn reverence among the people of the GRIC and any alteration of the Muhadagi Doag will contribute to diminishing our traditional way of life.

The GRIC appreciates the efforts of the Federal Highway Administration in addressing our concerns that must be resolved through the National Historic Preservation Act (NHPA) 106 Consultation process. We anticipate continued and meaningful consultations on this federal undertaking. Please call GRIC Cultural Resource Specialist, Barnaby V. Lewis at 1-520-562-3570 should you have any questions or require further information.

Sincerely,



William R. Rhodes, Governor
Gila River Indian Community

cc J. Andrew Darling GRIC-CRMP Coordinator
Errol Blackwater, GRIC Land Use Planning & Zoning
Doug Torres, GRIC Department of Transportation
Kae Neustadt, ADOT Historic Preservation Specialist
Ruth Greenspan, ADOT Historic Preservation Specialist
Mark Brodbeck, HDR Engineering, Inc.



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

December 20, 2006

In Reply Refer To: HOP-AZ
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
SR 202L; South Mountain
Final Programmatic Agreement

Mr. John Madsen
Curator of Archaeology, Repatriation Coordinator
Arizona State Museum
P. O. Box 210026
Tucson, Arizona 85721-0026

Dear Mr. Madsen:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a loop highway (State Route 202L) between Interstate 10 (I-10) west of Phoenix to I-10 south of Phoenix. As this project is qualified for federal-aid funding, it is considered an undertaking subject to Section 106 review. Because an alternative has not been chosen for the highway, land jurisdiction is unknown at this time. Consulting parties for this project have included FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), Arizona State Land Department, the Bureau of Land Management, the Bureau of Reclamation (Reclamation), the Army Corps of Engineers, the Bureau of Indian Affairs (BIA), the Salt River Project, Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe (Hopi), the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni (Zuni), the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute Tribe, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe (Y-PIT).

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Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
RGreenspan (619E)
SDThomas:cdm

The previous letter was also sent to:
Dr. David Jacobs, Compliance Specialist, State HisotoricPreservation Office
Mr. Bruce Ellis, Chief, Environmental Resource Management Division, Bureau of Reclamation



"Managing and conserving natural, cultural, and recreational resources"

December 28, 2006

Robert E. Hollis, Division Administrator
Federal Highway Administration
U.S. Department of Transportation
One Arizona Center, Suite 410
400 E. Van Buren Street
Phoenix, AZ 85004-0674

Attention: Stephen Thomas

Janet Napolitano
Governor

State Parks
Board Members

Chair
William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
Phoenix

Reese Woodling
Tucson

Elizabeth Stewart
Tempe

Mark Winkleman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

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800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

RE: HOP-AZ, NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
SR 202L; South Mountain
Section 106 Consultation
Final Programmatic Agreement
SHPO-2003-1890 (31612)

Dear Mr. Hollis:

Enclosed is the Programmatic Agreement (PA) for the Federal Highway Administration project to construct a loop highway (State Route 202L) between Interstate 10 (I-10) west of Phoenix to I-10 south of Phoenix in Maricopa County. It was signed by James Garrison, the Arizona State Preservation Officer, on December 28, 2006. The document should be filed with the Advisory Council according to 36 CFR § 800.6(b)(1)(iv). We would appreciate receiving a copy of the complete signature page for our files.

We look forward to reviewing and commenting on the project's treatment plans according to stipulations of the PA. We appreciate your continuing cooperation with our office in complying with the requirements of historic preservation. Please contact me at (602) 542-7140 or electronically at djacobs@pr.state.az.us if you have any questions or concerns.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office

Cc: Ruth Greenspan, ADOT

Enclosure



City of Phoenix
HISTORIC PRESERVATION OFFICE

January 8, 2007

U.S. Department of Transportation – Federal Highway Administration
Arizona Division
400 E. Van Buren Street
One Arizona Center, Suite 410
Phoenix, Arizona 85004-0674

Re: HOP-AZ, NH-202(ADY), TRACS No. 202L MA 054 H5764 01L
SR 202 L – South Mountain Final Programmatic Agreement

Dear Mr. Robert Hollis:

I have signed the enclosed Programmatic Agreement on behalf of the City of Phoenix as a concurring party.

If you need additional information, please contact me by telephone at (602) 261-8699 or by fax at (602) 534-4571.

Sincerely,

Barbara Stocklin
Historic Preservation Officer

Attachment

cc: Todd Bostwick, City Archaeology Office

200 JAN 12 AM 7:48



P.O. Box 52025
Phoenix, AZ 85072-2025
(602) 236-5900
www.srpnet.com

Mail Station: PAB352
Phone: (602) 236-2804
Fax: (602) 236-3407
Email: raanduze@srpnet.com

16 January 2007

Robert E. Hollis
Division Administrator, Arizona Division
USDOT Federal Highway Administration
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, AZ 85004-0674

RE: HOP-AZ; NH-202-D(ADY); TRACS No. 202L MA 054 H5764 01L; SR 202L; South Mountain Final Programmatic Agreement

Dear Mr. Hollis:

The Salt River Project (SRP) does want to be included as a Concurring Party to the South Mountain Final Programmatic Agreement. I have enclosed the document provided to SRP and signed by Ray Hedrick, Manager, Siting and Studies, Environmental Services.

Sincerely,

Richard A. Anduze
Environmental Scientist/Archaeologist

File: LEG 1-1-2

ARIZONA DEPT. OF TRANSPORTATION
INTERMODAL TRANSPORTATION DIVISION
ENVIRONMENTAL & ENHANCEMENT GROUP

JAN 19 2007

EC 13152.017



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-0674

January 18, 2007

In Reply Refer To: HOP-AZ
NH-202-D (ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Eligibility Evaluation Report

ARIZONA DEPT. OF TRANSPORTATION
INTERMODAL TRANSPORTATION DIVISION
ENVIRONMENTAL & ENHANCEMENT GROUP

JAN 19 2007

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

We are in receipt of your letter of December 19, 2006 in response to the Federal Highway Administration's (FHWA's) consultation regarding the report, "An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona" (Brodbeck 2006). The report is being revised in response to your comments, and the revised document will be sent to you for review and further comment.

In the interim, we want to ensure that the interests of the Community continue to be taken into account as design alternatives are developed and considered for this proposed project. As part of this process, we would like for the design consultants to be able to consider all options for minimizing impacts to those properties that are of cultural significance to your Community. In order for the design team to take into consideration alternatives that would avoid the active shrine site, AZ T:12:112(ASM), it would be necessary for them to be aware of the area to be avoided.

We are therefore requesting your permission to disclose the general location of the shrine to the project manager, the prime design consultant, and a small number of support personnel in order to request that they develop design alternatives that would avoid the shrine, allow continued access, and minimize indirect impacts to it. If permission to identify areas of avoidance were given, we would divulge only the general location of the property, and not provide any specific information regarding the nature of the property or its significance.

Thank you for your consideration of this request. If you agree to allow disclosure of the general location of the active shrine, AZ T:12:112 (ASM), to a limited number of people involved in the design process, please sign below to indicate your concurrence. We look forward to continuing



consultation with your office. If you have any question or concerns, please do not hesitate to call Ruth Greenspan at 602-712-6266 or email RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for Tribal Concurrence

Date

cc:

SThomas

RGreenspan (M D619E)

J. Andrew Darling, Coordinator, Cultural Resource Management Program, GRIC, P.O. Box 2140, Sacaton, AZ 85247

Barnaby V. Lewis, Cultural Resource Specialist, GRIC, P.O. Box E, Sacaton, AZ 85247

SDThomas:cdm



Fort McDowell Yavapai Nation

Office of the General Counsel

P.O. Box 17779, Fountain Hills, AZ 85269-7779

Phone (480) 816-7180 Fax (480) 789-7249

January 16, 2007

Federal Highway Administration
Attn: Steve Thomas
Arizona Division
400 E. Van Buren Street
One Arizona Center Suite 410
Phoenix Arizona

RE: Programmatic Agreement - Loop 202 S. Mountain Ext.

Dear Steve Thomas:

President Bear has signed the attached Agreement on behalf of the Fort McDowell Yavapai Nation ("Nation"). Ruth Greenspan advised me to forward this to you.

Sincerely:

Thomas J. Moriarty
Office of the General Counsel
Fort McDowell Yavapai Nation

ARIZONA DEPT. OF TRANSPORTATION
INTERMODAL TRANSPORTATION DIVISION
ENVIRONMENTAL & ENHANCEMENT GROUP

JAN 29 2007



February 22, 2007

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration, Arizona Division
400 E. Van Buren Street, One Arizona Center #410
Phoenix AZ 85004-0674

Re: SR202 South Mountain Final Programmatic Agreement
TRACS # 202L MA 054 H5764 01L

Dear Mr. Hollis:

The City of Chandler is in receipt of your letter dated December 11, 2006 regarding the Final Programmatic Agreement for the referenced project. Since no construction is anticipated to occur within the City's jurisdiction as part of this project, the City does not wish to sign the Agreement. However, the City would like to be consulted throughout the environmental planning, design and construction process.

Thank you for your cooperation. Should you have any questions, please contact me at (480) 782-3431, or email me at Samuel.Hanna@chandleraz.gov.

Sincerely yours,

Samuel Hanna, Ph.D., P.E.
Senior Transportation Engineer

cc: Daniel W. Cook, Acting Public Works Director
Mike Normand, Acting Assistant Public Works Director/Transportation & Operations
Ruth Greenspan, ADOT Environmental Planning Group
205 S. 17th Ave., Room #213, MD 619E, Phoenix AZ 85007

Mailing Address
Mail Stop 402
PO Box 4008
Chandler, Arizona 85244-4008

Printed on recycled paper ♻️

**Public Works Department
Transportation**
Telephone (480) 782-3425
Fax (480) 782-3415
www.chandleraz.gov

Location
215 East Buffalo Street
Chandler, Arizona 85225



Janet Napolitano
Governor
Victor M.
Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Eilers
State Engineer

May 15, 2007

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

RE: Project No NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Jackson Farmstead Eligibility

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway EIS & Location/Design Concept Report project. The EIS addresses variations on three alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. One of the alignments, the W55 alignment, was recently shifted to avoid an industrial facility at the southwest corner of 51st Avenue and Van Buren Street. As a result of this shift, an historic farmstead located at 5727 West Van Buren Street, referred to herein as the Jackson farmstead, is now in the project's area of potential effects (APE) and requires evaluation.

As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review. The Jackson farmstead is on private property in the City of Phoenix. Consulting parties for this assessment include FHWA, ADOT, the State Historic Preservation Office (SHPO), and the City of Phoenix Historic Preservation Office. Due to the scope and nature of this component of the project, no tribal consultations will occur.

EcoPlan & Associates, Inc., as subconsultant to HDR Engineering, Inc., evaluated the eligibility of the Jackson farmstead for listing on the National Register of Historic Places (NRHP). The results of the assessment are reported in a technical memorandum, dated December 4, 2006 (Dorigo 2006), which is enclosed for your review.

Based on Dorigo's evaluation, FHWA/ADOT recommend the Jackson farmstead is not eligible for inclusion the NRHP due to a general lack of historical and architectural significance. Its

Jacobs
 TRACS No. 202L MA 054 H5764 01L
 Project No NH-202-D(ADY)
 May 15, 2007
 Page 2 of 2

setting has lost its rural character and the current property is only a fraction of the original farmstead. The property fails to convey the character of a historical farmstead in the context of the agricultural development of the Salt River valley. Furthermore, because of their lack of historical and architectural significance, the two remaining houses on the property, individually, are also recommended not eligible for the NRHP.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA/ADOT's eligibility recommendation, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact me at 602-712-6626 or e-mail rgreenspan@azdot.gov.

Sincerely,



Ruth L. Greenspan
 Historic Preservation Specialist
 Environmental Planning Group
 205 S.17th Avenue, Room 213E / MD 619E
 Phoenix, Arizona 85007

Signature for SHPO Concurrence

Date

Enclosure

cc: SThomas (FHWA)

This letter was also sent to:
 Ms. Liz Wilson, Historic Preservation Officer, City of Phoenix



U.S. Department
 of Transportation
**Federal Highway
 Administration**

ARIZONA DIVISION

May 24, 2007

400 East Van Buren Street,
 Suite 410
 Phoenix, Arizona 85004-0674
 602-379-3646

In Reply Refer To:
 HOP-AZ

NH-202-D(ADY)
 TRACS No. 202L MA 054 H5764 01L
 South Mountain Transportation Corridor
 Section 106 Consultation
 Draft Programmatic Agreement

Ms. Carol Legard
 Historic Preservation Specialist
 Advisory Council on Historic Preservation
 1100 Pennsylvania Avenue NW, Suite 809
 Washington, D.C. 20004

Dear Ms. Legard:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses nine variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

FHWA originally consulted with your office regarding the draft Programmatic Agreement (PA) in August 2003, and again in September, 2005. In response to both consultations, the Advisory Council on Historic Preservation (Council) declined to participate in the PA. Pursuant to 36 CFR 800.6(b)(iv), at this time FHWA is submitting the final PA to the Council to complete the requirements of Section 106 of the National Historic Preservation Act. If there is any additional information that you require, or if you have any questions or comments, please Ruth Greenspan at 602-712-6266 or electronically at RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
 Division Administrator

Enclosure (Programmatic Agreement)

cc:
 SThomas ,RGreenspan (619E), MHollowell (619E)
 SDThomas:cdm

**MOVING THE
 AMERICAN
 ECONOMY**



ARIZONA DIVISION

June 13, 2007

400 East Van Buren Street,
Suite 410
Phoenix, Arizona 85004-0674
602-379-3646

In Reply Refer To:
HOP-AZ

NH-202-D(ADY)
Project No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Eligibility Evaluation Report

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Draft Environmental Impact Statement (DEIS) and Location/Design Concept Report for the proposed Loop 202 (SR 202L), South Mountain Freeway. The DEIS addresses variations of alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from the Interstate 10 (I-10) and SR 202L traffic interchange to I-10 in western Phoenix. This project is a federal action that requires compliance with Section 106 of the National Historic Preservation Act. The area of potential effects (APE) consists of the alternative alignment corridors.

The proposed alternative alignments being studied for the DEIS have the potential to affect archaeological sites and natural features on the landscape that are deemed sacred by Native American tribes and that may qualify for the National Register of Historic Places as traditional cultural properties (TCPs). In accordance with the regulations of the National Historic Preservation Act (36 Code of Federal Regulations [C.F.R.] Part 800.4), which requires federal agencies to make a reasonable and good faith effort to identify historic properties that could be affected by a proposed project, FHWA and ADOT conducted an eligibility evaluation of TCPs in the APE for alternative alignments of the proposed undertaking.

The results of the TCP evaluation were reported in *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2006). FHWA and ADOT appreciate the Gila River Indian Community's (Community) comments on the report, sent on December 19, 2006, and we



are in the process of revising the TCP evaluation report accordingly. The purpose of this letter is to ask for additional input on the boundary for the South Mountain TCP.

FHWA and ADOT recognize that creating any type of boundary around *Muhadagi Doag* (South Mountain) is inconsistent with O'odham and Pee Posh worldviews and that *Muhadagi Doag* is part of a continuum of life interwoven with far-reaching social, cultural, spiritual, and physical landscapes. Furthermore, we appreciate the Community's understanding that potential traditional cultural properties must be evaluated with reference to the National Register of Historic Places Criteria for Evaluation (36 C.F.R. Part 60) to determine if *Muhadagi Doag* is eligible for the National Register, and that this requires delineating a boundary to define it as a tangible property.

In the draft TCP eligibility report (Brodbeck 2006), the boundary for the *Muhadagi Doag* TCP was initially based on geologic features, and defined the mountain range through a series of disjointed bedrock protrusions (see enclosed map). Per your response, we understand that this boundary was not fully sensitive to its cultural importance as viewed by the Community and not adequate for Section 106 purposes because it was not inclusive of all of its traditional uses. We appreciate your suggestion to use a one mile radius from the base of the geological bedrock formations to provide a boundary that is culturally sensitive to and inclusive of traditional uses. As shown in the enclosed figure, when this boundary is mapped out it includes a combination of natural desert, agricultural fields, and built-out urban areas, such as residential subdivisions and the I-10/US 60 traffic interchange.

To assess the National Register eligibility of the *Muhadagi Doag* TCP, FHWA and ADOT propose using a boundary that is inclusive of its traditional uses and balanced with the surrounding built urban environment. The revised proposed boundary minimizes the inclusion of surrounding urban areas, such as housing subdivisions and freeway corridors, where no traditional uses of the South Mountain TCP are known to exist. In keeping with the Community's suggestions, this proposed boundary includes surrounding natural and less-developed areas where traditional activities and access to the mountain are maintained.

In the Southern Foothills area, there are areas where modern urban development falls within the proposed TCP boundary. These instances are ones where the built environment is fully surrounded by natural, undeveloped areas. The boundary was drawn to include those areas in order to capture the fullest possible extent of culturally sensitive traditional use areas directly associated with the TCP.

Please review the information provided in this letter and the enclosed map showing our proposed revised boundary for the *Muhadagi Doag* TCP. If you agree with the use of this proposed boundary for the National Register eligibility assessment, please sign below to indicate your concurrence.

At this time we would also like to reiterate our request of January 18, 2007 regarding AZ T:12:112(ASM), the active shrine site. FHWA and ADOT are committed to investigating strategies to minimize potential impacts to historic properties and TCPs. In a letter dated January 18, 2007 we requested permission to disclose the general location of AZ T:12:112(ASM) to the project manager, the prime design consultant, and a small number of support personnel so that they might investigate design alternatives that would avoid the shrine, allow continued access,

and minimize indirect impacts to it. To date, we have not received a response. The draft Environmental Impact Statement (DEIS) will be made public soon, and as you pointed out in your December 19, 2006 letter, that document will include management recommendations to mitigate any potential adverse effects to TCPs, including the active shrine. We are requesting your input in investigating potential measures to minimize harm to the shrine, and requesting permission to involve the engineering design team in this effort.

Your December 19, 2006 letter also pointed out the need for mitigation strategies to be considered in close consultation with the Community and other concerned Native American communities. We, too, recognize the need for close consultation regarding potential mitigation strategies and other issues of mutual concern relating to the proposed South Mountain Freeway. As there are a number of issues that have thus far not been effectively resolved through our written consultations, we propose some meetings between the Community, FHWA, and ADOT. We recognize that formal decisions are unlikely to be made in such a forum, but feel that face-to-face meetings would allow for an exchange of ideas and concerns and identify issues that could be brought back to our respective Community/agencies for discussion and consideration.

We look forward to continued consultation with you. If you have any question or concerns, please do not hesitate to call Ruth Greenspan at 602-712-6266 or email RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for GRIC Concurrence

Date

Enclosure

cc:

Jennifer Allison-Ray, Lieutenant Governor, Gila River Indian Community, P.O. Box 97, Sacaton, Arizona 85247
David White, Community Manager, Gila River Indian Community, P.O. Box 97, Sacaton, Arizona 85247
Barnaby Lewis, Cultural Resource Specialist, Gila River Indian Community, P.O. Box 2140, Sacaton, Arizona 85247
J. Andrew Darling, CRMP Coordinator, Gila River Indian Community, P.O. Box 2140, Sacaton, Arizona 85247
SThomas
WVachon
KDavis
MHollowell (EM02)
RGreenspan (EM02)
MBrunder (614E)
SDThomas:cdm

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor



Jennifer Allison-Ray
Lieutenant Governor

July 2, 2007

Robert E. Hollis, Division Administrator
U. S. Department of Transportation
Federal Highway Administration
Arizona Division
400 East Van Buren Street, Suite 410
Phoenix, Arizona 85004

RE: South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places, Eligibility Report; HOP-AZ NH-202-D (ADY); Project No. 202L MA 054 H5764 01L

Dear Mr. Hollis,

The Gila River Indian Community (GRIC) in response to your letter dated June 13, 2007 in which you requested additional input on the boundary for the Muhadagi Doag (South Mountain) TCP. We appreciate that you recognize the need for close consultation regarding potential mitigation strategies in close consultation with the GRIC and other concerned Native American communities.

We appreciate that the FHWA acknowledges that the draft TCP eligibility report (Brodbeck 2006), defined the boundary for the Muhadagi Doag TCP based on geological features is not fully sensitive to the cultural importance as viewed by the GRIC and is not adequate for Section 106 purposes because it was not inclusive of all of its traditional uses. In review of the information provided in your letter and the enclosed proposed revised boundary map for the Muhadagi Doag TCP. The GRIC wishes further consultation before its submission for the purposes of National Register eligibility assessment.

We understand that the draft Environmental Impact Statement (DEIS) will be made public soon, and pleased that DEIS will include management recommendations to mitigate any potential adverse effects to TCPs, including the active shrine.

We agree that some meetings between the GRIC, FHWA, and ADOT must be scheduled at the earliest possible time to discuss your request for permission to disclose the general location of AZ T:12:112 (ASM), active shrine area in order to investigate design alternatives that would avoid the shrine, allow continued access, and minimize indirect

525 West Gu u Ki • P.O. Box 97 • Sacaton, Arizona 85247

impacts to the shrine. We request consideration in inviting the State Historic Preservation Office to the proposed meeting as we discuss issues that have not been resolved through written communications.

The GRIC appreciates the efforts of the Federal Highway Administration in addressing our grave concerns that must be resolved through the National Historic Preservation Act 106 Consultation process. We anticipate continued and meaningful consultations on this federal undertaking. Please call GRIC Cultural Resource Specialist, Barnaby V. Lewis at 1-520-562-6713 should you have any questions or require further information.

Sincerely,



William R. Rhodes, Governor
Gila River Indian Community

cc J. Andrew Darling GRIC-CRMP Coordinator
Errol Blackwater, GRIC Land Use Planning & Zoning
Doug Torres, GRIC Department of Transportation
Kae Neustadt, ADOT Historic Preservation Specialist
Ruth Greenspan, ADOT Historic Preservation Specialist
Mark Brodbeck, HDR Engineering, Inc.

ARIZONA DEPT. OF TRANSPORTATION
INTERMODAL TRANSPORTATION DIVISION
ENVIRONMENTAL & ENHANCEMENT GROUP

JUL 27 2007

U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

April 22, 2008

U.S. Department of Transportation
Suite 410
Phoenix, Arizona 85004-0674
602-379-3646

In Reply Refer To:
HOP-AZ

NH-202-D(ADY)
Project No. 202L MA 054 R5764 01L
South Mountain Transportation Corridor
Section 106 Consultation
Traditional Cultural Places
Mitigation Measures

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

In previous consultation regarding the potential effects of the proposed SR 202L (South Mountain Freeway) on historic properties and other places of concern to the Gila River Indian Community (GRIC), it was suggested that some informal meetings between representatives of GRIC, the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT), and the State Historic Preservation Office (SHPO) should take place in order to address possible mitigation strategies relating to a proposed freeway option. Following receipt of your letter of July 2, 2007, several informal meetings and conversations have held between various representatives of the GRIC Cultural Resource Specialist's Office (CRSO), GRIC Cultural Resource Management Program (CRMP), the FHWA, the ADOT Historic Preservation Team (HPT), the SHPO, and the City of Phoenix Archaeology Section (COP-AS). As a result of these various meetings, FHWA and ADOT have been pursuing two possible strategies to help mitigate potential adverse effects of the proposed freeway on the *Muhadagi Doag* (South Mountain) Traditional Cultural Property (TCP) and other places of traditional significance to your community.

Previous consultation regarding the *Muhadagi Doag* TCP addressed attempts to define a boundary that could be used to satisfy FHWA's Section 106 (of the National Historic Preservation Act) responsibilities and afford protection to *Muhadagi Doag*. As a result of this consultation, FHWA recognizes that the traditional use areas of *Muhadagi Doag* extend on the south and southwest beyond the northern boundary of the Community, and that any of the build alternatives of the proposed freeway would have an adverse effect on the *Muhadagi Doag* TCP. During consultation

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it was also recognized that although some areas of *Muhadagi Doag*, such as the southwest ridges, clearly active traditional use areas, fully defining a meaningful boundary for the TCP as a whole will require a more detailed study of traditional uses and cultural significance of *Muhadagi Doag*. Rather than define an arbitrary boundary until such time as a more meaningful boundary can be identified, FHWA proposes to formally acknowledge that any of the build alternatives of the proposed freeway would impact the southern and southwestern portion of *Muhadagi Doag*, and would have an adverse effect on the TCP. At this time, FHWA would like to proceed with consultation addressing specific mitigation measures to address that adverse effect.

One such mitigation measure discussed at some of the above-referenced meetings is for FHWA and ADOT to provide funds for GRIC CRMP to conduct a detailed study of traditional uses and cultural significance of *Muhadagi Doag*. The City of Phoenix is currently working on a National Register of Historic Places (NRHP) eligibility study of the archaeological and historical sites within South Mountain Park/Preserve. The City of Phoenix Archaeologist, the GRIC CRMP Coordinator, and the GRIC CRSO have expressed interest in working together and expanding the on-going study to include an evaluation of the *Muhadagi Doag* TCP. FHWA and ADOT are willing to consider funding GRIC's participation in this proposed study. If this potential mitigation measure is something that you are interested in pursuing, we request that you provide a brief scope of work and budget for the proposed study, to ensure a common understanding about exactly what proposal is being considered.

Additionally, FHWA and ADOT are currently investigating design options to minimize impacts to the active shrine site, AZ T:12:112(ASM) and a rock art site, AZ T:12:198(ASM). We would like to meet with members of your Community to present and discuss some of these possible options.

If you are interested in pursuing these potential mitigation measures, we look forward to receiving a proposal for a study of the *Muhadagi Doag* TCP, and to meeting with you to discuss possible avoidance measures. We look forward to continued consultation with you. If you have any question or concerns, please do not hesitate to call Ruth Greenspan at 602-712-6266 or email RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for GRIC Concurrence

Date

3

cc:
Jennifer Allison-Ray, Lieutenant Governor, Gila River Indian Community, P.O. Box 97, Sacaton, Arizona 85247
David White, Community Manager, Gila River Indian Community, P.O. Box 97, Sacaton, Arizona 85247
Barnaby Lewis, Cultural Resource Specialist, Gila River Indian Community, P.O. Box 2140, Sacaton, Arizona 85247
J. Andrew Darling, CRMP Coordinator, Gila River Indian Community, P.O. Box 2140, Sacaton, Arizona 85247
SThomas
WVachon
KDavis
MHollowell (EM02)
RGreenspan (EM02)
MBruder (EM01)
MBurdick (118A)
SDThomas:cdm



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

RESOLUTION NO. GR-41-07

A RESOLUTION DESIGNATING THE SOUTH MOUNTAIN RANGE (*Muhadag*, *Avikwaxós*) AS A SACRED PLACE AND TRADITIONAL CULTURAL PROPERTY OF THE GILA RIVER INDIAN COMMUNITY.

- WHEREAS, the Gila River Indian Community Council (“the Community Council”) is the governing body of the Gila River Indian Community (“the Community”); and
- WHEREAS, the Community Council on January 6, 1982, did adopt Ordinance No. GR-01-82 under Title XV of the Gila River Indian Community Law and Order Code in which “[i]t is...declared as a matter of Community policy and legislative determination, that the public interests of the Pima-Maricopa people and the interests of all other persons living within the jurisdiction of the Gila River Indian Community require that the Community adopt a means whereby all sites, location, structures, and objects of sacred, historical or scientific interest or nature will be protected from desecration, destruction, theft, or other interference.”; and
- WHEREAS, the Community Council through Resolution GR-15-89 did approve the Policy Statement of the Four Southern Tribes (Salt River Pima-Maricopa Indian Community, Ak Chin Indian Community, Tohono O’odham Nation, and the Gila River Indian Community) which outlines the Four Tribes intent to protect, promote, and preserve cultural affinity to the HuHuKam; and
- WHEREAS, the Community Council has always held the preservation of historical, archaeological, cultural, religious sites as a high priority and recognizes the need to protect the cultural heritages of the Akimel O’Odham (Pima) and the Pee Posh (Maricopa); and
- WHEREAS, the identification and authentication of sacred places / traditional cultural properties is the sole responsibility of the federally recognized tribe according to its unique culture; and
- WHEREAS, the Community does recognize certain locations to be sacred places / traditional cultural properties based on the unique cultural and spiritual beliefs of the Akimel O’Odham (Pima) and the Pee Posh (Maricopa); and

GILA RIVER INDIAN COMMUNITY
RESOLUTION GR-41-07
PAGE 2 OF 2

- WHEREAS, all, but not limited to, of the places referenced in the oral traditions of the Akimel O’Odham (Pima) and the Pee Posh (Maricopa) are culturally and spiritually significant to the continuing life ways of the Akimel O’Odham (Pima) and the Pee Posh (Maricopa); and
- WHEREAS, the *Muhadag* (Pima language) also known as (a.k.a.) *Avikwaxós* (Maricopa language), a.k.a. Greasy Mountain (English language), and geographically known as the South Mountain, South Mountain Range, or Salt River Mountains (Range) figures prominently in oral traditions of both the Akimel O’Odham (Pima) and the Pee Posh (Maricopa)
- NOW THEREFORE BE IT RESOLVED, that the Community Council hereby does acknowledge and recognize that the South Mountain Range in its entirety is a sacred place / traditional cultural property and must be kept inviolate.
- BE IT FURTHER RESOLVED, that the Community Council hereby strongly opposes any alteration of the South Mountain Range for any purpose would be a violation of the cultural and religious beliefs of the Gila River Indian Community and would have a negative cumulative affect on the continuing lifeways of the people of the Gila River Indian Community.
- BE IT FINALLY RESOLVED, that the Governor, or in his absence, the Lieutenant Governor, is hereby authorized to sign and execute such documents as are necessary to effectuate this resolution.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a) (7), (9), (18), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960, and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted on the 4th of April, 2007, at a Regular Community Council Meeting held in District 3, Sacaton, Arizona at which a quorum of 10 Members were present by a vote of: 9 FOR; 0 OPPOSE; 1 ABSTAIN; 5 ABSENT; 2 VACANCIES.

GILA RIVER INDIAN COMMUNITY


GOVERNOR

ATTEST:


COMMUNITY COUNCIL SECRETARY



GILA RIVER INDIAN COMMUNITY

POST OFFICE BOX 2140, SACATON, AZ 85247

CULTURAL RESOURCE MANAGEMENT PROGRAM

(520) 562-7150
(520) 562-7165
Fax: (520) 562-3268

November 18, 2008

Robert E. Hollis, Division Administrator
U.S. Department of Transportation
Federal Highway Administration
Arizona Division
400 East Van Buren Street, Suite 410
Phoenix, Arizona 85004

Dear Mr. Hollis:

In reply to your previous request of April 22, 2008, please find attached a draft summary scope of work for proposed efforts offered as partial mitigation in connection with adverse effects to the Traditional Cultural Property (TCP) known as *Muhadagi Doag* (South Mountain), which will result with the proposed development of SR 202L (South Mountain Freeway) as currently designed.

This summary scope recommends a Phased Treatment Plan be developed, which is appropriate when eligible properties are adversely affected by a federal undertaking and avoidance is not possible, as follows:


Phase I – Treatment Plan Development
Phase II – Implementation of the Study
Phase III – Reporting and NRHP nomination of the South Mountain TCP.

Understanding that previous cultural resource assessments, consultation with ADOT-FHWA, and GRIC Council resolution (with support from other Tribes) all agree that South Mountain is a TCP, this proposal serves to address the need to provide a strategy for mitigation in the draft Environmental Impact Statement (EIS) for the South Mountain Freeway Project.

We look forward to further comment and discussion of this proposal. Upon receipt of your concurrence or following revision of the proposal, the final version may be cited in the EIS in connection with the *Muhadagi Doag* TCP. Please note, that all other impacts to cultural properties located within the proposed alignment, or that will be directly or indirectly impacted by proposed construction, will need to be addressed in accordance with federal regulations provided under NEPA and the NHPA.

If you have any questions or require further information, please contact me at (520) 562-7151 or jadarlin@gilariver.com.

Sincerely,


J. Andrew Darling
Coordinator



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

January 13, 2009

4000 North Central Avenue,
Suite 1500
Phoenix, Arizona 85012-1906
602-379-3646

In Reply Refer To:
HOP-AZ

NH-202-D(ADY)
202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

The Federal Highway Administration (FHWA) is in receipt of the November 18, 2008 draft summary scope of work that you provided in response to our consultation of April 22, 2008. The summary recommends development of a Phased Treatment Plan for a study of the traditional uses and cultural significance of the Traditional Cultural Property (TCP) known as *Muhadagi Doag* (South Mountain). This study would complement and expand upon ongoing studies that contribute to the overall knowledge base of *Muhadagi Doag* and would serve as the basis of an evaluation of *Muhadagi Doag*'s eligibility for inclusion in the National Register of Historic Places (NRHP) as a TCP. Financial support of this study by FHWA and the Arizona Department of Transportation (ADOT) would constitute partial mitigation to resolve potential adverse effects to *Muhadagi Doag* as a result of the development of the proposed South Mountain Freeway.

FHWA and ADOT find the proposal acceptable, with the following clarifications. If you agree with these bullets, please sign the concurrence line at the end of this letter. The next step after your concurrence, would be for ADOT and Gila River Indian Community (Community) to enter into a Joint Project Agreement.

- FHWA's role in consultation regarding the study and its deliverables will be limited to the potential effects of the proposed South Mountain Freeway on the *Muhadagi Doag* TCP as required by Section 106 (of the National Historic Preservation Act), Section 4(f) (of the Department of Transportation Act of 1966, as amended), and the National Environmental Policy Act of 1969 (NEPA).
- The process of nominating the *Muhadagi Doag* TCP to the NRHP will be undertaken by the Community.
- FHWA and ADOT will be invited to participate in the public component of the work sessions.
- FHWA and ADOT will be invited to participate in the development of the Management Plan.
- With the exception of culturally sensitive documents, or portions of documents, the deliverables resulting from this study will be available to FHWA and ADOT for use in fulfilling FHWA's responsibilities under NEPA, Section 106, and Section 4(f) with regards to the proposed South Mountain Freeway or any other current or future projects.
- The funding of the *Muhadagi Doag* TCP study is a mitigation measure to resolve adverse effects of the proposed South Mountain Freeway. Therefore, if the Environmental Impact Statement (EIS) for

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ECONOMY

the proposed project were to be cancelled or put on hold prior to the implementation of the proposed TCP study, financial support of the study would also be cancelled or put on hold until such time as the EIS were to move forward again.

Additionally, FHWA and ADOT have responded to the request made at our meeting on November 18, 2008 to investigate an elevated split design to minimize impacts to the active shrine site, AZ T:12:112(ASM). A design has been developed and efforts are underway to coordinate a presentation of that design to your Community.

We look forward to your response to our comments regarding the proposed study of the *Muhadagi Doag* TCP, and to discussing the proposed avoidance measures. If you have any question or concerns, please do not hesitate to call Ruth Greenspan at 602-712-6266 or email RGreenspan@azdot.gov.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for GRIC Concurrence

Date

cc:

Jennifer Allison-Ray, Lieutenant Governor, Gila River Indian Community, P.O. Box 97, Sacaton, Arizona 85247

David White, Community Manager, Gila River Indian Community, P.O. Box 97, Sacaton, Arizona 85247

Barnaby Lewis, Cultural Resource Specialist, Gila River Indian Community, P.O. Box 2140, Sacaton, Arizona 85247

J. Andrew Darling, CRMP Coordinator, Gila River Indian Community, P.O. Box 2140, Sacaton, Arizona 85247

SThomas

AHansen

AValle

KDavis

MHollowell (EM02)

RGreenspan (EM02)

MBruder (EM01)

MBurdick (118A)

SDThomas:cdm



ARIZONA DIVISION

April 28, 2010

4000 North Central Avenue,
Suite 1500
Phoenix, Arizona 85012-3500
602-379-3646
Fax: 602-382-8998

<http://www.fhwa.dot.gov/azdiv/index.htm>

In Reply Refer To:
NH-202-D (ADY)
HOP-AZ

NH-202-D (ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
"no adverse effect"

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) initiated consultation regarding a proposed study of the *Muhadagi Doag* TCP (Hollis [FHWA] to Rhodes [Gila River Indian Community] January 13, 2009). FHWA found the proposal acceptable, pending clarification and elaboration of a few points before formal approval. The consultation letter also addressed the request made at the November 18, 2008 meeting to investigate an elevated split design to minimize impacts to the active shrine site, AZ T:12:112(ASM). A design has been developed and efforts are underway to coordinate a presentation of that design to your Community. A copy of the consultation is enclosed to assist you in your review.

FHWA would like to offer another opportunity for the Gila River Indian Community to respond to comments regarding the proposed study of the *Muhadagi Doag* TCP, and to discuss the proposed avoidance measures. We look forward to continuing consultation with your office. If



you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or email Ldavis2@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:

J. Andrew Darling, Coordinator, Cultural Resource Management Program, GRIC, P.O. Box 2140, Sacaton, AZ 85247 (with enclosures)
Barnaby V. Lewis, Cultural Resource Specialist, GRIC, P.O. Box E, Sacaton, AZ 85247 (with enclosures)
SThomas
TDeitering
AHansen
MFrye
KDavis
LDavis (EM02)
SDThomas:cdm

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

JUL 1 2010

William R. Rhodes
Governor



Joseph Manuel
Lieutenant Governor

June 23, 2010

Robert Hollis, Administrator, Arizona Division
U.S. Department of Transportation (FHWA)
4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500

Re: HOP-AZ, NH-202-D(ADY)
Project No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places, Mitigation Measures.

Dear Mr. Hollis:

In reply to your letter dated April 28, 2010 regarding potential effects of the proposed SR 202L (South Mountain Freeway), the Gila River Indian Community Cultural Resource Management Program (GRIC CRMP) has prepared the attached proposal for the *Evaluation of Traditional Cultural Property and Adverse Effects of Transportation Corridor Development* posed by the proposed construction of the current Pecos Alignment of the South Mountain Freeway. This proposal has been reviewed and approved by the GRIC Community Council and the GRIC Transportation Technical Team. A digital (soft copy) was submitted to Matthew Burdick (Arizona Department of Transportation - ADOT) via electronic mail on January 19, 2010.

Please be advised that the current proposal only addresses partial measures for the mitigation of adverse effects posed by the Pecos alignment to Traditional Cultural Property (TCP) including individual sites and the mountain (*Muhadagi Doag* - South Mountain) and may be used in the preparation and finalization of the Environmental Impact Statement (EIS). All other requirements under such federal acts as the National Historic Preservation Act (NHPA) for the protection and preservation of cultural properties including data recovery of archaeological sites within the proposed corridor still pertain to the project and are not addressed by the attached document. The Community is aware that as the project developments, design changes and consideration of alternate corridors may require further adjustment or revision to the plan as presented.

The attached proposal also acknowledges the engineering solutions provided by ADOT in the form of overpasses for the avoidance and protection of sensitive cultural sites as acceptable concepts and that implementation of their design and construction will require further

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Telephone: 520-562-9840 • Fax: 520-562-9849 • Email: executivemail@gric.nsn.us

consultation in the event these go forward. This includes especially the implementation of proposed massive cuts through the western ridges of *Muhadagi Doag* and earthworks required for construction of the Pecos alignment, which will significantly impact the mountain and the surrounding cultural landscape.

Finally this proposal identifies the important and significant overlap of wildlife and culture corridors and the significance of all plants and animals in the traditional culture of the Akimel O'odham and Pee Posh of this Community. In this respect, we value the strong connection between the environment, the land, traditional places, and all living things, not just people. To this end, the attached proposal recognizes the intimate connection of TCPs to the environment in general, which certainly will be affected permanently through the construction of this major transportation facility.

The Gila River Indian Community looks forward to continuing consultation through its newly established Tribal Historic Preservation Officer, Barnaby V. Lewis (THPO), especially on the draft EIS once it is assembled. If you have any questions or comments, please do not hesitate to call Dr. J. Andrew Darling, Coordinator, Cultural Resource Management Program at (520) 562-7151 or Barnaby V. Lewis (THPO) at (520) 562-7152.

Sincerely,

W R P 6-25-10
for

Lt. Governor Joseph Manuel, Chair
Transportation Technical Team

Attachment: South Mountain Freeway Survey Proposal

cc: Governor William R. Rhodes
Chief of Staff Greg Mendoza
Community Managers (5)
Transportation Technical Team
File



ARIZONA DIVISION

September 16, 2010

4000 North Central Avenue,
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Phoenix, Arizona 85012-3500
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<http://www.fhwa.dot.gov/azdiv/index.htm>

In Reply Refer To:
202-C- 200
HOP-AZ

202-C- 200
TRACS No. 202L MA 54.0 I15764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Revised Programmatic Agreement

Mr. John Holt, Environmental Manager
Western Area Power Administration
615 South 43rd Avenue
Phoenix, Arizona 85009

Dear Mr. Holt:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

Consulting parties for this project include FHWA, ADOT, Arizona State Historic Preservation Office, Arizona State Land Department, Arizona State Museum, Army Corps of Engineers, Bureau of Land Management, Bureau of Reclamation, Western Area Power Administration (Western), Salt River Project, Maricopa County Department of Transportation, Flood Control District of Maricopa County, Roosevelt Irrigation District, City of Avondale, City of Chandler, City of Glendale, City of Phoenix, City of Tolleson, Ak-Chin Indian Community, Chemehuevi Tribe, Cocopah Tribe, Colorado River Indian Tribe, Fort McDowell Yavapai Nation, Fort Mojave Tribe, Fort Yuma-Quechan Tribe, Gila River Indian Community, Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab-Paiute Tribe, Navajo Nation, Pascua Yaqui Tribe, Pueblo of Zuni,



2

Salt River Pima-Maricopa Indian Community, San Carlos Apache Nation, San Juan Southern Paiute, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Nation, and the Yavapai-Apache Nation.

In 2007, a Programmatic Agreement (PA) was executed for the project; however, Western had not been included. Western has transmission lines that intersect the proposed freeway alignments and asked FHWA to be included in the PA. Therefore, per Stipulation 14 of the PA, FHWA has revised the PA to include Western as a concurring party. Additionally, FHWA and ADOT are taking this opportunity to invite the Gila River Indian Community to participate as a concurring party at this time.

A copy of the revised PA is enclosed for your review and comment. If Western would like to participate, please sign the enclosed PA and return it to ADOT within 30 days. Upon receipt of Western's signature on the PA and of the Gila River Indian Community's signature, if they choose to participate at this time, FHWA will forward the updated PA through continued Section 106 consultations.

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the information provided in this letter. If you have any questions or concerns, please feel free to contact Linda Davis at (602) 712-8636 or by e-mail at LDavis2@azdot.gov

Sincerely yours,

Mary E. Fager
Robert E. Hollis
Division Administrator

Enclosure



Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, AZ 85005-6457

OCT 28 2010

OCT 25 2010

Robert E. Hollis, District Administrator
Arizona Department of Transportation
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: Programmatic Agreement for the Federal Highway Administration and Arizona Department of Transportation South Mountain Freeway Project, Mohave County.

Dear Mr. Hollis:

The Western Area Power Administration (Western) has received the Programmatic Agreement (PA) regarding the Environmental Impact Statement (EIS) which was developed for the proposed South Mountain Freeway Project. The signed agreement is enclosed with the letter.

Western supports the Federal Highway Administration and the Arizona Department of Transportation in their section 106 responsibilities related to the project. Western's participation in the PA supports our requirements under the National Historic Preservation Act related to the requirement to move our transmission lines to accommodate the construction of this project.

Western looks forward to participating in future meetings and reviewing related documents for the PA. Thank you for inviting us to sign the PA.

If you have any questions or comments, please do not hesitate to contact Mary Barger at (602) 605-2524 or call me at (602) 605-2592.

Sincerely,

John R. Holt
John R. Holt
Environmental Manager

Enclosure



ARIZONA DIVISION

February 1, 2011

4000 North Central Avenue,
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Phoenix, Arizona 85012-3500
602-379-3646
Fax: 602-382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

RECEIVED
In Reply Refer To:
NH-202-D(ADY)
FEB 03 2011 HOP-AZ

ARIZONA STATE PARKS & RECREATION

NH-202-D(ADY)
TRACS No. 202L MA 54.0 H5764 01L
202L, South Mountain Freeway
DCR and EIS
Continuing Section 106 Consultation
Revised Alignment Near Dobbins Road

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway (SMF), EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). This letter requests concurrence only on the approach of mitigating impacts to historic properties in the area of the proposed SMF's intersection with Dobbins Road (see attached map). Land ownership in this portion of the project area is mostly private. Alternative alignments of the proposed SMF are being considered. The 1985 Phoenix General Plan Map had a proposed transportation corridor near 59th Avenue. ADOT's 1988 SMF Design Concept Report and Environmental Assessment presented a preferred alignment corridor along 61st Avenue. That same year, the Phoenix Planning Commission recommended and City Council approved, an alignment shift in the General Plan to a 61st Avenue alignment. It remained on this alignment until comprehensive cultural resources investigations revealed several properties were eligible for listing on the



National Register of Historic Places (NRHP). As a result of these investigations, in 2005 an alternative alignment on 63rd Avenue was developed to avoid these resources. In 2010, the City of Phoenix (COP) provided information to the SMF project team that the 63rd Avenue alignment conflicted with proposed land uses in the area. Three rezoning cases and one special permit were approved by the COP assuming the 61st Avenue alignment. One of these cases, approved in 2009, was for the location of a hospital and healthcare campus. This facility would be directly in the path of the 63rd Avenue alignment. As a result of these conflicts, the COP has asked FHWA to consider a proposed alignment of the SMF on 61st Avenue.

NRHP-eligible properties would be impacted by the alignment of the South Mountain Freeway along 61st Avenue. These include:

1. The Colvin-Tyson Farmstead/Barnes Dairy located at 6159 West Dobbins Road was determined not eligible to the NRHP as a whole because of a lack of integrity and historical significance. However, the dairy "head-to-toe" barn is recommended as eligible to the NRHP under Criterion C because it is one of the few standing family-operated dairy barns in Laveen.
2. The Hudson Farm located at 9300 South 59th Avenue was determined eligible to the NRHP under Criterion A as an exceptional example of a historic farmstead in Laveen, with the surrounding agricultural field an important contributing component that defines and preserves the farmstead's integrity of setting and feeling.
3. The 6100 Block West Dobbins Road Streetscape was determined eligible to the NRHP under Criteria A and D as an example and reflection of the lower Salt River Valley's agricultural past.

Potential impacts to NRHP-eligible properties by the alignment of the SMF along 61st Avenue include:

- The Barnes dairy barn would be destroyed by the proposed project.
- A sixteen-acre strip of the western side of the Hudson Farm would be taken by the proposed SMF. A portion of the agricultural field would be used to construct the proposed freeway.
- The 6100 Block West Dobbins Road Streetscape would be destroyed by the proposed project.

It is important to note that the City of Phoenix has designated this area as the core area of "downtown" Laveen. Landowners in the area have expressed a desire to develop their properties for commercial and/or residential uses. Therefore, it is highly likely that development actions by private land owners would also lead to the destruction of these resources. Although the property owners would have to comply with City of Phoenix historic preservation ordinances, it is still likely that destruction with limited documentation of these properties would occur.

To mitigate the potential impacts from the SMF and to offer a greater level of protection to these resources than would otherwise be provided, ADOT, FHWA, and the COP's Historic Preservation Office are considering the following approach. The final details of mitigation are

still being developed (including the level of documentation of the resources) and may be influenced by comments received from the public. However, the approach includes:

- The Colvin-Tyson Farmstead/Barnes Dairy and the West Dobbins Road Streetscape would be subjected to additional documentation and a possible interpretive exhibit/display.
- The Hudson Farm property:
 1. Documentation on the property and proposal for listing on the NRHP
 2. Protection of the farmstead complex through a conservation easement on the remaining parcel. The language of the conservation easement would be developed in consultation with the COP, ADOT, and the State Historic Preservation Office (SHPO).
 3. Convey the property to private or public ownership for reuse
 4. Conduct a public involvement meeting in the vicinity of these resources to solicit input from the public.

Please review the information provided in this letter. If you agree with the proposed approach to mitigating impacts to these three historic properties, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at (602) 712-8636 or by e-mail at LDavis2@azdot.gov.

Sincerely yours,

Mary E. Petty

Karla S. Petty
Division Administrator

Adam P. Davis

Signature for SHPO concurrence
NH-202-D(ADY)

CC: Linda Davis, ADOT

Enclosure

4 FEB 11

Date



ARIZONA DIVISION

February 7, 2011

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In Reply Refer To:
202-C-200
HOP-AZ

202-C-200
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. William Rhodes, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Rhodes:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

Consulting parties for this project include FHWA, ADOT, Arizona State Historic Preservation Office (SHPO), Arizona State Land Department, Arizona State Museum, U.S. Army Corps of Engineers, Bureau of Land Management, Bureau of Reclamation, Western Area Power Administration, Salt River Project, Maricopa County Department of Transportation, Flood Control District of Maricopa County, Roosevelt Irrigation District, City of Avondale, City of Chandler, City of Glendale, City of Phoenix, City of Tolleson, Ak-Chin Indian Community, Chemehuevi Tribe, Cocopah Tribe, Colorado River Indian Tribe, Fort McDowell Yavapai Nation, Fort Mojave Tribe, Fort Yuma-Quechan Tribe, Gila River Indian Community (GRIC), Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab-Paiute Tribe, Navajo Nation, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community, San Carlos Apache Nation, San Juan Southern Paiute, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Nation, and the Yavapai-Apache Nation.

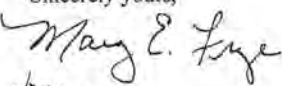
In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to make a reasonable and good faith effort to identify historic properties that could be affected by a project, FHWA and ADOT prepared a traditional cultural property assessment titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2006), which was sent to your office for review June 2006.



(Hollis [FHWA] to Rhodes [GRIC] June 28, 2006). GRIC responded in September 2006 notifying FHWA that their Cultural Resource Management Program (CRMP) was reviewing the traditional cultural properties (TCP) evaluation report and that a formal response would be forthcoming (Rhodes [GRIC] to Hollis [FHWA] September 25, 2006). In December 2006, GRIC provided their formal response which included National Register of Historic Places (NRHP) eligibility concurrences and comments on the proposed boundary for the South Mountain TCP (Rhodes [GRIC] to Hollis [FHWA] December 19, 2006). While the GRIC generally concurred with the NRHP eligibility recommendations provided in the TCP report, there were three points where they did not concur: (1) the designation of a O'odham core homeland, (2) the proposed boundary for the South Mountains TCP, and (3) the NRHP eligibility recommendation for Villa Buena site (AZ T:12:9 [ASM]).

Since then, FHWA and ADOT have continued an open dialog with GRIC's cultural resources staff regarding the identification and evaluation of traditional cultural properties as they pertain to the South Mountain freeway project. During this time, the TCP report has been revised per GRIC comments: (1) the report no longer uses the concept of a core O'odham homeland; (2) FHWA, ADOT, and GRIC have agreed to defer delineation of TCP boundary for the South Mountains until a more detailed and comprehensive study of its traditional uses and cultural significance can be conducted, therefore the boundary proposed in the earlier version of the report has been removed; and, (3) the NRHP eligibility recommendation for the Villa Buena site has been changed to be inclusive of the entire site. With regards to the later, the Villa Buena site (AZ T:12:9 [ASM]) is now recommended eligible for the NRHP under Criteria A and D. The site is recommended eligible under Criterion A as a traditional cultural property for its associations with traditional cultural practices of the GRIC. The site is also recommended eligible under Criterion D for its information potential as an archaeological site. The portions of the site off the reservation in agricultural fields, including the portions within the proposed action alternative alignments, do not retain qualities that contribute to its eligibility as a traditional cultural property. A copy of the revised report is enclosed for your review and comment.

Please review the information provided in this letter and the revised TCP report. If you find the revised TCP report adequate and agree with FHWA's eligibility recommendations, please indicate your concurrence by signing below. As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. If you have any questions or concerns, please feel free to contact Linda Davis at (602) 712-8636 or by e-mail at LDavis2@azdot.gov.

Sincerely yours,

Mary E. Lyle
Division Administrator

Signature for GRIC Concurrence
202-C-200
Enclosures

Date

cc:
J. Andrew Darling, Coordinator, Cultural Resource Management Program, GRIC, P.O. Box 2140, Sacaton, AZ 85247 (with enclosures)
Barnaby V. Lewis, Tribal Historic Preservation Officer, GRIC, P.O. Box 2140, Sacaton, AZ 85247 (with enclosures)



ARIZONA DIVISION

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August 8, 2011

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
South Mountain Freeway UPRR OP - TROE
Continuing Section 106 Consultation
Geotechnical Investigations

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning geotechnical borings at the W59 Alternative crossing of the Union Pacific Railroad (UPRR) for the proposed South Mountain Freeway in west Phoenix, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This geotech work occurs on private land. Consulting parties for this undertaking include FHWA, ADOT, the State Historic Preservation Office (SHPO) and UPRR. Due to the limited scope and nature of work, tribal consultation is not warranted.

The scope of this project would involve excavating ten 8-inch diameter borings approximately 100 feet deep near the intersection of 59th Avenue and the UPRR tracks, which run east-west about halfway between Van Buren Street and Buckeye Road. Access to the boring locations would be from 59th Avenue along the UPRR access roads and adjacent parking lots. No new right of way (ROW) or temporary construction easements are anticipated for this project. The area of potential effects (APE) is defined as 50 feet around the borings and access routes. A copy of the geotechnical boring plan is enclosed to assist you in your review.

The UPRR right-of-way portion of the APE has been previously surveyed by SWCA, Environmental Consultants, Inc. (SWCA) in conjunction with a separate undertaking. The results are reported in "Archaeological Survey for a Proposed Fiber Optic Cable Line from Yuma to Phoenix" (Doak 1999). The historic Wellton-Phoenix-Eloy Main Line of the South Pacific Railroad (AZ T:10:84 [ASM]) was identified in the project area. The railroad's eligibility for listing in the National Register of Historic Places (NRHP) was evaluated as part of the South Mountain Freeway project by HDR Engineering, Inc (HDR). The results are reported in "An

Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona” (Brodbeck and Pratt 2005). FHWA recommended that the railroad was eligible for NRHP listing under Criterion A. SHPO previously concurred with the adequacy of the report and eligibility determination (Jacobs [SHPO] to Greenspan [ADOT] SHPO concurrence October 3, 2005).

The remainder of the APE has recently been surveyed by HDR. The survey results are reported in “*A Class III Cultural Resources Survey for Geotechnical Investigations for the South Mountain Freeway W59 Alternative UPRR OP, City of Phoenix, Maricopa County, Arizona*” (Brodbeck 2011), and are enclosed here for your review and comment. No new sites were identified in the project area.

AZ T:10:84 (ASM), the historic Wellton-Phoenix-Eloy Main Line, is located within the APE but will not be affected by the project. Therefore, FHWA has determined that a finding of “no adverse effect” is appropriate for this undertaking.

Please review the enclosed report, geotechnical plans, and the information provided in this letter. If you find the report adequate and agree with FHWA’s determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or email LDavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosures



ARIZONA DIVISION

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Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2011

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
South Mountain Freeway UPRR OP - TROE
Continuing Section 106 Consultation
Geotechnical Investigations

Mr. Dino Orbiso
Manager Environmental Field Operations
Union Pacific Railroad
2401 East Sepulveda Boulevard
Long Beach, California 90810

Dear Mr. Orbiso:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning geotechnical borings at the W59 Alternative crossing of the Union Pacific Railroad (UPRR) for the proposed South Mountain Freeway in west Phoenix, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This geotech work occurs on private land. Consulting parties for this undertaking include FHWA, ADOT, the State Historic Preservation Office (SHPO) and UPRR. Due to the limited scope and nature of work, tribal consultation is not warranted.

The scope of this project would involve excavating ten 8-inch diameter borings approximately 100 feet deep near the intersection of 59th Avenue and the UPRR tracks, which run east-west about halfway between Van Buren Street and Buckeye Road. Access to the boring locations would be from 59th Avenue along the UPRR access roads and adjacent parking lots. No new right of way (ROW) or temporary construction easements are anticipated for this project. The area of potential effects (APE) is defined as 50 feet around the borings and access routes. A copy of the geotechnical boring plan is enclosed to assist you in your review.

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Project, Maricopa County, Arizona” (Brodbeck and Pratt 2005). FHWA recommended that the railroad was eligible for NRIIP listing under Criterion A. SHPO previously concurred with the adequacy of the report and eligibility determination (Jacobs [SHPO] to Greenspan [ADOT] SHPO concurrence October 3, 2005).

The remainder of the APE has recently been surveyed by HDR. The survey results are reported in “*A Class III Cultural Resources Survey for Geotechnical Investigations for the South Mountain Freeway W59 Alternative UPRR OP, City of Phoenix, Maricopa County, Arizona*” (Brodbeck 2011), and are enclosed here for your review and comment. No new sites were identified in the project area.

AZ T:10:84 (ASM), the historic Wellton-Phoenix-Eloy Main Line, is located within the APE but will not be affected by the project. Therefore, FHWA has determined that a finding of “no adverse effect” is appropriate for this undertaking.

Please review the enclosed report, geotechnical plans, and the information provided in this letter. If you find the report adequate and agree with FHWA’s determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or email LDavis2@azdot.gov.

Sincerely yours,

Meera S. et al

Karla S. Petty
Division Administrator

Signature for UPRR Concurrence
NH-202-D(ADY)

Date

Enclosures



SHPO 2003-1490 (93752)

ARIZONA DIVISION

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August 8, 2011

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
South Mountain Freeway UPRR OP - TROE
Continuing Section 106 Consultation
Geotechnical Investigations

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

RECEIVED

AUG 09 2011

ARIZONA STATE PARKS/S.H.P.O.

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning geotechnical borings at the W59 Alternative crossing of the Union Pacific Railroad (UPRR) for the proposed South Mountain Freeway in west Phoenix, Maricopa County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This geotech work occurs on private land. Consulting parties for this undertaking include FHWA, ADOT, the State Historic Preservation Office (SHPO) and UPRR. Due to the limited scope and nature of work, tribal consultation is not warranted.

The scope of this project would involve excavating ten 8-inch diameter borings approximately 100 feet deep near the intersection of 59th Avenue and the UPRR tracks, which run east-west about halfway between Van Buren Street and Buckeye Road. Access to the boring locations would be from 59th Avenue along the UPRR access roads and adjacent parking lots. No new right of way (ROW) or temporary construction easements are anticipated for this project. The area of potential effects (APE) is defined as 50 feet around the borings and access routes. A copy of the geotechnical boring plan is enclosed to assist you in your review.

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Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona (Brodbeck and Pratt 2005). FHWA recommended that the railroad was eligible for NRHP listing under Criterion A. SHPO previously concurred with the adequacy of the report and eligibility determination (Jacobs [SHPO] to Greenspan [ADOT] SHPO concurrence October 3, 2005).

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AZ T:10:84 (ASM), the historic Wellton-Phoenix-Eloy Main Line, is located within the APE but will not be affected by the project. Therefore, FHWA has determined that a finding of "no adverse effect" is appropriate for this undertaking.

Please review the enclosed report, geotechnical plans, and the information provided in this letter. If you find the report adequate and agree with FHWA's determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or email LDavis2@azdot.gov.

Sincerely yours,

Karla S. Petty

KSP
Karla S. Petty
Division Administrator

AUG 12 2011

[Signature]

Signature for SHPO Concurrence
NH-202-D(ADY)

8/11/11

Date

Enclosures

CC: Linda Davis, ADOT



GILA RIVER INDIAN COMMUNITY

POST OFFICE BOX 2140, SACATON, AZ 85147

TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162
Fax: (520) 562-5083

August 17, 2011

Karla S. Petty, Division Administrator
U. S. Department of Transportation
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: South Mountain Transportation Corridor, Section 106 Consultation, Traditional Cultural Places; 202-C-200 HOP-AZ TRACS No. 202L MA 054 H5764 01C

Dear Ms. Petty,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received HDR Engineering, Inc. Cultural Resource Report 06-01, Submittal Number 5, titled "An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona" (Brodbeck 2011). The report *reevaluates* the National Register eligibility status of Traditional Cultural Properties that have been recorded and identified within the proposed 202L corridor. Comments by Gila River Indian Community (GRIC) Governor Rhodes have been incorporated into the reevaluation. Governor Rhodes submitted his review to the Arizona Department of Transportation (ADOT) on December 19, 2009.

The GRIC maintains and reinforces the cultural significance of South Mountain to the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'Odham Nation) together with the Pee Posh (Maricopa). O'Odham oral history and religion defines our life and relationship to the natural world and the cultural landscape. Akimel O'Odham and Pee Posh oral histories, religion, creation stories, ceremonial activities and practices, and the concepts of power and sacred places are inseparably tied to every part of the natural environment. Sacred places and Traditional Cultural Places (TCPs) must be treated with reverence and respect. South Mountain is an O'Odham TCP. The National Historic Preservation Act of 1966 as amended provides the guidelines to nominate and place TCPs on the National Register of Historic Places. Impacts to Register eligible properties must be considered for all federal undertakings. Application of criteria of significance has often been applied in an inconsistent, incorrect manner. Archaeologists tend to apply the criteria without supporting oral history data (neglect of gathering oral histories) and without understanding of the people, their religion, and their culture.

Review and Comments

Page 5, second paragraph, Brodbeck makes reference to “contemporary local *lore*.” The use of term *lore* is objectionable. O’Odham oral history is not *lore*, it is a history as valid and precise as mainstream history which is taught in elementary, high school, and college classes. References to O’Odham history as *lore* should be removed from the text.

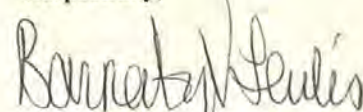
Page 38 and 77, third paragraph, Brodbeck states that because the platform mound has been obliterated at Pueblo del Alamo, “*the direct link with the ancestral past has been lost*.” This is an untrue statement. The direct link with the ancestral past, the link between Pueblo del Alamo and the O’Odham people is still intact through oral histories. The link has not been lost because a platform mound on the site has been obliterated by non-O’Odham farmers. The direct link to the O’Odham ancestral past remains and it should be stated as such. The GRIC-THPO concurs with the evaluation with that Pueblo del Alamo is a Register eligible property. The GRIC-THPO disagrees with ADOT and Brodbeck who believe that Pueblo del Alamo is not a Register eligible TCP based upon a perceived lost of an ancestral link to the site. The GRIC-THPO maintains that “the ancestral link” to the site still exists and that Pueblo del Alamo is a Register eligible TCP.

Pages 44-45 and page 77, the GRIC-THPO concurs with the re-evaluation of Villa Buena as being a Register eligible property as a site and as a TCP. However on page 45 Brodbeck still considers portions of Villa Buena, located off GRIC lands, as not contributing to the Register eligibility status of the site and TCP. Again the GRIC-THPO would like to indicate that all portions of a site contribute to Register eligibility. If a cultural property is considered a Register eligible property as an archaeological site or as a TCP, then the entire cultural resource is a Register eligible property. ADOT acknowledges correcting this issue but Brodbeck still continues to evaluate Villa Buena in bits and pieces and not as a whole.

Page 75, fifth paragraph, Brodbeck states “that South Mountain is an important element in a far-reaching spiritual landscape of the Akimel O’Odham and Pee Posh.” We would like to point out that it is our cultural landscape as well and the statement should be modified to state “cultural and spiritual” in the sentence.

The GRIC-THPO looks forward to continuing consultation regarding the proposed 202 Loop. If you have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,



Barnaby V. Lewis
Tribal Historic Preservation Officer
Gila River Indian Community



ARIZONA DIVISION

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October 31, 2011

In Reply Refer To:
202-C- 200
HOP-AZ

202-C- 200
TRACS No. 202L MA 54.0 HS764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Revised Programmatic Agreement

Mr. Brian Bowker, Director
Bureau of Indian Affairs
Western Regional Office
2600 North Central Avenue, 4th Floor Mailroom
Phoenix, Arizona 85004-3050

Dear Mr. Bowker:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

Consulting parties for this project include FHWA, ADOT, Arizona State Historic Preservation Office, Arizona State Land Department, Arizona State Museum, Army Corps of Engineers, Bureau of Indian Affairs (BIA), Bureau of Land Management, Bureau of Reclamation, Western Area Power Administration, Salt River Project, Maricopa County Department of Transportation, Flood Control District of Maricopa County, Roosevelt Irrigation District, City of Avondale, City of Chandler, City of Glendale, City of Phoenix, City of Tolleson, Ak-Chin Indian Community, Chemehuevi Tribe, Cocopah Tribe, Colorado River Indian Tribe, Fort McDowell Yavapai Nation, Fort Mojave Tribe, Fort Yuma-Quechan Tribe, Gila River Indian Community, Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab-Paiute Tribe, Navajo Nation, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community, San Carlos Apache Nation, San Juan Southern Paiute, Tohono O’odham Nation, Tonto Apache Tribe, White Mountain Apache Nation, and the Yavapai-Apache Nation.

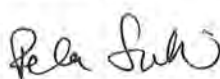
2

In 2005, FHWA circulated a revised draft Programmatic Agreement (PA) to agencies and tribes for review (Hollis [FHWA] to Cantley [BIA] July 1, 2005). At that time, the BIA declined participation in the PA (Cantley [BIA] to Laine [ADOT] personal communication via phone call August 3, 2005). Since then, the BIA has asked FHWA to be included in the PA. Therefore, per Stipulation 14 of the PA, FHWA has revised the PA to include BIA as a concurring party.

A revised PA is enclosed for your review and comment. If the BIA would like to participate, please sign the enclosed PA and return it to ADOT within 30 days. Upon receipt of BIA's signature on the PA FHWA will forward the updated PA through continued Section 106 consultations.

Furthermore, as more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the information provided in this letter. If you have any questions or concerns, please feel free to contact Linda Davis at (602) 712-8636 or by e-mail at L.Davis2@azdot.gov

Sincerely yours,


for
Karla S. Petty
Division Administrator

Enclosure



ARIZONA DIVISION

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January 23, 2012

In Reply Refer To:
202-C-200
HOP-AZ

202-C-200
TRACS No. 202L MA 54.0 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Revised Programmatic Agreement

Mr. Brian Bowker, Director
Bureau of Indian Affairs
Western Regional Office
2600 North Central Avenue, 4th Floor Mailroom
Phoenix, Arizona 85004-3050

Dear Mr. Bowker:

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Consulting parties for this project include FHWA, ADOT, Arizona State Historic Preservation Office, Arizona State Land Department, Arizona State Museum, Army Corps of Engineers, Bureau of Indian Affairs (BIA), Bureau of Land Management, Bureau of Reclamation, Western Area Power Administration, Salt River Project, Maricopa County Department of Transportation, Flood Control District of Maricopa County, Roosevelt Irrigation District, City of Avondale, City of Chandler, City of Glendale, City of Phoenix, City of Tolleson, Ak-Chin Indian Community, Chemehuevi Tribe, Cocopah Tribe, Colorado River Indian Tribe, Fort McDowell Yavapai Nation, Fort Mojave Tribe, Fort Yuma-Quechan Tribe, Gila River Indian Community, Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab-Paiute Tribe, Navajo Nation, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community, San Carlos Apache Nation, San Juan Southern Paiute, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Nation, and the Yavapai-Apache Nation.

2

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Sincerely yours,



Karla S. Petty
Division Administrator

Enclosure

cc:

Garry Cantley, Archaeologist, Bureau of Indian Affairs-Western Region Office, 2600 N. Central Avenue, 4th Floor Mailroom, Phoenix, Arizona 85004-3050



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April 24, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties
Section 4(f) Determination

Mr. Gregory Mendoza, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Dear Governor Mendoza:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the

Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies and engaging in an ongoing open dialog with GRIC's Tribal Historic Preservation Office (THPO) and Cultural Resource Management Program (CRMP) regarding the identification and evaluation of places of religious and cultural significance to the tribe, often referred to as traditional cultural properties (TCPs) as they may be affected by the South Mountain Freeway project. As a result of these discussions, the GRIC has identified five TCPs that are eligible for the National Register of Historic Places (NRHP), and could be affected by the construction of the South Mountain Freeway. These include the South Mountains (*Muhadagi Doag*), the prehistoric Hohokam villages of Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM]), a shrine site (AZ T:12:112 [ASM]), and a petroglyph site (AZ T:12:198 [ASM]) that is also a contributing resource to the South Mountains TCP. In addition, GRIC has identified five other archaeological sites that contribute to the South Mountains TCP (AZ T:12:197 [ASM], AZ T:12:201 [ASM], AZ T:12:207 [ASM], AZ T:12:208 [ASM], and AZ T:12:211 [ASM]).

SHPO previously concurred with FHWA's determination that Villa Buena, Pueblo del Alamo, AZ T:12:197, AZ T:12:198, AZ T:12:201, AZ T:12:207, AZ T:12:208, and AZ T:12:211 are eligible for listing in the NRHP under Criterion D as archaeological sites (Jacobs [SHPO] to Greenspan [ADOT], January 23, 2006). This letter summarizes consultation between FHWA, ADOT, and GRIC relating to the eligibility of Villa Buena and Pueblo del Alamo, as well as proposed mitigation to address any potential adverse effects to all TCPs identified within the project area.

Through on-going Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC have been developing options for mitigating adverse effects to the TCPs. As a result of these discussions, avoidance alternatives have been developed for two of the TCPs, the petroglyph site and shrine site. They will now be avoided by project alternatives; therefore, there will be no direct impacts to these sites. The South Mountains, Villa Buena, and Pueblo del Alamo TCPs cannot be avoided by project alternatives; therefore mitigation plans have been developed. The mitigation strategies are presented in Treatment Plans titled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development Summary Scope of Work (Draft)* (Darling 2008), which the GRIC THPO previously approved (Manuel [GRIC] to Hollis [FHWA], June 23, 2010) and *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Traditional Cultural Properties and Mitigation of Transportation Corridor Development Adverse Effects, Addendum Planning for TCP Mitigation Villa Buena (AZ T:12:9 [ASM] and Pueblo del Alamo (AZ T:12:52 [ASM]) (Draft)* (Darling 2012), which is enclosed for your review. In addition, we are enclosing the revised *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS and L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012) for your review.

The South Mountains

The South Mountain range as a whole is considered a TCP. The range is an important element in the spiritual landscape of the Akimel O'odham and Pee Posh, as well as for some of the Colorado River Tribes. For the Akimel O'odham, South Mountains was one of the homes of the deity and creator, Elder Brother (Se'che) and several shrines in the range associated with his presence continue to be recognized and honored by the GRIC. Further, South Mountain served as a resource procurement area for upland plants and animals and was a focal point of prehistoric and historic rock art production.

FHWA has recommended that the South Mountains is eligible for inclusion in the NRHP under Criteria A and B as a TCP for its significant associations with the broad patterns of traditional cultural practices and beliefs of the Akimel O'odham, Pee Posh, and other tribes, and for the close association the mountain range has with the O'odham creator deity. The GRIC previously concurred with FHWA's eligibility recommendation (Rhodes [GRIC] to Hollis [FHWA], December 19, 2006). Furthermore, FHWA has determined that archaeological sites AZ T:12:197 (ASM), AZ T:12:198 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) are contributors to the South Mountains TCP under Criterion A. At the request of FHWA and ADOT, GRIC CRMP prepared a draft Treatment Plan that presents measures to mitigate potential adverse affects of the South Mountain Freeway project on the South Mountains TCP, which GRIC THPO previously approved (Manuel [GRIC] to Hollis [FHWA], June 23, 2010).

Villa Buena and Pueblo del Alamo

Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM]) are prehistoric villages for which Tribal consciousness and veneration exist to the present day in the form of active association and identification of these places with religious, historical, and ideological perpetuation of GRIC's community culture. As TCPs, therefore, it is the position of GRIC that in regard to eligibility, these sites cannot be subdivided or otherwise segregated into areas considered contributing or non-contributing to the overall significance of the historic property under NRHP criteria. Instead, these are historic properties in their entirety that are considered sacred.

Villa Buena and Pueblo del Alamo are specifically referred to in the Akimel O'odham creation story, which plays an important role in the on-going cultural traditions of the members of the GRIC. While many aspects of the creation story detail elements of traditional history, such histories also identify places and physical associations in the landscape of the GRIC and its sister tribes (the Four Southern Tribes), as well as other Native communities in southern Arizona, Mexico, and California. By virtue of their associations with regular cycles of universal renewal, places such as Villa Buena and Pueblo del Alamo are critical to O'odham and Pee Posh beliefs about cultural perpetuation and GRIC survival.

In consultation with the GRIC THPO, FHWA has determined that Villa Buena and Pueblo del Alamo are eligible for inclusion in the NRHP under Criterion A as TCPs for their significant associations with the preservation and perpetuation of broad patterns of Akimel O'odham and Pee Posh history and culture. FHWA has also determined, through consultation with the GRIC

THPO, SHPO, and other consulting parties, that Villa Buena and Pueblo del Alamo are eligible for inclusion in the NRHP under Criterion D as archaeological sites.

Both Pueblo del Alamo and Villa Buena have been subjected to considerable disturbance from agricultural activities, road construction, and modern construction, as well as bioturbation and erosion. In discussions with ADOT and FHWA, GRIC has expressed the belief that regardless of the current condition of the sites, and regardless of whether the portion of the site within the project area of potential effects (APE) retains physical integrity, these places are known to be sacred and still convey their significance under Criterion A through the perpetuation of the traditional O’odham song culture and traditional religious beliefs and practices. Accordingly, the integrity of those elements that contribute to the significance of these sites under Criterion A would remain, despite any potential impacts from project-related construction, and would not be adversely affected by the proposed undertaking.

At the request of FHWA and ADOT, GRIC CRMP has prepared a draft Treatment Plan that presents measures to mitigate potential adverse affects to the Villa Buena and Pueblo del Alamo TCPs, which is enclosed for your review.

AZ T:12:112 (ASM)

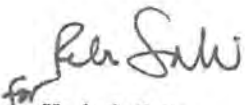
AZ T:12:112 (ASM) includes an active O’odham *jiawul himdag* shrine that is part of an archaeological site with prehistoric and historic features. The site is a traditional O’odham shrine with historic precedence used by contemporary Community members actively exercising their traditional religious and ceremonial practices and beliefs. The site and its use are part of a broad pattern of traditional religious and ceremonial practices and beliefs that define the cultural identity, continuity, and tradition of the Akimel O’odham. The site’s placement on the landscape also has the potential to provide information on prehistoric networks and regional connectivity. FHWA has determined AZ T:12:112 (ASM) is eligible for inclusion on the NRHP under Criterion A as a TCP and under Criterion D as an archaeological site. In consultation with the GRIC THPO and CRMP, ADOT and FHWA have developed proposed freeway alternatives that would avoid the site; therefore, it would not be directly impacted by the project. Mitigation measures for any potential indirect impacts would be developed through continuing consultations with GRIC.

AZ T:12:198 (ASM)

AZ T:12:198 (ASM) is a petroglyph site that, in addition to being a contributor to the South Mountain TCP, is individually eligible as a TCP. The site includes seven panels of prehistoric and historic rock art. Rock art sites such as this continue to function for the GRIC as shrines or spiritual places and they are important in the perpetuation of GRIC’s identity and culture. In consultation with the GRIC THPO, FHWA has determined AZ T:12:198 (ASM) is eligible for inclusion in the NRHP under Criterion A as a TCP and under Criterion D as an archaeological site. In consultation with the GRIC THPO and CRMP, ADOT and FHWA have developed proposed freeway alternatives that would avoid the site; therefore, it will not be directly impacted by the project. Mitigation measures for any potential indirect impacts would be developed through continuing consultations with GRIC.

Please review the information provided in this letter and enclosed materials. If you agree with FHWA’s determination of NRHP eligibility for the TCPs, and the adequacy of the draft mitigation Treatment Plan, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for THPO Concurrence
NH-202-D(ADY)

Date

Enclosures

The previous letter was also sent to”
Dr. David Jacobs, Compliance Officer, State Historic Preservation Office



ARIZONA DIVISION

4000 North Central Avenue
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April 24, 2012

SHPO-2003-1890(100976)
RECEIVED In Reply Refer To
NH-202-D(ADY)
HOP-AZ
APR 25 2012
DJ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties
Section 4(f) Determination

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the

Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies and engaging in an ongoing open dialog with GRIC’s Tribal Historic Preservation Office (THPO) and Cultural Resource Management Program (CRMP) regarding the identification and evaluation of places of religious and cultural significance to the tribe, often referred to as traditional cultural properties (TCPs) as they may be affected by the South Mountain Freeway project. As a result of these discussions, the GRIC has identified five TCPs that are eligible for the National Register of Historic Places (NRHP), and could be affected by the construction of the South Mountain Freeway. These include the South Mountains (*Muhadagi Doag*), the prehistoric Hohokam villages of Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM]), a shrine site (AZ T:12:112 [ASM], and a petroglyph site (AZ T:12:198 [ASM]) that is also a contributing resource to the South Mountains TCP. In addition, GRIC has identified five other archaeological sites that contribute to the South Mountains TCP (AZ T:12:197 [ASM], AZ T:12:201 [ASM], AZ T:12:207 [ASM], AZ T:12:208 [ASM], and AZ T:12:211 [ASM]).

SHPO previously concurred with FHWA’s determination that Villa Buena, Pueblo del Alamo, AZ T:12:197, AZ T:12:198, AZ T:12:201, AZ T:12:207, AZ T:12:208, and AZ T:12:211 are eligible for listing in the NRHP under Criterion D as archaeological sites (Jacobs [SHPO] to Greenspan [ADOT], January 23, 2006). This letter summarizes consultation between FHWA, ADOT, and GRIC relating to the eligibility of Villa Buena and Pueblo del Alamo, as well as proposed mitigation to address any potential adverse effects to all TCPs identified within the project area.

Through on-going Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC have been developing options for mitigating adverse effects to the TCPs. As a result of these discussions, avoidance alternatives have been developed for two of the TCPs, the petroglyph site and shrine site. They will now be avoided by project alternatives; therefore, there will be no direct impacts to these sites. The South Mountains, Villa Buena, and Pueblo del Alamo TCPs cannot be avoided by project alternatives; therefore mitigation plans have been developed. The mitigation strategies are presented in Treatment Plans titled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development Summary Scope of Work (Draft)* (Darling 2008), and *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Traditional Cultural Properties and Mitigation of Transportation Corridor Development Adverse Effects, Addendum Planning for TCP Mitigation Villa Buena (AZ T:12:9 [ASM] and Pueblo del Alamo (AZ T:12:52 [ASM]) (Draft)* (Darling 2012), which are enclosed for your review. In addition, we are enclosing the revised *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS and L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012) for your review.

why is this present. see your statement on page 4?

The South Mountains

The South Mountain range as a whole is considered a TCP. The range is an important element in the spiritual landscape of the Akimel O’odham and Pee Posh, as well as for some of the Colorado River Tribes. For the Akimel O’odham, South Mountains was one of the homes of the deity and creator, Elder Brother (Se’ehe) and several shrines in the range associated with his presence continue to be recognized and honored by the GRIC. Further, South Mountain served as a resource procurement area for upland plants and animals and was a focal point of prehistoric and historic rock art production.

FHWA has determined that the South Mountains is eligible for inclusion in the NRHP under Criteria A and B as a TCP for its significant associations with the broad patterns of traditional cultural practices and beliefs of the Akimel O’odham, Pee Posh, and other tribes, and for the close association the mountain range has with the O’odham creator deity. The GRIC previously concurred with FHWA’s eligibility determination (Rhodes [GRIC] to Hollis [FHWA], December 19, 2006). Furthermore, FHWA has determined that archaeological sites AZ T:12:197 (ASM), AZ T:12:198 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) are contributors to the South Mountains TCP under Criterion A. At the request of FHWA and ADOT, GRIC CRMP has prepared a draft Treatment Plan that presents measures to mitigate potential adverse affects of the South Mountain Freeway project on the South Mountains TCP, which is enclosed for your review.

Villa Buena and Pueblo del Alamo

Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM]) are prehistoric villages for which Tribal consciousness and veneration exist to the present day in the form of active association and identification of these places with religious, historical, and ideological perpetuation of GRIC’s community culture. As TCPs, therefore, it is the position of GRIC that in regard to eligibility, these sites cannot be subdivided or otherwise segregated into areas considered contributing or non-contributing to the overall significance of the historic property under NRHP criteria. Instead, these are historic properties in their entirety that are considered sacred.

Villa Buena and Pueblo del Alamo are specifically referred to in the Akimel O’odham creation story, which plays an important role in the on-going cultural traditions of the members of the GRIC. While many aspects of the creation story detail elements of traditional history, such histories also identify places and physical associations in the landscape of the GRIC and its sister tribes (the Four Southern Tribes), as well as other Native communities in southern Arizona, Mexico, and California. By virtue of their associations with regular cycles of universal renewal, places such as Villa Buena and Pueblo del Alamo are critical to O’odham and Pee Posh beliefs about cultural perpetuation and GRIC survival.

In consultation with the GRIC THPO, FHWA has determined that Villa Buena and Pueblo del Alamo are eligible for inclusion in the NRHP under Criterion A as TCPs for their significant associations with the preservation and perpetuation of broad patterns of Akimel O’odham and Pee Posh history and culture. FHWA has also determined, through consultation with the GRIC

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THPO, SHPO, and other consulting parties, that Villa Buena and Pueblo del Alamo are eligible for inclusion in the NRHP under Criterion D as archaeological sites.

Both Pueblo del Alamo and Villa Buena have been subjected to considerable disturbance from agricultural activities, road construction, and modern construction, as well as bioturbation and erosion. In discussions with ADOT and FHWA, GRIC has expressed the belief that regardless of the current condition of the sites, and regardless of whether the portion of the site within the project area of potential effects (APE) retains physical integrity, these places are known to be sacred and still convey their significance under Criterion A through the perpetuation of the traditional O'odham song culture and traditional religious beliefs and practices. Accordingly, the integrity of those elements that contribute to the significance of these sites under Criterion A would remain, despite any potential impacts from project-related construction, and would not be adversely affected by the proposed undertaking.

At the request of FHWA and ADOT, GRIC CRMP has prepared a draft Treatment Plan that presents measures to mitigate potential adverse affects to the Villa Buena and Pueblo del Alamo TCPs, which is enclosed for your review.

The TCPs that are the topic of this letter are also subject to regulations set forth in Section 4(f) of the Department of Transportation (DOT) Act of 1966, 49 U.S.C. 303, as amended. Section 4(f) stipulates that FHWA and other DOT agencies cannot approve more than a *de minimis* use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historic sites unless there is no feasible and prudent alternative to the use of that land, and that the proposed action includes all possible planning to minimize harm to the property resulting from such use.

Section 4(f) generally applies to the use of TCPs that are determined to be eligible for listing in the NRHP, with some exceptions. FHWA has determined that Section 4(f) applies to the proposed use of a portion of the South Mountain TCP and will address the requirements of Section 4(f) for the South Mountain TCP in a separate Section 4(f) evaluation to be published as part of the Draft Environmental Impact Statement under preparation for this project. The shrine site (AZ T:12:112) and the petroglyph site (AZ T:12:198) TCPs will not be addressed in the Section 4(f) evaluation because these sites would not be used by any project alternative under consideration.

FHWA believes that Section 4(f) does not apply to the proposed use of portions of the Villa Buena and Pueblo del Alamo TCPs for the South Mountain Freeway project alternatives because the impacted area is primarily archeological in nature and preservation in place is not warranted. The exception is detailed in 23 CFR 774.13 as follows: "The Administration has identified various exceptions to the requirement for Section 4(f) approval. These exceptions include, but are not limited to: (b) Archeological sites that are on or eligible for the National Register when: (1) The Administration concludes that the archeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place. This exception applies both to situations where data recovery is undertaken and where the Administration decides, with agreement of the official(s) with jurisdiction, not to recover the resource; and (2) The official(s) with jurisdiction over the Section 4(f) resource have been

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consulted and have not objected to the Administration finding in paragraph (b)(1) of this section."

A number of meetings have taken place between FHWA, ADOT, GRIC CRMP, and GRIC THPO in which the nature of and the impacts to the Villa Buena and Pueblo del Alamo TCPs was discussed. Through these discussions the parties have come to the conclusion that modern development has already significantly altered the portions of these sites that would be impacted by the highway project. While the modern surface development does not diminish the association with traditional cultural practices of the GRIC for purposes of the consultation required by NHPA, for purposes of Section 4(f), the FHWA believes that the impacted area is important chiefly for what could be learned by data recovery of any subsurface features that may still be present. In addition, future archaeological investigations may contribute to their TCP status.

If you have no objection to FHWA's determination under Section 4(f) that the portions of the Villa Buena and Pueblo del Alamo TCPs that would be used by the project alternatives under consideration are chiefly important because of what can be learned by data recovery and have minimal value for preservation in place, then FHWA will apply the Section 4(f) exception described above to the use of these properties. This determination is for purposes of Section 4(f) only and would not have any impact on the Section 106 consultation that is underway and will continue.

AZ T:12:112 (ASM)

AZ T:12:112 (ASM) includes an active O'odham *jiawul himdag* shrine that is part of an archaeological site with prehistoric and historic features. The site is a traditional O'odham shrine with historic precedence used by contemporary Community members actively exercising their traditional religious and ceremonial practices and beliefs. The site and its use are part of a broad pattern of traditional religious and ceremonial practices and beliefs that define the cultural identity, continuity, and tradition of the Akimel O'odham. The site's placement on the landscape also has the potential to provide information on prehistoric networks and regional connectivity. FHWA has determined AZ T:12:112 (ASM) is eligible for inclusion on the NRHP under Criterion A as a TCP and under Criterion D as an archaeological site. In consultation with the GRIC THPO and CRMP, ADOT and FHWA have developed proposed freeway alternatives that would avoid the site; therefore, it would not be directly impacted by the project. Mitigation measures for any potential indirect impacts would be developed through continuing consultations with GRIC.

AZ T:12:198 (ASM)

AZ T:12:198 (ASM) is a petroglyph site that, in addition to being a contributor to the South Mountain TCP, is individually eligible as a TCP. The site includes seven panels of prehistoric and historic rock art. Rock art sites such as this continue to function for the GRIC as shrines or spiritual places and they are important in the perpetuation of GRIC's identity and culture. In consultation with the GRIC THPO, FHWA has determined AZ T:12:198 (ASM) is eligible for inclusion in the NRHP under Criterion A as a TCP and under Criterion D as an archaeological site. In consultation with the GRIC THPO and CRMP, ADOT and FHWA have developed

proposed freeway alternatives that would avoid the site; therefore, it will not be directly impacted by the project. Mitigation measures for any potential indirect impacts would be developed through continuing consultations with GRIC.

Please review the information provided in this letter and enclosed materials. If you agree with FHWA’s determination of NRHP eligibility for the TCPs, the adequacy of the draft mitigation Treatment Plans, and do not object to the Section 4(f) determinations described above, please indicate your agreement by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

Karla S. Petty
for *Karla S. Petty* 602-382-8979
Division Administrator

[Signature]
Signature for SHPO Concurrence
NH-202-D(ADY)

MAY 18 2012
15 MAY 12
Date

Enclosures

CC: Linda Davis, ADOT
see page 2 of letter
One of the documents sent over (i.e., Darling 2012) appears to not be relevant to Section 106 — that addendum plan does not address potential adverse effects under Criterion D (see page 3 of addendum itself), and page 4 of this cover letter claims the integrity under Criterion A would remain?



GILA RIVER INDIAN COMMUNITY

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TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162
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July 3, 2012

Karla S. Petty, Division Administrator
U. S. Department of Transportation
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C 202L, South Mountain Freeway, DCR and EIS Continuing 106 Consultation Traditional Cultural Properties Section 4(f) Determination

Dear Ms. Petty,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received two documents for review from the Federal Highway Administration (FHWA): 1) An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona Submittal Number 6; and 2) *Draft* South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Traditional Cultural Properties and Mitigation of Transportation Corridor Development Adverse Effects Addendum Planning for TCP Mitigation Villa Buena (AZT:12:9[ASM]), Pueblo Del Alamo (AZ T:12:53[ASM]). The report *reevaluates* the National Register eligibility status cultural resources recorded within the 202L during numerous and previous archaeological surveys of the 202 Loop Project Corridor. At issue was the unacceptable, piecemeal evaluation procedures HDR Engineering, Inc. used to evaluate Akimel O’Odham and Pee Posh Traditional Cultural Properties (TCP). The GRIC-THPO maintained that Akimel O’Odham and Pee Posh TCP’s were Register eligible properties under **Criterion A and Criterion D** (as archaeological sites). It now appears that the GRIC-THPO, the FHWA, and the Arizona Department of Transportation (ADOT) have come to a reasonable, sensible agreement concerning the proper Register eligibility evaluations for the cultural resources considered TCP’s in the 202 Loop Project Corridor.

Muhadagi Doag (South Mountain) as a whole is now considered by the FHWA to be a TCP, eligible for inclusion on the National Register under Criteria A and B. The South Mountain has significant associations with broad patterns of traditional cultural practices and beliefs of the Akimel O’Odham and Pee Posh.

Villa Buena (AZ T:12:9[ASM]) is a large prehistoric village named and identified in the Akimel O'Odham creation story. The FHWA acknowledges that O'Odham consciousness and veneration exist today for this site in the form of active association and identification of this place as a religious, historical, and ideological perpetuation of the GRIC's community culture. The FHWA has determined that Villa Buena is a Register eligible TCP under Criterion A and as a Register eligible archaeological site under Criterion D.

Pueblo del Alamo (AZ T:12:52[ASM]) is a large prehistoric village named and identified in the Akimel O'Odham creation story. The FHWA acknowledges that O'Odham consciousness and veneration exist today for this site through the form of active association and identification of this place as a religious, historical, and ideological perpetuation of the GRIC's community culture. The FHWA has determined that Pueblo del Alamo is a Register eligible TCP under Criterion A and as a Register eligible archaeological site under Criterion D.

Jiavul Himdag (AZ T:12:112[ASM]) is an O'Odham shrine which is also part of an archaeological site with prehistoric and historic components. The shrine has historic precedence and is still visited by Community members participating in the traditional O'Odham religion. *Jiavul Himdag* is considered a TCP which is Register eligible under Criterion A and a significant archaeological site under Criterion D.

Site AZ T:12:198(ASM) is a petroglyph panel considered to be a contributing TCP element of *Muhadagi Doag* (South Mountain). In its own right, AZ T:12:198(ASM) represents a petroglyph site which continues to function as a GRIC shrine and spiritual place important to the perpetuation of GRIC's identity and culture. AZ T:12:198(ASM) is considered a Register eligible TCP under Criterion A and a significant archaeological site under Criterion D.

Review the TCP mitigation plan prepared by the GRIC-Cultural Resource Management Plan indicates the Adverse Effects of the FHWA undertaking would be: 1) The loss of physical and spiritual connections through the alteration of the cultural landscape; 2) Loss of Social Memory expressed by GRIC culture, creation stories traditional religious activities at sites, native language, song traditions and shared traditional knowledge; and 3) Direct physical impacts to TCPS which could affect the GRIC through the loss of knowledge vested in these properties. Mitigative efforts would: 1) Allow Traditional religious activities at Villa Buena and Pueblo del Alamo prior to the initiation of construction activities which would address the spiritual needs of the ancestors and living community members preparing them for the impacts to the cultural landscape resulting from the undertaking; 2) Presentations, exhibits and outreach to the GRIC before, during, and after freeway development explaining efforts being made to recognize and alleviate adverse effects to GRIC tradition; 3) Tribal consultation will be on-going and not cease once the environmental and clearance processes are completed. A consultation plan will identify all Tribes with a vested interest in Villa Buena and Pueblo del Alamo and the consultation will be conducted before, during, and after freeway development; and 4) The protection of equivalent site and sacred landscapes will be a priority. The development

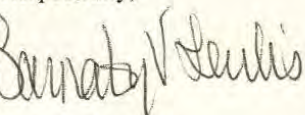
of Management Plan(s) to protect sites from adverse effects in the future with the mitigative goal being site preservation and cultural perpetuation all integrating Tribal/Community involvement. Furthermore the mitigation plan offers Programmatic Solutions which include: 1) Support of sustainable program in Education and Language Preservation including O'Odham and Pee Posh Song Culture; 2) Coordination of sustainable programs through existing GRIC tribal centers of heritage preservation specially the GRIC Hubugum Heritage Center (HHC); 3) Use of the GRIC repository at the HHC for housing all collections, data and information recovered from the mitigation efforts associated with the TCPs; and 4) Organization of exhibits and educational initiatives that result from freeway development.

The GRIC-THPO concurs with all the determinations of Register eligibility for the TCP's and archaeological sites. The GRIC-THPO also accepts the mitigation Treatment Plan and all recommendations put forth in the document. The rewriting of the TCP report has greatly improved the document and we thank you for considering our suggestions for change. The mitigation Treatment Plan has put forth a thoughtful, unique way to mitigate the adverse effects of this undertaking. It too is well written. The GRIC-THPO appreciates the FHWA and ADOT for acknowledging and accepting the GRIC worldview.

The GRIC maintains and reinforces the cultural significance of South Mountain to the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'Odham Nation) together with the Pee Posh (Maricopa). O'Odham oral history and religion defines our life and relationship to the natural world and the cultural landscape. Akimel O'Odham and Pee Posh oral histories, religion, creation stories, ceremonial activities and practices, and the concepts of power and sacred places are inseparably tied to every part of the natural environment. Sacred places and Traditional Cultural Places (TCPs) must be treated with reverence and respect.

The GRIC-THPO looks forward to continuing consultation regarding the proposed 202 Loop. If you have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,



Barnaby V. Lewis
Tribal Historic Preservation Officer
Gila River Indian Community



ARIZONA DIVISION

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July 11, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Reassessment of Dobbins Road Historic Properties

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Recently four historic rural properties along Dobbins Road and 59th Avenue in Laveen were reevaluated by AZTEC Engineering Group, Inc. The results of the reevaluation are presented in *South Mountain Transportation Corridor Study: Evaluation of Four Historic Buildings and Districts, Maricopa County, Arizona* (Solliday 2012), a copy of which is enclosed for your review and comment.

Consulting parties for this reevaluation include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The four historic properties near the Dobbins Road/59th Avenue intersection that were reevaluated include:

- 1) Hudson Farm, 9300 South 59th Avenue
- 2) Hackin Farmstead/Dairy, 10048 South 59th Avenue
- 3) Tyson Farmstead/Barnes Dairy, 6159 West Dobbins Road

- 4) Dobbins Road Streetscape, 6100 block of West Dobbins Road

Hudson Farm

The Hudson Farm, a historic district, was previously determined to be eligible for listing on the National Register of Historic Places (NRHP) under criterion A. The boundaries of the district encompassed nearly 40 acres. Reassessment of the farm and historic farming in the Laveen area determined that the boundaries should encompass nearly 80 acres rather than 40. From the earliest times, the family farms in this area included two quarter-quarter sections, both before the Western Canal irrigated Laveen, and after construction of the canal and the establishment of 40-acre farm units. The original 80-acre farm remains intact, minus rights-of-way for roads and irrigation features.

The cement stove silos at the farm were previously determined to be individually eligible for listing under criterion C. The reassessment agrees with this earlier determination.

Hackin Farmstead/Dairy

As a district, the Hackin Farmstead/Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Tyson Farmstead/Barnes Dairy

As a district, the Tyson Farmstead/Barnes Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Dobbins Road Streetscape

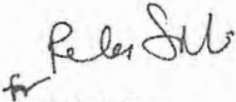
The Dobbins Road Streetscape District was previously determined eligible for listing on the NRHP under criteria A and D. The reevaluation has found that the district is ineligible. There are several characteristics of the Dobbins Road Streetscape that impact the integrity of the resource as a rural agricultural streetscape. Historic rural landscapes often include miles of roadway and surrounding agricultural properties. The 325 feet of roadway along Dobbins Road is of inadequate length to truly convey the rural agricultural character that once dominated this area. In addition, there are modern intrusions easily visible from the streetscape. At the west end there is a prominent 1977 house on the north side of the road and a mobile home on the south side of the road that was moved onto the site about 1970. A recently constructed subdivision of two-story houses is located just over a quarter-mile east of the streetscape, and is clearly visible from within the streetscape boundaries. Additionally, many components of the historic streetscape have lost their historic character, as detailed in the enclosed report. Therefore, FHWA recommends that this district is ineligible for listing on the NRHP.

Following is a summary of the reevaluation:

Inventory No.	Tax Parcel No.	Property Name and Address	Date	Primary Criterion
Eligible Historic Districts				
1	300 02 038 300 02 037A	Hudson Farm 9300 S. 59 th Avenue	ca. 1926	A
Individually Eligible Historic Buildings				
1.03	300 02 038	Hudson Farm - Cement Stave Silos 9300 S. 59 th Avenue	1949	C
2.03	300 02 033	Hackin Farmstead/Dairy – Dairy Flat Barn 10048 S. 59 th Avenue	1952	C
3.02	300 02 041	Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn 6159 W. Dobbins Road	1951	C
Ineligible Historic Districts				
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3	300 02 041	Tyson Farmstead/Barnes Dairy 6159 W. Dobbins Road	1930	N/A
4	300 02 041, 300 02 021J	Dobbins Streetscape 6100 Block W. Dobbins Road	1930	N/A

Please review the information provided in this letter, the attached project location map, and enclosed report. If you find the report adequate and agree with FHWA’s revised recommendation of eligibility, please indicate your concurrence by signing below. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail LDavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosures

This letter was also sent to:

Mr. Steve Ross, Achaeologist, Arizona State Land Department

Mr. Dave Gifford, Archaeologist, Bureau of Reclamation

Ms. Cheryl Blanchard, Archaeologist, Bureau of Land Management

Ms. Laurene Montero, Archaeologist, City of Phoenix

Ms. Michelle Dodds, Historic Preservation Office, City of Phoenix

Mr. Richard Anduze, Archaeologist, Salt River Project



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

July 11, 2012

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JUL 12 2012

Environmental Services
Environmental Compliance

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Reassessment of Historic Properties

Mr. Richard Anduze
Salt River Project
PO Box 52025, Mail Sta PAB355
Phoenix, Arizona 85072-2025

Dear Mr. Anduze:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Recently four historic rural properties along Dobbins Road and 59th Avenue in Laveen were reevaluated by AZTEC Engineering Group, Inc. The results of the reevaluation are presented in *South Mountain Transportation Corridor Study: Evaluation of Four Historic Buildings and Districts, Maricopa County, Arizona* (Solliday 2012), a copy of which is enclosed for your review and comment.

Consulting parties for this reevaluation include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The four historic properties near the Dobbins Road/59th Avenue intersection that were reevaluated include:

- 1) Hudson Farm, 9300 South 59th Avenue
- 2) Hackin Farmstead/Dairy, 10048 South 59th Avenue
- 3) Tyson Farmstead/Barnes Dairy, 6159 West Dobbins Road

- 4) Dobbins Road Streetscape, 6100 block of West Dobbins Road

Hudson Farm

The Hudson Farm, a historic district, was previously determined to be eligible for listing on the National Register of Historic Places (NRHP) under criterion A. The boundaries of the district encompassed nearly 40 acres. Reassessment of the farm and historic farming in the Laveen area determined that the boundaries should encompass nearly 80 acres rather than 40. From the earliest times, the family farms in this area included two quarter-quarter sections, both before the Western Canal irrigated Laveen, and after construction of the canal and the establishment of 40-acre farm units. The original 80-acre farm remains intact, minus rights-of-way for roads and irrigation features.

The cement stave silos at the farm were previously determined to be individually eligible for listing under criterion C. The reassessment agrees with this earlier determination.

Hackin Farmstead/Dairy

As a district, the Hackin Farmstead/Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Tyson Farmstead/Barnes Dairy

As a district, the Tyson Farmstead/Barnes Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Dobbins Road Streetscape

The Dobbins Road Streetscape District was previously determined eligible for listing on the NRHP under criteria A and D. The reevaluation has found that the district is ineligible. There are several characteristics of the Dobbins Road Streetscape that impact the integrity of the resource as a rural agricultural streetscape. Historic rural landscapes often include miles of roadway and surrounding agricultural properties. The 325 feet of roadway along Dobbins Road is of inadequate length to truly convey the rural agricultural character that once dominated this area. In addition, there are modern intrusions easily visible from the streetscape. At the west end there is a prominent 1977 house on the north side of the road and a mobile home on the south side of the road that was moved onto the site about 1970. A recently constructed subdivision of two-story houses is located just over a quarter-mile east of the streetscape, and is clearly visible from within the streetscape boundaries. Additionally, many components of the historic streetscape have lost their historic character, as detailed in the enclosed report. Therefore, FHWA recommends that this district is ineligible for listing on the NRHP.

Following is a summary of the reevaluation:

Inventory No.	Tax Parcel No.	Property Name and Address	Date	Primary Criterion
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3	300 02 041	Tyson Farmstead/Barnes Dairy 6159 W. Dobbins Road	1930	N/A
4	300 02 041, 300 02 021J	Dobbins Streetscape 6100 Block W. Dobbins Road	1930	N/A

Please review the information provided in this letter, the attached project location map, and enclosed report. If you find the report adequate and agree with FHWA's revised recommendation of eligibility, please indicate your concurrence by signing below. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail LDavis2@azdot.gov.

Sincerely yours,

Karla S. Petty

Karla S. Petty
Division Administrator

Richard A. Petty
Signature for SRP Concurrence
NH-202-D(ADY)

13 July 2012
Date

Enclosures



U.S. Department
of Transportation
Federal Highway
Administration

SHPO-2003-1890 (106135)
ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

July 11, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Reassessment of Dobbins Road Historic Properties

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

JUL 13 2012

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Recently four historic rural properties along Dobbins Road and 59th Avenue in Laveen were reevaluated by AZTEC Engineering Group, Inc. The results of the reevaluation are presented in *South Mountain Transportation Corridor Study: Evaluation of Four Historic Buildings and Districts, Maricopa County, Arizona* (Solliday 2012), a copy of which is enclosed for your review and comment.

Consulting parties for this reevaluation include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The four historic properties near the Dobbins Road/59th Avenue intersection that were reevaluated include:

- 1) Hudson Farm, 9300 South 59th Avenue
- 2) Hackin Farmstead/Dairy, 10048 South 59th Avenue
- 3) Tyson Farmstead/Barnes Dairy, 6159 West Dobbins Road

4) Dobbins Road Streetscape, 6100 block of West Dobbins Road

Hudson Farm

The Hudson Farm, a historic district, was previously determined to be eligible for listing on the National Register of Historic Places (NRHP) under criterion A. The boundaries of the district encompassed nearly 40 acres. Reassessment of the farm and historic farming in the Laveen area determined that the boundaries should encompass nearly 80 acres rather than 40. From the earliest times, the family farms in this area included two quarter-quarter sections, both before the Western Canal irrigated Laveen, and after construction of the canal and the establishment of 40-acre farm units. The original 80-acre farm remains intact, minus rights-of-way for roads and irrigation features.

The cement stave silos at the farm were previously determined to be individually eligible for listing under criterion C. The reassessment agrees with this earlier determination.

Hackin Farmstead/Dairy

As a district, the Hackin Farmstead/Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Tyson Farmstead/Barnes Dairy

As a district, the Tyson Farmstead/Barnes Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Dobbins Road Streetscape


The Dobbins Road Streetscape District was previously determined eligible for listing on the NRHP under criteria A and D. The reevaluation has found that the district is ineligible. There are several characteristics of the Dobbins Road Streetscape that impact the integrity of the resource as a rural agricultural streetscape. Historic rural landscapes often include miles of roadway and surrounding agricultural properties. The 325 feet of roadway along Dobbins Road is of inadequate length to truly convey the rural agricultural character that once dominated this area. In addition, there are modern intrusions easily visible from the streetscape. At the west end there is a prominent 1977 house on the north side of the road and a mobile home on the south side of the road that was moved onto the site about 1970. A recently constructed subdivision of two-story houses is located just over a quarter-mile east of the streetscape, and is clearly visible from within the streetscape boundaries. Additionally, many components of the historic streetscape have lost their historic character, as detailed in the enclosed report. Therefore, FHWA recommends that this district is ineligible for listing on the NRHP.

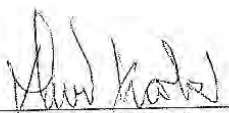
Following is a summary of the reevaluation:

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2	300 02 033	Hackin Farmstead/Dairy 10048 S. 59 th Avenue	1930	N/A
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Please review the information provided in this letter, the attached project location map, and enclosed report. If you find the report adequate and agree with FHWA's revised recommendation of eligibility, please indicate your concurrence by signing below. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail L.Davis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator


Signature for SHPO Concurrence
NH-202-D(ADY)

16 JULY 12
Date

Enclosures

cc: Linda Davis, ADY



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
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July 11, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L, South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Reassessment of Historic Properties

Ms. Laurene Montero
Pueblo Grande Museum
4619 East Washington
Phoenix, Arizona 85034

Dear Ms. Montero:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

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Consulting parties for this reevaluation include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The four historic properties near the Dobbins Road/59th Avenue intersection that were reevaluated include:

- 1) Hudson Farm, 9300 South 59th Avenue
- 2) Hackin Farmstead/Dairy, 10048 South 59th Avenue

2

- 3) Tyson Farmstead/Barnes Dairy, 6159 West Dobbins Road
- 4) Dobbins Road Streetscape, 6100 block of West Dobbins Road

Hudson Farm

The Hudson Farm, a historic district, was previously determined to be eligible for listing on the National Register of Historic Places (NRHP) under criterion A. The boundaries of the district encompassed nearly 40 acres. Reassessment of the farm and historic farming in the Laveen area determined that the boundaries should encompass nearly 80 acres rather than 40. From the earliest times, the family farms in this area included two quarter-quarter sections, both before the Western Canal irrigated Laveen, and after construction of the canal and the establishment of 40-acre farm units. The original 80-acre farm remains intact, minus rights-of-way for roads and irrigation features.

The cement stave silos at the farm were previously determined to be individually eligible for listing under criterion C. The reassessment agrees with this earlier determination.

Hackin Farmstead/Dairy

As a district, the Hackin Farmstead/Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

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Dobbins Road Streetscape

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Inventory No.	Tax Parcel No.	Property Name and Address	Date	Primary Criterion
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Sincerely yours,



Karla S. Petty
Division Administrator


Signature for COP-PGM Concurrence
NH-202-D(ADY)
Date

Enclosures



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
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July 11, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Reassessment of Historic Properties

Ms. Michelle Dodds
CLG Contact, Historic Preservation Office
200 West Washington, 3rd Floor
Phoenix, Arizona 85003

Dear Ms. Dodds:

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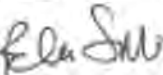
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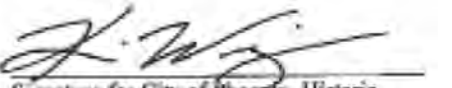
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Sincerely yours,



Karla S. Petty
Division Administrator

JUL 20 2012




Signature for City of Phoenix, Historic
Preservation Office Concurrence
NH-202-D(ADY) *Kevin Wright, Planner III*

7/18/12
Date

Enclosures

cc:
Jodey Elsner, Historian, COP Historic Preservation Office 200 W. Washington Street, 3rd floor
Phoenix, Ariz 85003 (with enclosures)



U.S. Department
of Transportation
**Federal Highway
Administration**

PHOENIX AREA OFFICE

ACTION BY:
RECEIVED
JUL 12 '12

ARIZONA DIVISION

DATE | SURNAME | ROUTE TO

CLASSIFICATION

CONTROL NO

PROJECT

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
(602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

July 11, 2012

In Reply Refer To:
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NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Reassessment of Historic Properties

Mr. Dave Gifford
Bureau of Reclamation
6150 West Thunderbird Road
Glendale, Arizona 85306-4001

Dear Mr. Gifford:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Recently four historic rural properties along Dobbins Road and 59th Avenue in Laveen were reevaluated by AZTEC Engineering Group, Inc. The results of the reevaluation are presented in *South Mountain Transportation Corridor Study: Evaluation of Four Historic Buildings and Districts, Maricopa County, Arizona* (Solliday 2012), a copy of which is enclosed for your review and comment.

Consulting parties for this reevaluation include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The four historic properties near the Dobbins Road/59th Avenue intersection that were reevaluated include:

- 1) Hudson Farm, 9300 South 59th Avenue
- 2) Hackin Farmstead/Dairy, 10048 South 59th Avenue
- 3) Tyson Farmstead/Barnes Dairy, 6159 West Dobbins Road

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4) Dobbins Road Streetscape, 6100 block of West Dobbins Road

Hudson Farm

The Hudson Farm, a historic district, was previously determined to be eligible for listing on the National Register of Historic Places (NRHP) under criterion A. The boundaries of the district encompassed nearly 40 acres. Reassessment of the farm and historic farming in the Laveen area determined that the boundaries should encompass nearly 80 acres rather than 40. From the earliest times, the family farms in this area included two quarter-quarter sections, both before the Western Canal irrigated Laveen, and after construction of the canal and the establishment of 40-acre farm units. The original 80-acre farm remains intact, minus rights-of-way for roads and irrigation features.

The cement stave silos at the farm were previously determined to be individually eligible for listing under criterion C. The reassessment agrees with this earlier determination.

Hackin Farmstead/Dairy

As a district, the Hackin Farmstead/Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Tyson Farmstead/Barnes Dairy

As a district, the Tyson Farmstead/Barnes Dairy was previously determined ineligible for listing on the NRHP. However, the dairy barn on the property was found eligible under criterion C. No changes are recommended for these previous determinations.

Dobbins Road Streetscape

The Dobbins Road Streetscape District was previously determined eligible for listing on the NRHP under criteria A and D. The reevaluation has found that the district is ineligible. There are several characteristics of the Dobbins Road Streetscape that impact the integrity of the resource as a rural agricultural streetscape. Historic rural landscapes often include miles of roadway and surrounding agricultural properties. The 325 feet of roadway along Dobbins Road is of inadequate length to truly convey the rural agricultural character that once dominated this area. In addition, there are modern intrusions easily visible from the streetscape. At the west end there is a prominent 1977 house on the north side of the road and a mobile home on the south side of the road that was moved onto the site about 1970. A recently constructed subdivision of two-story houses is located just over a quarter-mile east of the streetscape, and is clearly visible from within the streetscape boundaries. Additionally, many components of the historic streetscape have lost their historic character, as detailed in the enclosed report. Therefore, FHWA recommends that this district is ineligible for listing on the NRHP.

Following is a summary of the reevaluation:

Inventory No.	Tax Parcel No.	Property Name and Address	Date	Primary Criterion
Eligible Historic Districts				
1	300 02 038 300 02 037A	Hudson Farm 9300 S. 59 th Avenue	ca. 1926	A

Individually Eligible Historic Buildings				
1.03	300 02 038	Hudson Farm - Cement Stave Silos 9300 S. 59 th Avenue	1949	C
2.03	300 02 033	Hackin Farmstead/Dairy – Dairy Flat Barn 10048 S. 59 th Avenue	1952	C
3.02	300 02 041	Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn 6159 W. Dobbins Road	1951	C
Ineligible Historic Districts				
2	300 02 033	Hackin Farmstead/Dairy 10048 S. 59 th Avenue	1930	N/A
3	300 02 041	Tyson Farmstead/Barnes Dairy 6159 W. Dobbins Road	1930	N/A
4	300 02 041, 300 02 021J	Dobbins Streetscape 6100 Block W. Dobbins Road	1930	N/A

Please review the information provided in this letter, the attached project location map, and enclosed report. If you find the report adequate and agree with FHWA's revised recommendation of eligibility, please indicate your concurrence by signing below. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail L.Davis2@azdot.gov.

Sincerely yours,



for
Karla S. Petty
Division Administrator

Signature for Reclamation Concurrence
NH-202-D(ADY) *Alexander Smith*

2/25/12
Date

Enclosures

This letter was also sent to:

Mr. Steve Ross , Archaeologist, Arizona State Land Department
Dr. Beth Grindell, Director, Arizona State Museum
Ms. Sallie D. McGuire, Chief Arizona Section, U.S. Army Corps of Engineers
Ms. Cheryl Blanchard, Archaeologist, Bureau of Land Management
Mr. Garry Cantley, Western Regional Archaeologist, Bureau of Indian Affairs
Mr. Bryan M. Lausten, Archaeologist, Bureau of Reclamation
Mr. John Holt, Environmental Manager, Western Area Power Administration
Mr. Richard A. Anduze, Archaeologist, Salt River Project
Mr. Hugh Davidson, Environmental Program Manager, Maricopa County Department of Transportation
Mr. Larry Hendershot, Property Manager, Flood Control District of Maricopa County
Mr. Charlie McClendon, City Manager, City of Avondale
Mr. Rich Dlugas, City Manager, City of Chandler
Mr. Jon M. Froke, Historic Preservation Officer, City of Glendale
Ms. Laurene Montero, Archaeologist, City of Phoenix
Ms. Michelle Dodds, Historic Preservation Office, City of Phoenix
Mr. Reyes Medrano, Jr., City Manager, City of Tolleson

Mr. Louis Manuel, Jr., Chairman, Ak-Chin Indian Community
Mr. Charles Wood, Chairman, Chemehuevi Indian Tribe
Ms. Sherry Cordova, Chairwoman, Cocopah Indian Tribe
Mr. Eldred Enas, Chairman, Colorado River Indian Tribes
Dr. Clinton Pattea, President, Fort McDowell Yavapai Nation
Mr. Timothy Williams, Chairman, Fort Mojave Indian Tribe
Mr. Keeny Escalanti, President, Fort Yuma-Quechan Tribe
Mr. Gregory Mendoza, Governor, Gila River Indian Community
Mr. Don E. Watahomigie, Chairman, Havasupai Tribe
Mr. Leigh Kuwanwisiwma, Director, Cultural Preservation Office, Hopi Tribe
Ms. Louise Benson, Chairwoman, Hualapai Tribe
Mr. Manual Savala, Chairman, Kaibab Band of Paiute Indians
Dr. Alan Downer, Tribal Historic Preservation Officer, Navajo Nation
Mr. Peter Yucupicio, Chairman, Pascua Yaqui Tribe
Mr. Arlen Quetawki Sr., Governor, Pueblo of Zuni
Ms. Diane Enos, President, Salt River Pima-Maricopa Indian Community
Mr. Terry Rambler, Chairman, San Carlos Apache Nation
Ms. May Preston, President , San Juan Southern Paiute
Mr. Peter Steere, Tribal Historic Preservation Officer, Tohono O'odham Nation
Mr. Joe Joaquin, Cultural Affairs Office, Tohono O'odham Nation
Ms. Louise Lopez, Chairwomen, Tonto Apache Tribe
Mr. Ronnie Lupe, Chairman, White Mountain Apache Tribe
Mr. David Kwait, President, Yavapai-Apache Nation



ARIZONA DIVISION

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Phone: (602) 379-3646
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<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Jon M. Froke, AICP, Historic Preservation Officer
City of Glendale
5850 West Glendale Avenue #212
Glendale, Arizona 85301

Dear Mr. Froke:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the

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Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue. The alignment for the proposed Chandler Boulevard Extension follows an existing City of Phoenix water line. The surrounding area is undeveloped.

The proposed Chandler Boulevard Extension is located in Section 36 of Township 1 South and Range 2 East. The land in Section 36 north of the existing City of Phoenix water line is owned by the City of Phoenix. The land in Section 36 south of the water line is administered by ASLD.

The area of potential effects (APE) for the Chandler Boulevard Extension is defined primarily by the proposed construction footprint which includes a 200-foot-wide east-west corridor that extends for 6,230 feet between 19th Avenue and 27th Avenue and short segments at the east and west end where the corridor is 400 feet wide. The footprint also includes a 120-foot-wide north-south corridor that extends for 1,180 feet from the western end of the Chandler Boulevard alignment to the current alignment of Pecos Road. A map of the APE is enclosed to assist you in your review.

In 1989, Archaeological Consulting Service, Ltd. (ACS), surveyed the APE in its entirety (Adams 1989). The results were reported in *An Archaeological Assessment of the Proposed South Mountain State Planning Permit Project for Burns International, Inc.* (Adams 1989). No sites were identified.

In 2000, Logan Simpson Design (LSD) performed an archaeological survey for a City of Phoenix water line which covered a 20-m-wide corridor along the centerline of the Chandler Boulevard Extension. The results are reported in *A Class I Inventory and A Class III Cultural Resources Survey for the City of Phoenix Waterline Route Around the Western and Southern Edges of South Mountain Park, Maricopa County, Arizona* (Shaw 2000). LSD recorded one site in the APE. Site AZ T:12:111 (ASM) is a historic mining site that include four features: a collapsed rock ring, a prospecting pit, a tailings pile, and a cleared area. The site was recommended as not eligible for inclusion in the National Register of Historic Places (NRHP).

In 2008, Desert Archaeology, Inc. (Desert) performed a Class III survey that covered the portion of the APE north of the centerline. The results are reported in *Cultural Resources Survey of 237 Acres Within the 620 Property, South of South Mountain Park, Phoenix, Arizona* (Darby and Bagwell 2008). Desert identified two sites near the proposed construction footprint for the Chandler Extension, AZ T:12:286 (ASM) and AZ T:12:287 (ASM). Because of their proximity to the construction footprint, the sites were included in the APE for the consideration of indirect effects, such as alterations to visual setting and the potential for vandalism as a result of increased access provided by the new roadway.

Site AZ T:12:286 (ASM) is a possible prehistoric agricultural site consisting of a set of rock clusters/piles. Desert recommended that the site was eligible for inclusion in the NRHP under Criterion D for its potential to yield information about prehistoric land use practices at the margins of the middle Gila River Valley.

Site AZ T:12:287 (ASM) consists of two rock features, one with a petroglyph on a portable stone at the center. The petroglyph is etched on to the stone, not pecked. The site lacks diagnostic artifacts and the age of the features is uncertain; the possibility exists that they are of modern origin. Given that the temporal context of AZ T:12:287 (ASM) was unknown, and that additional investigations of the features was unlikely to uncover this information, Desert could not establish a relevant historic context for the site, and therefore recommended that it was not eligible for inclusion in the NRHP. Desert also recommended that this type of site could represent a contemporary O'odham shrine. As discussed in the report, a meeting took place on August 28, 2008 between representatives from GRIC's Cultural Resources Management Program (CRMP) and the City of Phoenix archaeologist to discuss the site. The CRMP representatives agreed it was probably a historic O'odham shrine.

Because the initial survey of the Chandler Boulevard Extension had been performed in 1989, and previously undocumented sites had been recorded in the area by more recent surveys, ADOT requested that HDR Engineering, Inc. (HDR) perform a new Class III survey of the APE. The results are reported in *A Class III Cultural Resources Survey for the Chandler Boulevard Extension, 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). No new sites were identified. The survey confirmed that AZ T:12:111 (ASM) had been obliterated by the City of Phoenix water line project. The survey also documented the condition of sites AZ T:12:286 (ASM) and AZ T:12:287 (ASM).

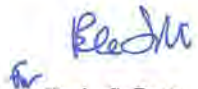
Site AZ T:12:286 (ASM) was found as described by Desert in 2008, in good condition, and with no new disturbances. FHWA recommends that the site is eligible for inclusion in the NRHP under Criterion D for its potential to contribute information on prehistoric agricultural practices.

The condition of site AZ T:12:287 (ASM) has changed since its 2008 recording. The petroglyph rock has been turned upside down so that the glyph is face down and the top is painted with graffiti. Also, some of the rocks in the outer circle had been shifted. The surrounding area has also been disturbed by off-road vehicles. Because the site could not be placed within a definable temporal context, FHWA recommends that AZ T:12:287 (ASM) is not eligible for inclusion in the NRHP as an archaeological site. Furthermore, FHWA recommends continuing consultation with the GRIC's Tribal Historic Preservation Office to confirm its status as a potential traditional cultural property and regarding its management. Because sites AZ T:12:286 (ASM) and AZ T:12:287 (ASM) are not located within the construction footprint of the Chandler Boulevard Extension and therefore can be avoided, neither site would be directly impacted. Furthermore, the construction of the Chandler Boulevard Extension would not increase the potential for significant indirect effects because they are already easily accessible given their location near existing roads, hiking trails, and residential development.

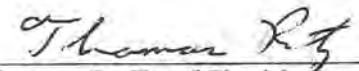
Based on the above, FHWA has determined that a finding of "no adverse effect" is appropriate for this undertaking. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and FHWA's recommendations of NRHP eligibility

and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

AUG 16 2012


Signature for City of Glendale Concurrence
NH-202-D(ADY)

8/13/12
Date

Enclosures

From: [Gifford, David J](#)
To: [Linda Davis](#)
Subject: 202L S Mountain DCR and EIS, Chandler BLVD Extension
Date: Monday, August 13, 2012 10:18:06 AM
Attachments: 202L, South Mountain, DCR and EIS.pdf

Linda,

Reclamation does not appear to have any agency lands or interests in this part of the project area. Per our internal direction, we do not sign concurrence letters when we have no project lands affected. However, feel free to use this email as documentation that we have received and responded to your letter.

Have a good one.

Dave

Dave Gifford
Archaeologist
Bureau of Reclamation
6150 W. Thunderbird Road
Glendale AZ 85306
623 773-6262

U.S. Department of Transportation
Federal Highway Administration

PHOENIX AREA OFFICE

RECEIVED: AUG 10 '12

DATE	SURNAME	ROUTE TO
		1500

CLASSIFICATION
CONTROL NO.
PROJECT

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Bryan M. Lausten, Archaeologist
Phoenix Area Office
Bureau of Reclamation
6150 West Thunderbird Road
Glendale, Arizona 85306-4001

Dear Mr. Lausten:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation (Reclamation), the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache

Janice K. Brewer
Governor

Bryan Martyn
Executive Director



Board Members

Walter D. Armer, Jr., Vail, *Chair*
Maria Baier, State Land Commissioner, *Vice Chair*
Kay Daggett, Sierra Vista
Alan Everett, Sedona
Larry Landry, Phoenix
William C. Scalzo, Phoenix
Tracey Westerhausen, Phoenix

August 13, 2012

Karla Petty, Arizona Division Administrator
Federal Highway Administration, U.S Department of Transportation
4000 North Central Avenue, Suite 1500
Phoenix, AZ 85012-3500

Attention: Rebecca Swiecki

RE: NH-202-D(ADY), TRACS #202L MA H5764 01C
SR 202L, South Mountain Freeway
AZ T:12:287 Site Eligibility
Continuing Section 106 Consultation
SHPO-2003-1890 (106850)

Ms. Petty:

Thank you for consulting with the Arizona State Historic Preservation Office [SHPO] pursuant to the National Historic Preservation Act as implemented by 36 CFR Part 800 regarding the proposed construction of an extension of Chandler Boulevard between 19th Avenue and 27th Avenue in the City of Phoenix, Maricopa County, Arizona. A cultural resources survey was submitted with several archaeological sites identified within or next to the proposed project area, and recommendations of the eligibility status of the sites and a finding of effect were offered. We have reviewed the submitted materials and offer the following comments.

The submitted cultural resource assessment [A Class III Cultural Resources Survey for the Chandler Boulevard Extension, 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona] and several assessments of the project area conducted earlier have identified site AZ T:12:287 (ASM), located just outside the proposed project area. The eligibility of site AZ T:12:287 (ASM) has been recommended to be not eligible for inclusion in the National Register of Historic Places [NRHP] under Criterion D. Although not recommended as register-eligible, there have been earlier consultations in 2008 with the Gila River Indian Community [GRIC] by the Arizona State Land Department and the City of Phoenix that indicate the site in question may have significance as an O'odham shrine. Indeed, your cover letter recommends continuing consultation with GRIC's Tribal Historic Office to confirm its status. When that tribal consultation process is completed, and the status of the eligibility of site AZ T:12:287 (ASM) is determined, our office will then be prepared to comment upon the eligibility of the sites and an appropriate finding of effect.


PAGE 2

Our office appreciates your continued cooperation in complying with federal historic preservation requirements. If you have any questions or concerns, please feel free to contact me at 602/542-7140 or e-mail me at djacobs@azstateparks.gov.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
Arizona State Historic Preservation Office

CC: Barnaby Lewis, GRIC
Linda Davis, ADOT
Laurene Montero, City of Phoenix



U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

12 AUG 9 20 AM Land Dept.

RECEIVED
AUG 10 2012
ER & T SECTION

Mr. Steve Ross, Archaeologist
Arizona State Land Department
1616 West Adams
Phoenix, Arizona 85007

Dear Mr. Ross:

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Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the

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The area of potential effects (APE) for the Chandler Boulevard Extension is defined primarily by the proposed construction footprint which includes a 200-foot-wide east-west corridor that extends for 6,230 feet between 19th Avenue and 27th Avenue and short segments at the east and west end where the corridor is 400 feet wide. The footprint also includes a 120-foot-wide north-south corridor that extends for 1,180 feet from the western end of the Chandler Boulevard alignment to the current alignment of Pecos Road. A map of the APE is enclosed to assist you in your review.

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3

Site AZ T:12:286 (ASM) is a possible prehistoric agricultural site consisting of a set of rock clusters/piles. Desert recommended that the site was eligible for inclusion in the NRHP under Criterion D for its potential to yield information about prehistoric land use practices at the margins of the middle Gila River Valley.

Site AZ T:12:287 (ASM) consists of two rock features, one with a petroglyph on a portable stone at the center. The petroglyph is etched on to the stone, not pecked. The site lacks diagnostic artifacts and the age of the features is uncertain; the possibility exists that they are of modern origin. Given that the temporal context of AZ T:12:287 (ASM) was unknown, and that additional investigations of the features was unlikely to uncover this information, Desert could not establish a relevant historic context for the site, and therefore recommended that it was not eligible for inclusion in the NRHP. Desert also recommended that this type of site could represent a contemporary O'odham shrine. As discussed in the report, a meeting took place on August 28, 2008 between representatives from GRIC's Cultural Resources Management Program (CRMP) and the City of Phoenix archaeologist to discuss the site. The CRMP representatives agreed it was probably a historic O'odham shrine.

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Site AZ T:12:286 (ASM) was found as described by Desert in 2008, in good condition, and with no new disturbances. FHWA recommends that the site is eligible for inclusion in the NRHP under Criterion D for its potential to contribute information on prehistoric agricultural practices.

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4

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Sincerely yours,

Karla S. Petty
for Karla S. Petty
Division Administrator

[Signature]
Signature for ASLD Concurrence
NH-202-D(ADY)

8/14/2012
Date

Enclosures

cc:
Rueben Ojeda, Arizona State Land Department, Manager, Right-of-way Section, 1616 W. Adams, Phoenix, AZ 85007

- Although ASLD concurs with FHWA's determination of effect at this time, ASLD will review and comment on HDR's Report in consultation with SHPO once ADOT has filed a Right-of-Way Application.
- Furthermore, ADOT should have filed a Right-of-Way entry to allow a Cultural Resources inspection on state trust land. ~~As a~~ Technically HDR was in trespass as they survey the proposed alignment. *State*



ARIZONA DIVISION

August 8, 2012



4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Leigh Kuwanwisiwma, Director
Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

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Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab Band of Paiute Indians, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue. The alignment for the proposed Chandler Boulevard Extension follows an existing City of Phoenix water line. The surrounding area is undeveloped.

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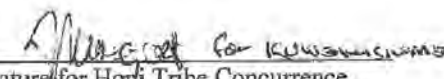
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Sincerely yours,


for Karla S. Petty
Division Administrator

AUG 17 2011


Signature for Hopi Tribe Concurrence
NH-202-D(ADY)

8-14-12
Date

Enclosure



Salt River
PIMA-MARICOPA INDIAN COMMUNITY
10,005 EAST OSBORN ROAD/SCOTTSDALE, ARIZONA 85256/ PHONE (480) 362-6337

Cultural Preservation Program

August 14, 2012

Karla S. Petty, Division Administer
U.S. Department of Transportation
Federal Highway Administration
4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500

RE: 202L, South Mountain Freeway, DCR and EIS Continuing Section 106 Consultation Chandler Boulevard Extension NH-202-D(ADY) HOP-AZ, the project would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix.

Dear Karla S. Petty:

This correspondence is in reference to 202L, South Mountain Freeway, DCR and EIS Continuing Section 106 Consultation Chandler Boulevard Extension NH-202-D(ADY) HOP-AZ. This site, the location would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix, is subject to Section 106 of the National Historic Preservation Act (Section 106). The Salt River Pima-Maricopa Indian Community (SRP-MIC) is in receipt of your consultation request and appreciates the opportunity to comment on this project. The location of this project area is within the adjudicated ancestral claims area of the Four Southern Tribes of Arizona (SRP-MIC, Gila River Indian Community, Ak-Chin Indian Community and the Tohono O'odham Nation).

The Four Southern Tribes of Arizona (Four Tribes) have an existing consultation management agreement to address consultation within the adjudicated ancestral claims area that divides the area into four geographic regions where one of the Four Tribes takes the lead and provides all Section 106 consultation (and all other federal, state, or local statutes as necessary) for specific areas on behalf of all of the Four Southern Tribes of Arizona. The Four Tribes in consensus agreed that the Gila River Indian Community will take the lead in providing comments in for this project.

Thank you for your time and consideration in this matter. Please contact me at (480-362-6337) or email jacob.butler@srpmic-nsn.gov with additional questions or comments in regard to this or any other cultural resource issue in behalf of the Salt River Pima-Maricopa Indian Community.

Sincerely,

Jacob Butler
Cultural Resource Specialist
SRP-MIC



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 HS764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Ms. Louise Lopez, Chairperson
Tonto Apache Tribe
Tonto Apache Reservation #30
Payson, Arizona 85541

Dear Chairperson Lopez:

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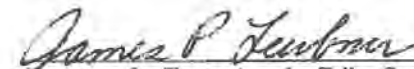
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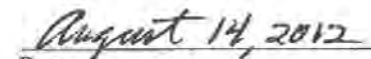
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 for Karla S. Petty
 Division Administrator

AUG 16 2012


 Signature for Tonto Apache Tribe Concurrence
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 Enclosures


 Date



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Mr. Ronnie Lupe, Chairman
 White Mountain Apache Tribe
 P.O. Box 1150
 Whiteriver, Arizona 85941

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Based on the above, FHWA has determined that a finding of “no adverse effect” is appropriate for this undertaking. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and FHWA’s recommendations of NRHP eligibility and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for White Mountain Apache Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Mark Altaha, Tribal Historic Preservation Officer, Historic Preservation Office, P.O Box 507, Fort Apache, AZ 85926 (with enclosures)
Ramon Riley, Cultural Resource Director, Historic Preservation Office, P.O Box 507, Fort Apache, AZ 85926



White Mountain Apache Tribe
Office of Historic Preservation
PO Box 507
Fort Apache, AZ 85926
Ph: (928) 338-3033 Fax: (928) 338-6055

To: Linda Davis, ADOT Historic Preservation Specialist
Date: August 17, 2012
Prj: NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C 202L South Mountain Freeway

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the proposed project, August 8, 2012 . In regards to this, please attend to the following checked items below.

► *There is no need to send additional information unless project planning or implementation results in the discovery of sites and/or items having known or suspected Apache Cultural affiliation.*

N/A - The proposed project is located within an area of probable cultural or historical importance to the White Mountain Apache tribe (WMAT). As part of the effort to identify historical properties that maybe affected by the project we recommend an ethno-historic study and interviews with Apache Elders. The tribe's *Cultural Heritage Resource Director Mr. Ramon Riley* may be contacted at (928) 338-3033 for further information should this become necessary.

► Please refer to the attached additional notes in regards to the proposed project:

We have received and reviewed the information regarding FHWA/ADOT proposed continued studies in support of the Environmental Impact Statement for 202L, South Mountain Freeway, EIS/Design Concept Report project which would extend around the southern side of South Mountain from Interstate 10 in west Chandler to I-10 west Phoenix, and we have determined the proposed action/plans **will not have an adverse effect** on the White Mountain Apache tribe's (WMAT) historic properties and/or traditional cultural resources. We propose any/all ground disturbing activities be monitored **if** there are reasons to believe that there are human remains and/or funerary objects are present, and if such remains and/or objects are encountered all project activities should cease and the proper authorities and/or **affiliated tribe(s)** be notified to evaluate the situation.

Thank you. We look forward to continued collaborations in the protection and preservation of place of cultural and historical significance.

Sincerely,
Mark T. Altaha
White Mountain Apache Tribe
Historic Preservation Office



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Larry Hendershot, Property Manager
Flood Control District of Maricopa County
2801 West Durango Street
Phoenix, Arizona 85009

Dear Mr. Hendershot:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County (FCDMC), the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern

2

Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue. The alignment for the proposed Chandler Boulevard Extension follows an existing City of Phoenix water line. The surrounding area is undeveloped.

The proposed Chandler Boulevard Extension is located in **Section 36 of Township 1 South and Range 2 East**. The land in Section 36 north of the existing City of Phoenix water line is owned by the City of Phoenix. The land in Section 36 south of the water line is administered by ASLD.

The area of potential effects (APE) for the Chandler Boulevard Extension is defined primarily by the proposed construction footprint which includes a 200-foot-wide east-west corridor that extends for 6,230 feet between 19th Avenue and 27th Avenue and short segments at the east and west end where the corridor is 400 feet wide. The footprint also includes a 120-foot-wide north-south corridor that extends for 1,180 feet from the western end of the Chandler Boulevard alignment to the current alignment of Pecos Road. A map of the APE is enclosed to assist you in your review.

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Sincerely yours,



Karla S. Petty
Division Administrator



Signature for FCDMC Concurrence
NH-202-D(ADY)

8-20-2012

Date

Enclosures



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2012



In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Dr. Clinton Pattea, President
Fort McDowell Yavapai Nation
P.O. Box 17779
Fountain Hills, Arizona 85269

Dear President Pattea:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab Band of Paiute Indians, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue. The alignment for the proposed Chandler Boulevard Extension follows an existing City of Phoenix water line. The surrounding area is undeveloped.

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FHWA is inquiring whether you have any concerns regarding historic properties of traditional, religious, cultural, or historical importance to your community within the project area. Any information you provide within 30 days of receipt of this letter will be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA will make a good faith effort to address your concerns.

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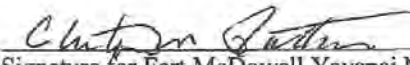
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Sincerely yours,



for Karla S. Petty
Division Administrator

AUG 23 2012

 8-21-12
Signature for Fort McDowell Yavapai Nation Concurrence Date
NH-202-D(ADY)

Enclosures

cc:
Erica McCalvin, Planning & Project Manager (with enclosures)
Karen Ray, Culture Coordinator (with enclosures)



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Richard A. Anduze, Archaeologist
Salt River Project
M.S. PAB 352
P.O. Box 52025
Phoenix, Arizona 85072-2025

Dear Mr. Anduze:

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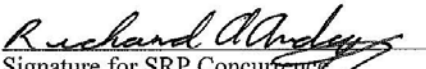
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Sincerely yours,


for Karla S. Petty
Division Administrator


Signature for SRP Concurrence
NH-202-D(ADY)

24 August 2012
Date

Enclosures



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Ms. Sherry Cordova, Chairwoman
Cocopah Tribe
County 15th & Avenue G
Somerton, Arizona 85350

Dear Chairwoman Cordova:

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2

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FHWA is inquiring whether you have any concerns regarding historic properties of traditional, religious, cultural, or historical importance to your community within the project area. Any information you provide within 30 days of receipt of this letter will be considered in the project planning. If your office opts to participate in cultural resource consultation at a later date, FHWA will make a good faith effort to address your concerns.

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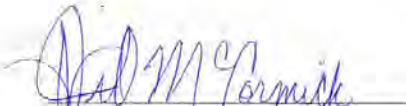
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Sincerely yours,

Rebecca Swiecki

Karla S. Petty
Division Administrator


Signature for Cocopah Tribe Concurrence
NH-202-D(ADY)

Date 8/27/12

Enclosure

cc:
H. Jill McCormick, Cultural Resources Manager (with enclosures)
RSwiecki
LDavis (EM02)
RSwiecki:cdm



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Ms. Michelle Dodds
CLG Contact, Historic Preservation Office
City of Phoenix
200 West Washington, 3rd Floor
Phoenix, Arizona 85003

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2

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Sincerely yours,


for Karla S. Petty
Division Administrator

SEP 4 - 2012


Signature for City of Phoenix Concurrence
Historic Preservation Office
NH-202-D(ADY)

8-29-12
Date

Enclosures

cc:
Jodey Elsner, M.A. Historian, COP Historic Preservation Office, 200 W. Washington Street, 3rd floor, Phoenix, AZ 85003 (with enclosures)



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
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NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Rich Dlugas, Chandler City Manager
City Manager's Office
P.O. Box 4008, Mail Stop 605
Chandler, Arizona 85244-4008

Dear Mr. Dlugas:

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Sincerely yours,



SEP 11 2012

Karla S. Petty
Division Administrator


Signature for City of Chandler Concurrence
NH-202-D(ADY)

9-10-12
Date

Enclosures



GILA RIVER INDIAN COMMUNITY

POST OFFICE BOX 2140, SACATON, AZ 85147

TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162
Fax: (520) 562-5083

September 10, 2012

Karla S. Petty, Division Administrator
U. S. Department of Transportation
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C 202L, South Mountain Freeway, DCR and EIS, National Historic Preservation Act Continuing 106 Chandler Boulevard Extension

Dear Ms. Petty,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received your consultation documents dated August 8, 2012. The documents describe a Federal Highway Administration (FHWA) and Arizona Department of Transportation (AZDOT) undertaking to extend Chandler Boulevard between 19th Avenue and 27th Avenue. This report is one in a series of technical reports supporting the 202 Loop, South Mountain Freeway, Environmental Impact Statement (EIS)/Design Concept Report (DCR). The project location is on the northern edge of District 6 of the Gila River Indian Community (Community), but entirely off Community lands. The extension of Chandler Boulevard is intended to provide access to residential subdivisions in the area. The construction zone area of potential effect (APE) will vary between 200 to 400 feet wide by 6,230 feet between 19th and 27th Avenues. The APE and surrounding areas have been archaeologically surveyed in 1989, 2000, 2008, and 2012. The 2012 survey covered a total area of 36.8 acres in size.

Three archaeological sites have been recorded near and within the APE: AZ:T:12:111(ASM) is described as a historic mine site with a rock ring, prospecting pit, tailings pile and a cleared area. The site was not considered a Register eligible property; AZ:T:12:286(ASM) a prehistoric agricultural site consisting of clusters/piles of rock. The site was considered an Register eligible property under Criterion D of the National Historic Preservation Act (NHPA); and AZ:T:12:287(ASM) an undated site consisting of two rock features and an etched deer(?) petroglyph on a small, potentially portable boulder. The site was not considered a Register eligible property. During the 2012 survey, these sites were relocated and reassessed. AZT:12:111(ASM) could not be relocated and was likely destroyed by the construction of a City of Phoenix waterline through the area. Site AZ:T:12:286(ASM) is still an intact cultural resource, outside of

the APE and is still considered Register eligible. AZ:T:12:287(ASM) has been impacted by off-road vehicles. The petroglyph boulder was turned over and the top covered with graffiti and some of the circular rock features have been disturbed through realignments of the stone. In 2008 Barnaby V. Lewis and J. Andrew Darling were consulted in regards to the site, and both confirmed that the site is an historic O'odham shrine. The site is still not considered a Register eligible property. Based upon this evidence, the FHWA has made a determination of no adverse effect for this part of the South Mountain 202 Loop Freeway project.

The GRIC-THPO concurs with a finding of no adverse effect for the undertaking. A site visit to AZ:12:287(ASM) is recommended in order to assess damage to the site. Perhaps collection of the petroglyph boulder should be considered before the petroglyph boulder is lost through accumulated disturbance to the site and/or theft.

The GRIC reiterates the cultural significance of South Mountain to the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'odham Nation). O'odham oral history and religion defines our life and relationship to the natural world and the cultural landscape. Akimel O'odham and Pee Posh oral histories, religion, creation stories, ceremonial practices, and the concepts of power and sacred places are inseparably tied to every part of the natural environment. Sacred places and Traditional Cultural Places (TCPs) must be treated with reverence and respect.

The GRIC-THPO looks forward to continuing consultation regarding the proposed 202 Loop. If you have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,

Barnaby V. Lewis
Tribal Historic Preservation Officer
Gila River Indian Community



ARIZONA DIVISION

4000 North Central Avenue
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Phone: (602) 379-3646
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<http://www.fhwa.dot.gov/azdiv/index.htm>

August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Dr. Beth Grindell, Director
P.O. Box 210026
Arizona State Museum
University of Arizona
Tucson, Arizona 85721-0026

Dear Dr. Grindell:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department (ASLD), the Arizona State Museum (ASM), the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue. The alignment for the proposed Chandler Boulevard Extension follows an existing City of Phoenix water line. The surrounding area is undeveloped.

The proposed Chandler Boulevard Extension is located in Section 36 of Township 1 South and Range 2 East. The land in Section 36 north of the existing City of Phoenix water line is owned by the City of Phoenix. The land in Section 36 south of the water line is administered by ASLD.

The area of potential effects (APE) for the Chandler Boulevard Extension is defined primarily by the proposed construction footprint which includes a 200-foot-wide east-west corridor that extends for 6,230 feet between 19th Avenue and 27th Avenue and short segments at the east and west end where the corridor is 400 feet wide. The footprint also includes a 120-foot-wide north-south corridor that extends for 1,180 feet from the western end of the Chandler Boulevard alignment to the current alignment of Pecos Road. A map of the APE is enclosed to assist you in your review.

In 1989, Archaeological Consulting Service, Ltd. (ACS), surveyed the APE in its entirety (Adams 1989). The results were reported in *An Archaeological Assessment of the Proposed South Mountain State Planning Permit Project for Burns International, Inc.* (Adams 1989). No sites were identified.

In 2000, Logan Simpson Design (LSD) performed an archaeological survey for a City of Phoenix water line which covered a 20-m-wide corridor along the centerline of the Chandler Boulevard Extension. The results are reported in *A Class I Inventory and A Class III Cultural Resources Survey for the City of Phoenix Waterline Route Around the Western and Southern Edges of South Mountain Park, Maricopa County, Arizona* (Shaw 2000). LSD recorded one site in the APE. Site AZ T:12:111 (ASM) is a historic mining site that include four features: a collapsed rock ring, a prospecting pit, a tailings pile, and a cleared area. The site was recommended as not eligible for inclusion in the National Register of Historic Places (NRHP).

In 2008, Desert Archaeology, Inc. (Desert) performed a Class III survey that covered the portion of the APE north of the centerline. The results are reported in *Cultural Resources Survey of 237 Acres Within the 620 Property, South of South Mountain Park, Phoenix, Arizona* (Darby and Bagwell 2008). Desert identified two sites near the proposed construction footprint for the Chandler Extension, AZ T:12:286 (ASM) and AZ T:12:287 (ASM). Because of their proximity to the construction footprint, the sites were included in the APE for the consideration of indirect effects, such as alterations to visual setting and the potential for vandalism as a result of increased access provided by the new roadway.

Site AZ T:12:286 (ASM) is a possible prehistoric agricultural site consisting of a set of rock clusters/piles. Desert recommended that the site was eligible for inclusion in the NRHP under Criterion D for its potential to yield information about prehistoric land use practices at the margins of the middle Gila River Valley.

Site AZ T:12:287 (ASM) consists of two rock features, one with a petroglyph on a portable stone at the center. The petroglyph is etched on to the stone, not pecked. The site lacks diagnostic artifacts and the age of the features is uncertain; the possibility exists that they are of modern origin. Given that the temporal context of AZ T:12:287 (ASM) was unknown, and that additional investigations of the features was unlikely to uncover this information, Desert could not establish a relevant historic context for the site, and therefore recommended that it was not eligible for inclusion in the NRHP. Desert also recommended that this type of site could represent a contemporary O’odham shrine. As discussed in the report, a meeting took place on August 28, 2008 between representatives from GRIC’s Cultural Resources Management Program (CRMP) and the City of Phoenix archaeologist to discuss the site. The CRMP representatives agreed it was probably a historic O’odham shrine.

Because the initial survey of the Chandler Boulevard Extension had been performed in 1989, and previously undocumented sites had been recorded in the area by more recent surveys, ADOT requested that HDR Engineering, Inc. (HDR) perform a new Class III survey of the APE. The results are reported in *A Class III Cultural Resources Survey for the Chandler Boulevard Extension, 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). No new sites were identified. The survey confirmed that AZ T:12:111 (ASM) had been obliterated by the City of Phoenix water line project. The survey also documented the condition of sites AZ T:12:286 (ASM) and AZ T:12:287 (ASM).

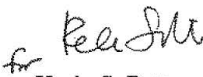
Site AZ T:12:286 (ASM) was found as described by Desert in 2008, in good condition, and with no new disturbances. FHWA recommends that the site is eligible for inclusion in the NRHP under Criterion D for its potential to contribute information on prehistoric agricultural practices.

The condition of site AZ T:12:287 (ASM) has changed since its 2008 recording. The petroglyph rock has been turned upside down so that the glyph is face down and the top is painted with graffiti. Also, some of the rocks in the outer circle had been shifted. The surrounding area has also been disturbed by off-road vehicles. Because the site could not be placed within a definable temporal context, FHWA recommends that AZ T:12:287 (ASM) is not eligible for inclusion in the NRHP as an archaeological site. Furthermore, FHWA recommends continuing consultation with the GRIC’s Tribal Historic Preservation Office to confirm its status as a potential traditional cultural property and regarding its management. Because sites AZ T:12:286 (ASM) and AZ T:12:287 (ASM) are not located within the construction footprint of the Chandler Boulevard Extension and therefore can be avoided, neither site would be directly impacted. Furthermore, the construction of the Chandler Boulevard Extension would not increase the potential for significant indirect effects because they are already easily accessible given their location near existing roads, hiking trails, and residential development.


Based on the above, FHWA has determined that a finding of “no adverse effect” is appropriate for this undertaking. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and FHWA’s recommendations of NRHP eligibility

and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator


Signature for ASM Concurrence
NH-202-D(ADY)


Date

Enclosures



ARIZONA DIVISION

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September 6, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L, South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Project Effect on the Dobbins Road Historic Properties

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Re: SHPO 2003-1890 (106135)

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Most recently FHWA consulted on a reassessment of historic rural properties along Dobbins Road and 59th Avenue in Laveen. SHPO concurred to the reassessment (Jacobs [SHPO] to Petty [FHWA], July 16, 2012).

Consulting parties for this reevaluation of project effect on the Dobbins Road historic properties include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The purpose of this consultation is to address the project effects of four alternative alignments near these historic properties. AZTEC Engineering Group, Inc. recently prepared a report that assesses the direct and indirect effects from the four alignments on the historic rural properties along Dobbins Road and 59th Avenue entitled *South Mountain Transportation Corridor Study: Assessment of Project Effects on Three Historic Buildings and a District, Maricopa County, Arizona* (Solliday 2012). A copy of the report is enclosed for your review and comments.

Historic Properties

Four historic properties have been identified near the Dobbins Road/59th Avenue intersection. These include:

- 1) Hudson Farm Historic District, ca. 1926, Criterion A
- 2) Hudson Farm - Cement Stave Silos, 1949, Criterion C
- 3) Hackin Farmstead/Dairy - Dairy Flat Barn, 1952, Criterion C
- 4) Tyson Farmstead/Barnes Dairy - Dairy Head-to-Toe Barn, 1951, Criterion C

Alternatives

The four alternatives near these historic properties are:

- 1) 62nd Avenue Alignment Collapsed Diamond - Elevated Freeway
- 2) 62nd Avenue Alignment Collapsed Diamond - Semi-Depressed Freeway
- 3) 62nd Avenue Alignment Half Diamond - Elevated Freeway
- 4) 62nd Avenue Alignment Half Diamond - Semi-Depressed Freeway

Project Effect

Direct Impact

All four of the alignment alternatives currently under consideration adequately avoid the Hudson Farm, the Dairy Flat Barn on the Hackin Farmstead/Dairy, and the Dairy Head-to-Toe Barn on the Tyson Farmstead/Barnes Dairy; none of the properties is located within the proposed ADOT right-of-way (ROW). However, the two semi-depressed freeway alternatives would require a realignment of access to the Tyson/Barnes barn. There would be a no adverse effect on the Tyson/Barnes barn as a result of the access modification.

Indirect Impact

Each of the four alignment alternatives would have a similar impact on the **Hudson Farm Historic District**. The freeway would be at least 200 feet west of the Hudson Farm property and 1,500 feet west of 59th Avenue, and the setting of the farmstead (farmhouse and associated structures) from the primary public view (from 59th Avenue) or from within the farmstead would be buffered by the dense windbreak of trees located on the north and west sides of the farmstead. The freeway would be more visibly intrusive from the secondary public view (from Dobbins Road) and from some places in the fields associated with the property, but these vantage points do not provide a view of the district's significant features, i.e., the farmstead buildings and structures seen within the context of the whole farm. A drainage basin adjacent to the southern boundary of the Hudson Farm would not be visible from the primary public view or from within the farmstead. Thus, any visual intrusion created by the project would be negligible and would not impact the National Register eligibility of the Hudson Farm or any of its contributing elements.

- There would be no adverse effect on the Hudson Farm due to general visual intrusion.
- There would be no adverse effect on the Hudson Farm due to increased traffic noise.
- There would be no adverse effect on the Hudson Farm due to nighttime lighting.

The freeway would pass approximately 1,500 feet west of the **Hackin barn**, 1,000 feet west of the **Hudson Farm silos**, and 10 feet east of the **Tyson/Barnes Dairy barn**. Since integrity of design, materials, workmanship, and association are most important for these property types, their National Register eligibility would not be impacted by a change in setting. Likewise, the placement of a drainage basin to the south and west of the **Hackin barn** would not impact its integrity of design, materials, workmanship, and association.

- There would be no adverse effect on the individually eligible properties due to general visual intrusion.
- There would be no adverse effect on the individually eligible properties due to increased traffic noise.
- There would be no adverse effect on the individually eligible properties due to nighttime lighting.

Summary of Indirect Impacts to the Dobbins Road Historic Properties

Property Name and Address	Primary Criterion	Collapsed Diamond – Elevated Freeway	Collapsed Diamond – Semi-Depressed Freeway	Half Diamond – Elevated Freeway	Half Diamond – Semi-Depressed Freeway
Eligible Historic Districts					
Hudson Farm 9300 S. 59 th Avenue	A	No adverse	No adverse	No adverse	No adverse
Individually Eligible Historic Buildings					
Hudson Farm - Cement Stave Silos 9300 S. 59 th Avenue	C	No adverse	No adverse	No adverse	No adverse
Hackin Farmstead/Dairy – Dairy Flat Barn 10048 S. 59 th Avenue	C	No adverse	No adverse	No adverse	No adverse
Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn 6159 W. Dobbins Road	C	No adverse	No adverse	No adverse	No adverse

Cumulative Impacts

The City of Phoenix has designated this area as the core area of “downtown” Laveen. Local landowners have expressed a desire to develop their properties for commercial and/or residential uses. Housing developments and some associated commercial centers have been constructed nearby; the advancement of this urbanization was slowed only by the economic collapse. Some adjacent landowners have recently had their property reclassified for either commercial or residential property use. Therefore, it is highly likely that future development by the private landowners would also lead to the destruction of the agricultural properties and the historical setting of rural Laveen.

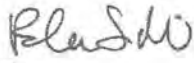
The construction of a freeway through the South Mountain Corridor would accelerate urbanization and likely encourage more commercial and industrial development rather than the predominantly residential construction that has occurred to date. However, since ADOT, the City of Phoenix, landowners, and developers are all planning for future development in the area, it is difficult to determine what the specific agent of change is. Cumulatively, the future development and construction of the freeway has the potential to contribute to an adverse cumulative affect the **Hudson Farm and silos**, **Hackin barn**, and **Tyson/Barnes barn**.

Continuing Cultural Resource Management

In order to proactively address the potential indirect and cumulative adverse effects described above, FHWA and ADOT would document the Hudson Farm Historic District and silos, the Hackin barn, and the Tyson/Barnes barn in a Historic Landscape report. The report would be consistent with the SHPO Standards for Documentation of Historic Properties. For each of the properties this documentation would at a minimum include a descriptive narrative of the property, maps showing geographic location and contextual relationships with other structures and the surrounding landscape, reproductions of original plans/engineering drawings or prepared drawings (or creation of plans/drawings if the originals cannot be found), and photo documentation.

Please review the information provided in this letter, the attached project location maps, and enclosed report. If you agree with the adequacy of the report and agree with FHWA’s revised determination of project effect for each alignment and proposed documentation of the historic properties please indicate your concurrence by signing below and return to FHWA. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail LDavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosures



SHPO-2003-1890 (107733)
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(602) 379-3646
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<http://www.fhwa.dot.gov/azdiv/index.htm>

September 6, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Project Effect on the Dobbins Road Historic Properties

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Re: SHPO 2003-1890 (106135)

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This project has been the subject of extensive prior consultation (SHPO-2003-1890). Most recently FHWA consulted on a reassessment of historic rural properties along Dobbins Road and 59th Avenue in Laveen. SHPO concurred to the reassessment (Jacobs [SHPO] to Petty [FHWA], July 16, 2012).

Consulting parties for this reevaluation of project effect on the Dobbins Road historic properties include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

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RECEIVED
SEP 10 2012
STATE HISTORIC PRESERVATION OFFICE

Historic Properties

Four historic properties have been identified near the Dobbins Road/59th Avenue intersection. These include:

- 1) Hudson Farm Historic District, ca. 1926, Criterion A
- 2) Hudson Farm - Cement Stave Silos, 1949, Criterion C
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- 4) Tyson Farmstead/Barnes Dairy - Dairy Head-to-Toe Barn, 1951, Criterion C

Alternatives

The four alternatives near these historic properties are:

- 1) 62nd Avenue Alignment Collapsed Diamond - Elevated Freeway
- 2) 62nd Avenue Alignment Collapsed Diamond - Semi-Depressed Freeway
- 3) 62nd Avenue Alignment Half Diamond - Elevated Freeway
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Project Effect

Direct Impact

All four of the alignment alternatives currently under consideration adequately avoid the Hudson Farm, the Dairy Flat Barn on the Hackin Farmstead/Dairy, and the Dairy Head-to-Toe Barn on the Tyson Farmstead/Barnes Dairy; none of the properties is located within the proposed ADOT right-of-way (ROW). However, the two semi-depressed freeway alternatives would require a realignment of access to the Tyson/Barnes barn. There would be a no adverse effect on the Tyson/Barnes barn as a result of the access modification.

finding of effect

Indirect Impact

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- There would be no adverse effect on the Hudson Farm due to general visual intrusion.
- There would be no adverse effect on the Hudson Farm due to increased traffic noise.
- There would be no adverse effect on the Hudson Farm due to nighttime lighting.

The freeway would pass approximately 1,500 feet west of the **Hackin barn**, 1,000 feet west of the **Hudson Farm silos**, and 10 feet east of the **Tyson/Barnes Dairy barn**. Since integrity of design, materials, workmanship, and association are most important for these property types, their National Register eligibility would not be impacted by a change in setting. Likewise, the placement of a drainage basin to the south and west of the **Hackin barn** would not impact its integrity of design, materials, workmanship, and association.

- There would be no adverse effect on the individually eligible properties due to general visual intrusion.
- There would be no adverse effect on the individually eligible properties due to increased traffic noise.
- There would be no adverse effect on the individually eligible properties due to nighttime lighting.

Summary of Indirect Impacts to the Dobbins Road Historic Properties

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Cumulative Impacts

The City of Phoenix has designated this area as the core area of “downtown” Laveen. Local landowners have expressed a desire to develop their properties for commercial and/or residential uses. Housing developments and some associated commercial centers have been constructed nearby; the advancement of this urbanization was slowed only by the economic collapse. Some adjacent landowners have recently had their property reclassified for either commercial or residential property use. Therefore, it is highly likely that future development by the private landowners would also lead to the destruction of the agricultural properties and the historical setting of rural Laveen.

The construction of a freeway through the South Mountain Corridor would accelerate urbanization and likely encourage more commercial and industrial development rather than the predominantly residential construction that has occurred to date. However, since ADOT, the City of Phoenix, landowners, and developers are all planning for future development in the area, it is difficult to determine what the specific agent of change is. Cumulatively, the future development and construction of the freeway has the potential to contribute to an adverse cumulative affect the **Hudson Farm and silos**, **Hackin barn**, and **Tyson/Barnes barn**.

Continuing Cultural Resource Management

In order to proactively address the potential indirect and cumulative adverse effects described above, FHWA and ADOT would document the Hudson Farm Historic District and silos, the Hackin barn, and the Tyson/Barnes barn in a Historic Landscape report. The report would be consistent with the SHPO Standards for Documentation of Historic Properties. For each of the properties this documentation would at a minimum include a descriptive narrative of the property, maps showing geographic location and contextual relationships with other structures and the surrounding landscape, reproductions of original plans/engineering drawings or prepared drawings (or creation of plans/drawings if the originals cannot be found), and photo documentation.

Please review the information provided in this letter, the attached project location maps, and enclosed report. If you agree with the adequacy of the report and agree with FHWA’s revised determination of project effect for each alignment and proposed documentation of the historic properties please indicate your concurrence by signing below and return to FHWA. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail LDavis2@azdot.gov.

Sincerely yours,

Karla S. Petty

Karla S. Petty
Division Administrator

SEP 18 2012

[Signature]

Signature for SHPO Concurrence
NH-202-D(ADY)

14 SEP 12

Date

Enclosures

CC Linda Davis, ADOT

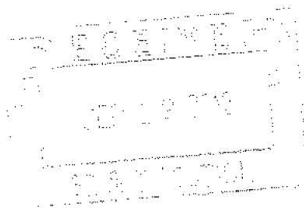


U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

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September 6, 2012



In Reply Refer To:
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NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Project Effect on the Dobbins Road Historic Properties

Mr. Steve Ross, Cultural Resources Manager
Arizona State Land Department
1616 West Adams
Phoenix, Arizona 85007

Dear Mr. Ross:

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This project has been the subject of extensive prior consultation (SHPO-2003-1890). Most recently FHWA consulted on a reassessment of historic rural properties along Dobbins Road and 59th Avenue in Laveen. SHPO concurred to the reassessment (Jacobs [SHPO] to Petty [FHWA], July 16, 2012).

Consulting parties for this reevaluation of project effect on the Dobbins Road historic properties include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).


The purpose of this consultation is to address the project effects of four alternative alignments near these historic properties. AZTEC Engineering Group, Inc. recently prepared a report that assesses the direct and indirect effects from the four alignments on the historic rural properties along Dobbins Road and 59th Avenue entitled *South Mountain Transportation Corridor Study: Assessment of Project Effects on Three Historic Buildings and a District, Maricopa County, Arizona* (Sollday 2012). A copy of the report is enclosed for your review and comments.

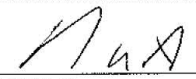
Continuing Cultural Resource Management

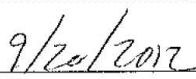
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Please review the information provided in this letter, the attached project location maps, and enclosed report. If you agree with the adequacy of the report and agree with FHWA's revised determination of project effect for each alignment and proposed documentation of the historic properties please indicate your concurrence by signing below and return to FHWA. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail LDavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator


Signature for ASLD Concurrence
NH-202-D(ADY)


Date

Enclosures

cc:
Rueben Ojeda, Manager, Right-of-way Section



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Mr. Garry Cantley, Western Regional Archaeologist
Bureau of Indian Affairs
2600 North Central Avenue, Suite 400
MS-620EQS
Phoenix, Arizona 85004-3008

Dear Mr. Cantley:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

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2

Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue. The alignment for the proposed Chandler Boulevard Extension follows an existing City of Phoenix water line. The surrounding area is undeveloped.

The proposed Chandler Boulevard Extension is located in Section 36 of Township 1 South and Range 2 East. The land in Section 36 north of the existing City of Phoenix water line is owned by the City of Phoenix. The land in Section 36 south of the water line is administered by ASLD.

The area of potential effects (APE) for the Chandler Boulevard Extension is defined primarily by the proposed construction footprint which includes a 200-foot-wide east-west corridor that extends for 6,230 feet between 19th Avenue and 27th Avenue and short segments at the east and west end where the corridor is 400 feet wide. The footprint also includes a 120-foot-wide north-south corridor that extends for 1,180 feet from the western end of the Chandler Boulevard alignment to the current alignment of Pecos Road. A map of the APE is enclosed to assist you in your review.

In 1989, Archaeological Consulting Service, Ltd. (ACS), surveyed the APE in its entirety (Adams 1989). The results were reported in *An Archaeological Assessment of the Proposed South Mountain State Planning Permit Project for Burns International, Inc.* (Adams 1989). No sites were identified.

In 2000, Logan Simpson Design (LSD) performed an archaeological survey for a City of Phoenix water line which covered a 20-m-wide corridor along the centerline of the Chandler Boulevard Extension. The results are reported in *A Class I Inventory and A Class III Cultural Resources Survey for the City of Phoenix Waterline Route Around the Western and Southern Edges of South Mountain Park, Maricopa County, Arizona* (Shaw 2000). LSD recorded one site in the APE. Site AZ T:12:111 (ASM) is a historic mining site that include four features: a collapsed rock ring, a prospecting pit, a tailings pile, and a cleared area. The site was recommended as not eligible for inclusion in the National Register of Historic Places (NRHP).

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Site AZ T:12:286 (ASM) is a possible prehistoric agricultural site consisting of a set of rock clusters/piles. Desert recommended that the site was eligible for inclusion in the NRHP under Criterion D for its potential to yield information about prehistoric land use practices at the margins of the middle Gila River Valley.

Site AZ T:12:287 (ASM) consists of two rock features, one with a petroglyph on a portable stone at the center. The petroglyph is etched on to the stone, not pecked. The site lacks diagnostic artifacts and the age of the features is uncertain; the possibility exists that they are of modern origin. Given that the temporal context of AZ T:12:287 (ASM) was unknown, and that additional investigations of the features was unlikely to uncover this information, Desert could not establish a relevant historic context for the site, and therefore recommended that it was not eligible for inclusion in the NRHP. Desert also recommended that this type of site could represent a contemporary O'odham shrine. As discussed in the report, a meeting took place on August 28, 2008 between representatives from GRIC's Cultural Resources Management Program (CRMP) and the City of Phoenix archaeologist to discuss the site. The CRMP representatives agreed it was probably a historic O'odham shrine.

Because the initial survey of the Chandler Boulevard Extension had been performed in 1989, and previously undocumented sites had been recorded in the area by more recent surveys, ADOT requested that HDR Engineering, Inc. (HDR) perform a new Class III survey of the APE. The results are reported in *A Class III Cultural Resources Survey for the Chandler Boulevard Extension, 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). No new sites were identified. The survey confirmed that AZ T:12:111 (ASM) had been obliterated by the City of Phoenix water line project. The survey also documented the condition of sites AZ T:12:286 (ASM) and AZ T:12:287 (ASM).

Site AZ T:12:286 (ASM) was found as described by Desert in 2008, in good condition, and with no new disturbances. FHWA recommends that the site is eligible for inclusion in the NRHP under Criterion D for its potential to contribute information on prehistoric agricultural practices.

The condition of site AZ T:12:287 (ASM) has changed since its 2008 recording. The petroglyph rock has been turned upside down so that the glyph is face down and the top is painted with graffiti. Also, some of the rocks in the outer circle had been shifted. The surrounding area has also been disturbed by off-road vehicles. Because the site could not be placed within a definable temporal context, FHWA recommends that AZ T:12:287 (ASM) is not eligible for inclusion in the NRHP as an archaeological site. Furthermore, FHWA recommends continuing consultation with the GRIC's Tribal Historic Preservation Office to confirm its status as a potential traditional cultural property and regarding its management. Because sites AZ T:12:286 (ASM) and AZ T:12:287 (ASM) are not located within the construction footprint of the Chandler Boulevard Extension and therefore can be avoided, neither site would be directly impacted. Furthermore, the construction of the Chandler Boulevard Extension would not increase the potential for significant indirect effects because they are already easily accessible given their location near existing roads, hiking trails, and residential development.

Based on the above, FHWA has determined that a finding of "no adverse effect" is appropriate for this undertaking. Please review the enclosed report and information provided in this letter. If

you agree with the adequacy of the report and FHWA's recommendations of NRHP eligibility and determination of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

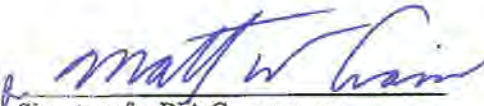
Sincerely yours,



Karla S. Petty
Division Administrator

SEP 27 2012

AUG 28 2012



Signature for BIA Concurrence
NH-202-D(ADY)

Date 9/21/12

Enclosures



ARIZONA DIVISION

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September 6, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L, South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Project Effect on the Dobbins Road Historic Properties

Mr. Richard Anduze, Archaeologist
Salt River Project
P.O. Box 52025, Mail Sta PAB3552
Phoenix, Arizona 85072-2025

Dear Mr. Anduze:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Most recently FHWA consulted on a reassessment of historic rural properties along Dobbins Road and 59th Avenue in Laveen. SHPO concurred to the reassessment (Jacobs [SHPO] to Petty [FHWA], July 16, 2012).

Consulting parties for this reevaluation of project effect on the Dobbins Road historic properties include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

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Historic Properties

Four historic properties have been identified near the Dobbins Road/59th Avenue intersection. These include:

- 1) Hudson Farm Historic District, ca. 1926, Criterion A
- 2) Hudson Farm - Cement Stave Silos, 1949, Criterion C
- 3) Hackin Farmstead/Dairy – Dairy Flat Barn , 1952, Criterion C
- 4) Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn, 1951, Criterion C

Alternatives

The four alternatives near these historic properties are:

- 1) 62nd Avenue Alignment Collapsed Diamond – Elevated Freeway
- 2) 62nd Avenue Alignment Collapsed Diamond – Semi-Depressed Freeway
- 3) 62nd Avenue Alignment Half Diamond – Elevated Freeway
- 4) 62nd Avenue Alignment Half Diamond – Semi-Depressed Freeway

Project Effect

Direct Impact

All four of the alignment alternatives currently under consideration adequately avoid the Hudson Farm, the Dairy Flat Barn on the Hackin Farmstead/Dairy, and the Dairy Head-to-Toe Barn on the Tyson Farmstead/Barnes Dairy; none of the properties is located within the proposed ADOT right-of-way (ROW). However, the two semi-depressed freeway alternatives would require a realignment of access to the Tyson/Barnes barn. There would be a no adverse effect on the Tyson/Barnes barn as a result of the access modification.

Indirect Impact

Each of the four alignment alternatives would have a similar impact on the **Hudson Farm Historic District**. The freeway would be at least 200 feet west of the Hudson Farm property and 1,500 feet west of 59th Avenue, and the setting of the farmstead (farmhouse and associated structures) from the primary public view (from 59th Avenue) or from within the farmstead would be buffered by the dense windbreak of trees located on the north and west sides of the farmstead. The freeway would be more visibly intrusive from the secondary public view (from Dobbins Road) and from some places in the fields associated with the property, but these vantage points do not provide a view of the district's significant features, i.e., the farmstead buildings and structures seen within the context of the whole farm. A drainage basin adjacent to the southern boundary of the Hudson Farm would not be visible from the primary public view or from within the farmstead. Thus, any visual intrusion created by the project would be negligible and would not impact the National Register eligibility of the Hudson Farm or any of its contributing elements.

- There would be no adverse effect on the Hudson Farm due to general visual intrusion.
- There would be no adverse effect on the Hudson Farm due to increased traffic noise.
- There would be no adverse effect on the Hudson Farm due to nighttime lighting.

The freeway would pass approximately 1,500 feet west of the **Hackin barn**, 1,000 feet west of the **Hudson Farm silos**, and 10 feet east of the **Tyson/Barnes Dairy barn**. Since integrity of design, materials, workmanship, and association are most important for these property types, their National Register eligibility would not be impacted by a change in setting. Likewise, the placement of a drainage basin to the south and west of the **Hackin barn** would not impact its integrity of design, materials, workmanship, and association.

- There would be no adverse effect on the individually eligible properties due to general visual intrusion.
- There would be no adverse effect on the individually eligible properties due to increased traffic noise.
- There would be no adverse effect on the individually eligible properties due to nighttime lighting.

Summary of Indirect Impacts to the Dobbins Road Historic Properties

Property Name and Address	Primary Criterion	Collapsed Diamond – Elevated Freeway	Collapsed Diamond – Semi-Depressed Freeway	Half Diamond – Elevated Freeway	Half Diamond – Semi-Depressed Freeway
Eligible Historic Districts					
Hudson Farm 9300 S. 59 th Avenue	A	No adverse	No adverse	No adverse	No adverse
Individually Eligible Historic Buildings					
Hudson Farm - Cement Stave Silos 9300 S. 59 th Avenue	C	No adverse	No adverse	No adverse	No adverse
Hackin Farmstead/Dairy – Dairy Flat Barn 10048 S. 59 th Avenue	C	No adverse	No adverse	No adverse	No adverse
Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn 6159 W. Dobbins Road	C	No adverse	No adverse	No adverse	No adverse

Cumulative Impacts

The City of Phoenix has designated this area as the core area of “downtown” Laveen. Local landowners have expressed a desire to develop their properties for commercial and/or residential uses. Housing developments and some associated commercial centers have been constructed nearby; the advancement of this urbanization was slowed only by the economic collapse. Some adjacent landowners have recently had their property reclassified for either commercial or residential property use. Therefore, it is highly likely that future development by the private landowners would also lead to the destruction of the agricultural properties and the historical setting of rural Laveen.

The construction of a freeway through the South Mountain Corridor would accelerate urbanization and likely encourage more commercial and industrial development rather than the predominantly residential construction that has occurred to date. However, since ADOT, the City of Phoenix, landowners, and developers are all planning for future development in the area, it is difficult to determine what the specific agent of change is. Cumulatively, the future development and construction of the freeway has the potential to contribute to an adverse cumulative affect the **Hudson Farm and silos**, **Hackin barn**, and **Tyson/Barnes barn**.

Continuing Cultural Resource Management

In order to proactively address the potential indirect and cumulative adverse effects described above, FHWA and ADOT would document the Hudson Farm Historic District and silos, the Hackin barn, and the Tyson/Barnes barn in a Historic Landscape report. The report would be consistent with the SHPO Standards for Documentation of Historic Properties. For each of the properties this documentation would at a minimum include a descriptive narrative of the property, maps showing geographic location and contextual relationships with other structures and the surrounding landscape, reproductions of original plans/engineering drawings or prepared drawings (or creation of plans/drawings if the originals cannot be found), and photo documentation.

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Sincerely yours,

Karla S. Petty

Karla S. Petty
Division Administrator

SEP 26 2012

Richard A. Anderson
Signature for SRP Concurrence
NH-202-D(ADY)

24 September 2012
Date

Enclosures



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
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Phoenix, Arizona 85012-3500
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August 8, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Ms. Laurene Montero, City Archaeologist
City of Phoenix
4619 East Washington
Phoenix, Arizona 85034

Dear Ms. Montero:

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Sincerely yours,


for Karla S. Petty
Division Administrator


Signature for City of Phoenix Concurrence
City Archaeologist
NH-202-D(ADY)

9/26/2012
Date

Enclosures



ARIZONA DIVISION

September 6, 2012

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<http://www.fhwa.dot.gov/azdiv/index.htm>

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Project Effect on the Dobbins Road Historic Properties

Ms. Laurene Montero
City of Phoenix Archaeologist
Pueblo Grande Museum
4619 East Washington
Phoenix, Arizona 85034

Dear Ms. Montero:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the environmental impact statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

This project has been the subject of extensive prior consultation (SHPO-2003-1890). Most recently FHWA consulted on a reassessment of historic rural properties along Dobbins Road and 59th Avenue in Laveen. SHPO concurred to the reassessment (Jacobs [SHPO] to Petty [FHWA], July 16, 2012).

Consulting parties for this reevaluation of project effect on the Dobbins Road historic properties include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the Bureau of Land Management (BLM), the Arizona State Land Department (ASLD), the City of Phoenix-Historic Preservation Office (COP-HPO), the City of Phoenix-Pueblo Grande Museum (COP-PGM), and Salt River Project (SRP).

The purpose of this consultation is to address the project effects of four alternative alignments near these historic properties. AZTEC Engineering Group, Inc. recently prepared a report that assesses the direct and indirect effects from the four alignments on the historic rural properties along Dobbins Road and 59th Avenue entitled *South Mountain Transportation Corridor Study: Assessment of Project Effects on Three Historic Buildings and a District, Maricopa County, Arizona* (Solliday 2012). A copy of the report is enclosed for your review and comments.

Historic Properties

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Four historic properties have been identified near the Dobbins Road/59th Avenue intersection. These include:

- 1) Hudson Farm Historic District, ca. 1926, Criterion A
- 2) Hudson Farm - Cement Stave Silos, 1949, Criterion C
- 3) Hackin Farmstead/Dairy – Dairy Flat Barn, 1952, Criterion C
- 4) Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn, 1951, Criterion C

Alternatives

The four alternatives near these historic properties are:

- 1) 62nd Avenue Alignment Collapsed Diamond – Elevated Freeway
- 2) 62nd Avenue Alignment Collapsed Diamond – Semi-Depressed Freeway
- 3) 62nd Avenue Alignment Half Diamond – Elevated Freeway
- 4) 62nd Avenue Alignment Half Diamond – Semi-Depressed Freeway

Project Effect

Direct Impact

All four of the alignment alternatives currently under consideration adequately avoid the Hudson Farm, the Dairy Flat Barn on the Hackin Farmstead/Dairy, and the Dairy Head-to-Toe Barn on the Tyson Farmstead/Barnes Dairy; none of the properties is located within the proposed ADOT right-of-way (ROW). However, the two semi-depressed freeway alternatives would require a realignment of access to the Tyson/Barnes barn. There would be a no adverse effect on the Tyson/Barnes barn as a result of the access modification.

Indirect Impact

Each of the four alignment alternatives would have a similar impact on the **Hudson Farm Historic District**. The freeway would be at least 200 feet west of the Hudson Farm property and 1,500 feet west of 59th Avenue, and the setting of the farmstead (farmhouse and associated structures) from the primary public view (from 59th Avenue) or from within the farmstead would be buffered by the dense windbreak of trees located on the north and west sides of the farmstead. The freeway would be more visibly intrusive from the secondary public view (from Dobbins Road) and from some places in the fields associated with the property, but these vantage points do not provide a view of the district's significant features, i.e., the farmstead buildings and structures seen within the context of the whole farm. A drainage basin adjacent to the southern boundary of the Hudson Farm would not be visible from the primary public view or from within the farmstead. Thus, any visual intrusion created by the project would be negligible and would not impact the National Register eligibility of the Hudson Farm or any of its contributing elements.

- There would be no adverse effect on the Hudson Farm due to general visual intrusion.
- There would be no adverse effect on the Hudson Farm due to increased traffic noise.
- There would be no adverse effect on the Hudson Farm due to nighttime lighting.

The freeway would pass approximately 1,500 feet west of the **Hackin barn**, 1,000 feet west of the **Hudson Farm silos**, and 10 feet east of the **Tyson/Barnes Dairy barn**. Since integrity of design,

materials, workmanship, and association are most important for these property types, their National Register eligibility would not be impacted by a change in setting. Likewise, the placement of a drainage basin to the south and west of the **Hackin barn** would not impact its integrity of design, materials, workmanship, and association.

- There would be no adverse effect on the individually eligible properties due to general visual intrusion.
- There would be no adverse effect on the individually eligible properties due to increased traffic noise.
- There would be no adverse effect on the individually eligible properties due to nighttime lighting.

Summary of Indirect Impacts to the Dobbins Road Historic Properties

Property Name and Address	Primary Criterion	Collapsed Diamond – Elevated Freeway	Collapsed Diamond – Semi-Depressed Freeway	Half Diamond – Elevated Freeway	Half Diamond – Semi-Depressed Freeway
Eligible Historic Districts					
Hudson Farm 9300 S. 59 th Avenue	A	No adverse	No adverse	No adverse	No adverse
Individually Eligible Historic Buildings					
Hudson Farm - Cement Stave Silos 9300 S. 59 th Avenue	C	No adverse	No adverse	No adverse	No adverse
Hackin Farmstead/Dairy – Dairy Flat Barn 10048 S. 59 th Avenue	C	No adverse	No adverse	No adverse	No adverse
Tyson Farmstead/Barnes Dairy – Dairy Head-to-Toe Barn 6159 W. Dobbins Road	C	No adverse	No adverse	No adverse	No adverse

Cumulative Impacts

The City of Phoenix has designated this area as the core area of “downtown” Laveen. Local landowners have expressed a desire to develop their properties for commercial and/or residential uses. Housing developments and some associated commercial centers have been constructed nearby; the advancement of this urbanization was slowed only by the economic collapse. Some adjacent landowners have recently had their property reclassified for either commercial or residential property use. Therefore, it is highly likely that future development by the private landowners would also lead to the destruction of the agricultural properties and the historical setting of rural Laveen.

The construction of a freeway through the South Mountain Corridor would accelerate urbanization and likely encourage more commercial and industrial development rather than the predominantly residential construction that has occurred to date. However, since ADOT, the City of Phoenix, landowners, and developers are all planning for future development in the area, it is difficult to determine what the specific agent of change is. Cumulatively, the future development and construction of the freeway has the potential to contribute to an adverse cumulative affect the **Hudson Farm and silos, Hackin barn, and Tyson/Barnes barn.**

Continuing Cultural Resource Management

In order to proactively address the potential indirect and cumulative adverse effects described above, FHWA and ADOT would document the Hudson Farm Historic District and silos, the Hackin barn, and the Tyson/Barnes barn in a Historic Landscape report. The report would be consistent with the SHPO Standards for Documentation of Historic Properties. For each of the properties this documentation would at a minimum include a descriptive narrative of the property, maps showing geographic location and contextual relationships with other structures and the surrounding landscape, reproductions of original plans/engineering drawings or prepared drawings (or creation of plans/drawings if the originals cannot be found), and photo documentation.

Please review the information provided in this letter, the attached project location maps, and enclosed report. If you agree with the adequacy of the report and agree with FHWA’s revised determination of project effect for each alignment and proposed documentation of the historic properties please indicate your concurrence by signing below and return to FHWA. If you have any questions or comments, please feel free to contact Linda Davis at (602) 712-8636 or e-mail LDavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator


Signature for COP-PGM Concurrence
NH-202-D(ADY)

9/27/2012
Date

Enclosures



ARIZONA DIVISION

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October 11, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Re: SHPO-2003-1890 (106850)

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have undertaken cultural resource studies. The E1 Alternative for the proposed freeway would be built along and replace Pecos Road, effectively cutting off access to residential subdivisions west of 27th Avenue. The proposed Chandler Boulevard Extension would provide a new access route by extending Chandler Boulevard between 19th Avenue and 27th Avenue.

FHWA and ADOT initiated consultation regarding the Chandler Boulevard Extension identifying the consulting parties, scope, area of potential effects (APE), and a finding of "no adverse effect" (Petty [FHWA] to Jacobs [SHPO] August 8, 2012). Concurrence was received from ASLD (Ross [ASLD] to Petty [FHWA] August 14, 2012), ASM (Pitezal [ASM] to Petty [FHWA] September 11, 2012), BIA (Crain [BIA] to Petty [FHWA] September 21, 2012),

2

FCDMC (Stevens [FCDMC] to Petty [FHWA] August 20, 2012), the City of Chandler (Dlugas [City of Chandler] to Petty [FHWA] September 10, 2012), the City of Glendale (Ritz [City of Glendale] to Petty [FHWA] August 13, 2012), the City of Phoenix Historic Preservation Office (Dodds [City of Phoenix] to Petty [FHWA] August 29, 2012), the City of Phoenix Pueblo Grande Museum (Montero [City of Phoenix] to Petty [FHWA] September 26, 2012), SRP (Anduze [SRP] to Petty [FHWA] August 24, 2012), the Cocopah Tribe (McCormick [Cocopah Tribe] to Petty [FHWA] August 27, 2012), the Fort McDowell Yavapai Nation (Pattea [Fort McDowell Yavapai Nation] to Petty [FHWA] August 21, 2012), the Gila River Indian Community (Lewis [THPO] to Petty [FHWA] September 10, 2012), the Hopi Tribe (Morgart [Hopi Tribe] to Petty [FHWA] August 14, 2012), the Tonto Apache Tribe (Leubner [Tonto Apache Tribe] to Petty [FHWA] August 14, 2012), the White Mountain Apache Tribe (Altaha [White Mountain Apache Tribe] to Petty [FHWA] August 17, 2012). The Salt River Pima-Maricopa Indian Community (SRP-MIC) responded stating that the Four Southern Tribes in consensus agreed that the Gila River Indian Community will take the lead in providing comments for this project (Butler [SRP-MIC] to Petty [FHWA] August 14, 2012).

Consultation for the Chandler Boulevard Extension identified three sites near and within the proposed APE, Site AZ T:12:287 (ASM), Site AZ T:12:286 (ASM), and Site AZ T:12:111 (ASM). Site AZ T:12:286 (ASM) is a possible prehistoric agricultural site consisting of a set of rock clusters/piles located near the APE. The site is in good condition with no new disturbances. FHWA recommended that the site is eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion D for its potential to contribute information on prehistoric agricultural practices. Site AZ T:12:111 (ASM) is a historic mining site that has been obliterated by a City of Phoenix water line project and FHWA recommended the site as not eligible for inclusion in the NRHP.

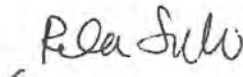
Site AZ T:12:287 (ASM) is identified as a possible O'odham shrine located near the APE. The site consists of two rock features, one with an etched petroglyph on a portable stone at the center. Because the site could not be placed within a definable temporal context, FHWA recommended that it was not eligible for inclusion in the NRHP as an archaeological site. Furthermore, FHWA recommended continuing consultation with Gila River Indian Community's Tribal Historic Preservation Office (THPO) to confirm the site's status as a potential traditional cultural property and regarding its management. The Arizona State Historic Preservation Office (SHPO) responded stating that "when that tribal consultation process is completed, and the status of the eligibility of site AZ T:12:287 (ASM) is determined, our office will then be prepared to comment upon the eligibility of the sites and an appropriate finding of effect" (Jacobs [SHPO] to Petty [FHWA] August 13, 2012).

In response to the Chandler Boulevard Extension consultation, the Gila River Indian Community's THPO concurred with FHWA's eligibility recommendations and a finding of "no adverse effect". Additionally, the THPO noted that in 2008 Barnaby V. Lewis and Andrew Darling were consulted in regards to Site AZ T:12:287 (ASM); at this time they both confirmed that the site is a historic O'odham Shrine and that it is still not considered a NRHP eligible property (Lewis [THPO] to Petty [FHWA] September 10, 2012). The THPO also recommended that a site visit to AZ T:12:287 (ASM) be conducted to assess damage to the site, and ascertain if the petroglyph boulder should be collected before it is lost through accumulated disturbance.

Coordination of the site visit is currently underway. A copy of Gila River Indian Community's THPO response is enclosed for your reference.

Based on Gila River Indian Community's THPO concurrence, FHWA recommends Site AZ T:12:286 (ASM) as eligible for the NRHP, Site AZ T:12:287 (ASM) and Site AZ T:12:111 (ASM) as not eligible for the NRHP, and has determined that a finding of "no adverse effect" is still appropriate for this undertaking. Please review the enclosed THPO response and the information provided in this letter. If you agree with the NRHP eligibility recommendation and finding of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosure



SHPO-2003-1890 (108411)

ARIZONA DIVISION

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October 11, 2012

RECEIVED
OCT 12 2012
In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

ARIZONA STATE PARKS
NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Chandler Boulevard Extension

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

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Sincerely yours,

Karla S. Petty

OCT 22 2012

Karla S. Petty
Division Administrator

[Signature]
Signature for SHPO Concurrence
NH-202-D(ADY)

17 OCT 12
Date

Enclosure

CC: Linda Davis, ADST

This letter was also sent to:

- Mr. Steve Ross, Cultural Resources Manager, Arizona State Land Department
- Ms. Chery Blanchard, Archaeologist, Bureau of Land Management
- Mr. Dave Gifford, Archaeologist, Bureau of Reclamation
- Ms. Michelle Dodds, Historic Preservation Office, City of Phoenix
- Ms. Laurene Montero, Archaeologist, City of Phoenix
- Mr. Richad A. Anduze, Archaeologist, Salt River Project



GILA RIVER INDIAN COMMUNITY

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TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162
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October 22, 2012

Karla S. Petty, Division Administrator
U. S. Department of Transportation
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C 202L, South Mountain
Freeway, DCR and EIS Continuing 106 Traditional Cultural Properties (TCP)
Enhancement Plan, No Adverse Effect

Dear Ms. Petty,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received report *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Traditional Cultural Properties and Mitigation of Transportation Corridor Development Adverse Effects Addendum Planning for TCP Mitigation Villa Buena (AZT:12:9[ASM]), Pueblo Del Alamo (AZ T:12:53[ASM]) (Darling and Loendorf 2012)* dated September 26, 2012. The report evaluates the National Register eligibility status of sites Villa Buena (AZ T:12:9[ASM]) and Pueblo del Alamo (AZ T:12:52[ASM]) and plans for mitigation of adverse effects to the sites.

For the extent of the consultation process, the GRIC-THPO has maintained that Villa Buena and Pueblo del Alamo are Akimel O’Odham and Pee Posh Traditional Cultural Properties (TCPs) and Register eligible properties under Criterion A and Criterion D as stipulated in 36 CFR 60: National Register of Historic Places. The FHWA and the Arizona Department of Transportation (ADOT) have both agreed that the sites are Register eligible properties under Criterion A and that there would be adverse effects to the sites if construction of the Loop 202 South Mountain Freeway were to proceed. The finding of site significance under Criterion A presented a situation where mitigative actions would require an alternative strategy to prevent potential adverse effects to the sites. The Darling and Loendorf document proposes that a TCP Enhancement Plan be developed and implemented upon completion of the Environmental Impact Statement (EIS) process. The TCP Enhancement Plan would insure that: 1) The sites and the people are physically and spiritually prepared for anticipated ground disturbance through conducting traditional religious activities, developing and sponsoring exhibits and outreach, through continued tribal consultation, sponsoring of cultural sensitivity training sessions, and through the protection of equivalent sites and sacred landscapes; and 2) The development of

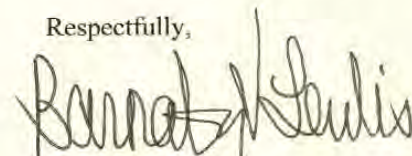
programmatic solutions focused on preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in GRIC culture and history. Through the implementation of the TCP Enhancement Plan, adverse effects to the two sites under Criterion A will be eliminated. Implementation of the TCP Enhancement Plan would allow the FHWA to make a determination of no adverse effect for Villa Buena and Pueblo del Alamo under Criterion A. The FHWA acknowledges that if the plan is not implemented, that the GRIC and the GRIC-THPO would be able to revise their position and not concur with FHWA and ADOT recommendations. In addition, the GRIC-THPO and the FHWA want to make it clearly understood that mitigation of adverse effects for Criterion D is still required. Data recovery efforts must still be undertaken at the two sites.

The GRIC-THPO concurs with a determination of no adverse effect to Villa Buena and Pueblo del Alamo as it pertains to Section 106 of the National Historic Preservation Act and to Criterion A which is defined under 36 CFR 60: National Register of Historic Places. The GRIC-THPO also accepts the TCP Enhancement Plan and all recommendations put forth in the document. The TCP Enhancement Plan is a thoughtful, unique way to avoid potential adverse effects of this undertaking. It is well written. The GRIC-THPO would like to reiterate our appreciation to the FHWA and ADOT for acknowledging and accepting the GRIC worldview.

The GRIC maintains and reinforces the cultural significance of South Mountain to the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'odham Nation) together with the Pee Posh (Maricopa). O'odham oral history and religion defines our life and relationship to the natural world and the cultural landscape. Akimel O'odham and Pee Posh oral histories, religion, creation stories, ceremonial activities and practices, and the concepts of power and sacred places are inseparably tied to every part of the natural environment. Sacred places and Traditional Cultural Places (TCPs) must be treated with reverence and respect.

The GRIC-THPO looks forward to continuing consultation regarding the proposed 202 Loop. If you have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,



Barnaby V. Lewis
Tribal Historic Preservation Officer
Gila River Indian Community



ARIZONA DIVISION

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October 23, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No.: 202L MA 54 H5764 01L
202L South Mountain Freeway DCR and EIS
Continuing Section 106 Consultation
Section 4(f)
No Adverse Effect

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
130 West Washington
Phoenix, Arizona 85007

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Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration, the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800, NHPA), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies and engaging in an ongoing open dialog with GRIC's Tribal Historic Preservation Office (THPO) and

Cultural Resource Management Program (CRMP) regarding the identification and evaluation of places of religious and cultural significance to the tribe, often referred to as traditional cultural properties (TCPs) as they may be affected by the proposed South Mountain Freeway project. As a result of these discussions, the GRIC has identified TCPs that are eligible for the National Register of Historic Places (NRHP), and could be affected by the construction of the South Mountain Freeway. These include, among others, the prehistoric Hohokam villages of Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM]) (Petty [FHWA] to Jacobs [SHPO], April 24 2012).

Previous correspondence has summarized the specific qualities of Villa Buena and Pueblo del Alamo as TCPs under Criteria A and D of the NRHP, as well as proposed mitigation to address any potential adverse effects to all TCPs identified within the South Mountain freeway project area (Petty [FHWA] to Mendoza [GRIC], April 24, 2012). The mitigation strategies presented thus far include Treatment Plans entitled *South Mountain Freeway (SR 102L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development Summary Scope of Work (Draft)* (Darling 2008), and an addendum to the aforementioned document entitled *Addendum Planning for TCP Mitigation Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM]) (Draft)* (Darling 2012), both of which the SHPO previously approved (Petty [FHWA] to Jacobs [SHPO], April 24 2012 [SHPO concurrence 18 May 2012]).

However, based on comments received from SHPO as part of previous consultation dated April 24, 2012 (Petty [FHWA] to Jacobs [SHPO]), and in further consideration of the GRIC's specific concerns for the spiritual welfare and cultural loss to their members and those of other affiliated Tribes due to potential impacts to Villa Buena and Pueblo del Alamo, this letter proposes that in the event of freeway construction an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. The *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])*, replaces the previously identified "Addendum Plan" for Villa Buena and Pueblo del Alamo. This document proposes that upon completion of the EIS review process, a *TCP Enhancement Plan* will be developed and implemented, which would insure the following:

- 1) Preparation of the site(s) and Tribal members for anticipated ground disturbance including Traditional Religious Activities, Exhibits and Outreach, Tribal Consultation, Cultural Sensitivity Training, and the Protection of Equivalent Sites and Sacred Landscapes; and
- 2) Development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in GRIC culture and history.

As noted in previous correspondence with the SHPO (Petty [FHWA] to Jacobs [SHPO], April 24, 2012), the present surface condition of both sites within the area of potential effects (APE) of the proposed western alignments of the 202L freeway is highly disturbed by recent activities such as farming and other development. However, FHWA also recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of these sites as TCPs. This includes those aspects of site presence, both physical and spiritual; that the GRIC believes will be negatively impacted by freeway construction. These impacts could arguably be considered potential adverse effects under Criterion A of the NRHP. The FHWA also recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes.

In order to address these concerns and in consultation with the GRIC, the FHWA position is that the proposal to develop and implement a *TCP Enhancement Plan* for Villa Buena and Pueblo del Alamo will serve to prevent or eliminate the potential for these adverse effects to Villa Buena and Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP. This plan will not address

other TCPs in the APE or adverse effects under Criterion D of the NRHP as they pertain to these two sites. However, FHWA believes that this revised strategy addresses the SHPOs concerns over the presence or absence of adverse effect under Criterion A and allows the GRIC to take the lead in developing a plan for eliminating the potential for adverse effects, which they feel remain in spite of the present surface condition of these two sites. The attached consultation dated October 22, 2012 indicates the GRIC's concurrence that the development and implementation of a *TCP Enhancement Plan* will prevent potential adverse effects under Criterion A to Villa Buena and Pueblo del Alamo in the event of freeway construction. Furthermore, the GRIC concurred that the *TCP Enhancement Plan* is an adequate precondition for their concurrence with FHWA's recommendation for a finding of "no adverse effect" under Criterion A.

In conclusion, since the proposed strategy for TCP enhancement is to prevent the potential for adverse effects, it is the position of the FHWA that the adoption of the attached proposal is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Villa Buena and Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP. SHPO concurrence with this finding is requested with the full understanding that FHWA and ADOT are committed to the development and implementation of the *TCP Enhancement Plan* as presented in the attached proposal. Furthermore, FHWA acknowledges that failure to develop and implement such a plan could result in adverse effects under Criterion A, if freeway construction proceeds, and in that event, the SHPO may find it necessary to revise its position.

The TCPs that are the topic of this letter are also subject to regulations set forth in Section 4(f) of the Department of Transportation (DOT) Act of 1966, 49 U.S.C. 303, as amended. Section 4(f) stipulates that FHWA and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historic sites unless there is no feasible and prudent alternative to the use of that land, and that the proposed action includes all possible planning to minimize harm to the property resulting from such use.

Section 4(f) generally applies to the use of TCPs that are determined to be eligible for listing in the NRHP. FHWA believes that Section 4(f) does not apply to the proposed use of portions of the Villa Buena and Pueblo del Alamo TCPs for the proposed South Mountain Freeway project alternatives because the impacted area is primarily archeological in nature and preservation in place is not warranted. The exception is detailed in 23 CFR 774.13 as follows: "The Administration has identified various exceptions to the requirement for Section 4(f) approval. These exceptions include, but are not limited to: (b) Archeological sites that are on or eligible for the National Register when: (1) The Administration concludes that the archeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place. This exception applies both to situations where data recovery is undertaken and where the Administration decides, with agreement of the official(s) with jurisdiction, not to recover the resource; and (2) The official(s) with jurisdiction over the Section 4(f) resource have been consulted and have not objected to the Administration finding in paragraph (b)(1) of this section."

As mentioned above, a number of meetings have taken place between FHWA, ADOT, GRIC CRMP, and GRIC THPO in which the nature of and the impacts to the Villa Buena and Pueblo del Alamo TCPs were discussed. Through these discussions the parties have come to the conclusion that modern development has already significantly altered the portions of these sites that would be impacted by the highway project. While the modern surface development does not diminish the association with traditional cultural practices of the GRIC for purposes of the consultation required by NHPA, for purposes of Section 4(f), the FHWA believes that the impacted area is important chiefly for what could be learned by data recovery of any subsurface features that may still be present. In addition, future archaeological investigations may contribute to their TCP status.

If you have no objection to FHWA's determination under Section 4(f) that the portions of the Villa Buena and Pueblo de Los Alamos TCPs that would be used by the proposed project alternatives under consideration are chiefly important because of what can be learned by data recovery and have minimal value for preservation in place, then FHWA will apply the Section 4(f) exception described above to the use of these properties. This determination is for purposes of Section 4(f) only and would not have any impact on the Section 106 consultation that is underway and will continue.

Please review the information provided in this letter and the enclosed consultation. If you agree with FHWA's finding of "no adverse effect" and do not object to the Section 4(f) determinations described above, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosure



GILA RIVER INDIAN COMMUNITY

POST OFFICE BOX 2140, SACATON, AZ 85147

TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162
Fax: (520) 562-5083

October 22, 2012

Karla S. Petty, Division Administrator
U. S. Department of Transportation
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C 202L South Mountain Freeway, DCR and EIS Continuing 106 Traditional Cultural Properties (TCP) Enhancement Plan, No Adverse Effect

Dear Ms. Petty,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received report *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Traditional Cultural Properties and Mitigation of Transportation Corridor Development Adverse Effects Addendum Planning for TCP Mitigation Villa Buena (AZT:12:9[ASM]), Pueblo Del Alamo (AZ T:12:53[ASM]) (Darling and Loendorf 2012)* dated September 26, 2012. The report evaluates the National Register eligibility status of sites Villa Buena (AZ T:12:9[ASM]) and Pueblo del Alamo (AZ T:12:52[ASM]) and plans for mitigation of adverse effects to the sites.

For the extent of the consultation process, the GRIC-THPO has maintained that Villa Buena and Pueblo del Alamo are Akimel O'Odham and Pee Posh Traditional Cultural Properties (TCPs) and Register eligible properties under Criterion A and Criterion D as stipulated in 36 CFR 60: National Register of Historic Places. The FHWA and the Arizona Department of Transportation (ADOT) have both agreed that the sites are Register eligible properties under Criterion A and that there would be adverse effects to the sites if construction of the Loop 202 South Mountain Freeway were to proceed. The finding of site significance under Criterion A presented a situation where mitigative actions would require an alternative strategy to prevent potential adverse effects to the sites. The Darling and Loendorf document proposes that a TCP Enhancement Plan be developed and implemented upon completion of the Environmental Impact Statement (EIS) process. The TCP Enhancement Plan would insure that: 1) The sites and the people are physically and spiritually prepared for anticipated ground disturbance through conducting traditional religious activities, developing and sponsoring exhibits and outreach, through continued tribal consultation, sponsoring of cultural sensitivity training sessions, and through the protection of equivalent sites and sacred landscapes; and 2) The development of

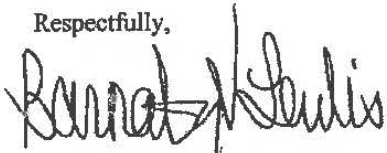
programmatic solutions focused on preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in GRIC culture and history. Through the implementation of the TCP Enhancement Plan, adverse effects to the two sites under Criterion A will be eliminated. Implementation of the TCP Enhancement Plan would allow the FHWA to make a determination of no adverse effect for Villa Buena and Pueblo del Alamo under Criterion A. The FHWA acknowledges that if the plan is not implemented, that the GRIC and the GRIC-THPO would be able to revise their position and not concur with FHWA and ADOT recommendations. In addition, the GRIC-THPO and the FHWA want to make it clearly understood that mitigation of adverse effects for Criterion D is still required. Data recovery efforts must still be undertaken at the two sites.

The GRIC-THPO concurs with a determinations of no adverse effect to Villa Buena and Pueblo del Alamo as it pertains to Section 106 of the National Historic Preservation Act and to Criterion A which is defined under 36 CFR 60: National Register of Historic Places. The GRIC-THPO also accepts the TCP Enhancement Plan and all recommendations put forth in the document. The TCP Enhancement Plan is a thoughtful, unique way to avoid potential adverse effects of this undertaking. It is well written. The GRIC-THPO would like to reiterate our appreciation to the FHWA and ADOT for acknowledging and accepting the GRIC worldview.

The GRIC maintains and reinforces the cultural significance of South Mountain to the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'Odham Nation) together with the Pee Posh (Maricopa). O'Odham oral history and religion defines our life and relationship to the natural world and the cultural landscape. Akimel O'Odham and Pee Posh oral histories, religion, creation stories, ceremonial activities and practices, and the concepts of power and sacred places are inseparably tied to every part of the natural environment. Sacred places and Traditional Cultural Places (TCPs) must be treated with reverence and respect.

The GRIC-THPO looks forward to continuing consultation regarding the proposed 202 Loop. If you have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,



Barnaby V. Lewis
Tribal Historic Preservation Officer
Gila River Indian Community



U.S. Department
of Transportation
**Federal Highway
Administration**

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October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Mr. Gregory Mendoza, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85147

Dear Governor Mendoza:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration (Western), the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies. The proposed South Mountain Freeway would require realignment of the Liberty-Coolidge 230-kV Transmission Line, which is administered by Western. At the request of ADOT, GRIC's Cultural Resource Management

Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
AZ T:12:112 (ASM)	Shrine site containing mound, trail, and cleared area	E2
GR-1002	Dry farming agricultural site	E2
GR-1003	Dry farming agricultural site	E2
GR-1081	Petroglyph site with an associated artifact scatter of sherds and lithics	E2
GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in "*A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona*" (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

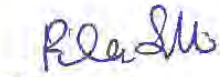
AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site's boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effect (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for GRIC Concurrence
NH-202-D(ADY)

Date

Enclosure

cc:
Barnaby Lewis, Tribal Historic Preservation Officer, Gila River Indian Community, P.O. Box 2140, Sacaton, AZ 85147 (with enclosure)
Kyle Woodson, Acting Coordinator, Cultural Resource Management Program, Gila River Indian Community, P.O. Box 2140, Sacaton, AZ, 85147 (with enclosure)



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October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration (Western), the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies. The proposed South Mountain Freeway would require realignment of the Liberty-Coolidge 230-kV Transmission Line, which is administered by Western. At the request of ADOT, GRIC's Cultural Resource Management

Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
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GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in "A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona" (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

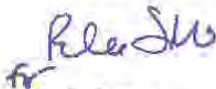
AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site's boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effects (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosure



U.S. Department
of Transportation
Federal Highway
Administration

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October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Ms. Linda Hughes, Environmental Manager
Western Area Power Administration
615 South 43rd Avenue
Phoenix, AZ 85009

Dear Ms. Hughes:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration (Western), the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies. The proposed South Mountain Freeway would require realignment of the Liberty-Coolidge 230-kV Transmission Line, which is administered by Western. At the request of ADOT, GRIC's Cultural Resource Management

Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
AZ T:12:112 (ASM)	Shrine site containing mound, trail, and cleared area	E2
GR-1002	Dry farming agricultural site	E2
GR-1003	Dry farming agricultural site	E2
GR-1081	Petroglyph site with an associated artifact scatter of sherds and lithics	E2
GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP’s Class III survey of the transmission line realignment corridors are reported in “*A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona*” (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site’s boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an “adverse effect” to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effects (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC’s position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC’s concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of “no adverse effect” for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of “adverse effect” is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of “no adverse effect” is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for Western Concurrence
NH-202-D(ADY)

Date

Enclosure



ARIZONA DIVISION

4000 North Central Avenue
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<http://www.fhwa.dot.gov/azdiv/index.htm>

October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Ms. Linda Hughes, Environmental Manager
Western Area Power Administration
615 South 43rd Avenue
Phoenix, AZ 85009

Dear Ms. Hughes:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration (Western), the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies. The proposed South Mountain Freeway would require realignment of the Liberty-Coolidge 230-kV Transmission Line, which is administered by Western. At the request of ADOT, GRIC's Cultural Resource Management

Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
AZ T:12:112 (ASM)	Shrine site containing mound, trail, and cleared area	E2
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GR-1003	Dry farming agricultural site	E2
GR-1081	Petroglyph site with an associated artifact scatter of sherds and lithics	E2
GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in "A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona" (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site's boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effects (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

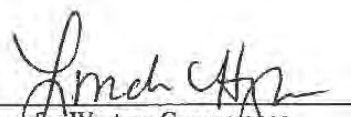
Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

NOV 27 2012


 Signature for Western Concurrence
 NH-202-D(ADY)

11-20-12
Date

Enclosure



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Louis Manuel, Jr., Chairman
Ak-Chin Indian Community
42507 West Peters & Nall Road
Maricopa, Arizona 85138

Dear Chairman Manuel:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South



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January 31, 2013

In Reply Refer To:
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HOP-AZ

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In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

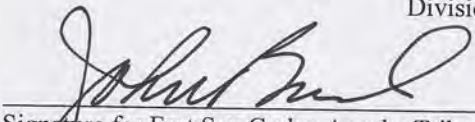
of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,
Rebecca Swiecki

Karla S. Petty
Division Administrator

 2/5/13
Signature for Fort San Carlos Apache Tribe Concurrence Date
NH-202-D(ADY)

Enclosures


cc:
Vernelda Grant, Tribal Historic Preservation Officer (with enclosure)
RSwiecki
LDavis (EM02)
RSwiecki:cdm



ARIZONA DIVISION

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January 31, 2013

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BY: 

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Leigh Kuwanwisiwma, Director
Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history


Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

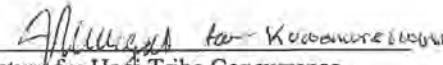
Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

FEB 8 - 2013


Signature for Hopi Tribe Concurrence
NH-202-D(ADY)

Date 2-6-13

Enclosure



ARIZONA DIVISION

4000 North Central Avenue
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Phoenix, Arizona 85012-3500
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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Louise Lopez, Chairwoman
Tonto Apache Tribe
Tonto Apache Reservation #30
Payson, Arizona 85541

Dear Chairwoman Lopez:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours, FEB 8 - 2013

Karla S. Petty
for
Karla S. Petty
Division Administrator

Shirley D. ...
Signature for Tonto Apache Tribe Concurrence NH-202-D(ADY) Date 2-6-13

Enclosure



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Sherry Cordova, Chairwoman
Cocopah Tribe
County 15th & Avenue G
Somerton, Arizona 85350

Dear Chairwoman Cordova:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

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Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

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- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
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- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history


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of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

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Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Cocopah Tribe Concurrence
NH-202-D(ADY)

Date

Enclosures

cc:
H. Jill McCormick, Cultural Resources Manager (with enclosure)



THE COCOPAH INDIAN TRIBE
Cultural Resource Department
 14515 S. Veterans Drive
 Somerton, Arizona 85350-2689
 Telephone (928) 627-4849
 Cell (928) 503-2291
 Fax (928) 627-3173

CCR-037-12-009

February 11, 2013

Ms. Karla S. Petty
 Division Administrator
 U.S. Department of Transportation
 Arizona Division
 4000 North Central Avenue – Suite 1500
 Phoenix, AZ 85012-3500

RE: Comments for the Proposed South Mountain Freeway, EIS and Location/Design
 Concept Report

Dear Ms. Petty

The Cultural Resources Department of the Cocopah Indian Tribe appreciates your consultation efforts on this project. We are pleased that you contacted our department on this issue for the purpose of solicitation of our input and to address our concerns on this matter. At this time we wish to make no comments on the development of the project. We defer the decision making process regarding the sensitive cultural resources of the area to the most local tribe(s) and support their determinations on this issue. However, we would like to continue to be kept informed on the progress of this project and the effects on cultural resources

If you have any questions or need additional information please feel free to contact the cultural resource department. We will be happy to assist you with any future concerns or questions.

Sincerely,

H. Jill McCormick, M.A.
 Cultural Resource Manager



ARIZONA DIVISION

MAR 06 2013

January 31, 2013

2012-138
 4000 North Central Avenue
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 Phoenix, Arizona 85012-3500
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In Reply Refer To:
 NH-202-D(ADY)
 HOP-AZ

NH-202-D(ADY)
 TRACS No. 202L MA 054 H5764 01C
 202L, South Mountain Freeway, DCR and EIS
 Continuing Section 106 Consultation
 Traditional Cultural Properties

Mr. Garry Cantley, Western Regional Archaeologist
 Bureau of Indian Affairs
 2600 North Central Avenue, Suite 400
 MS-620EQS
 Phoenix, Arizona 85004-3008

Dear Mr. Cantley:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South



Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the protection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

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with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

Karla S. Petty
for
Karla S. Petty
Division Administrator

MAR 06 2013

Rodney M. Uy
Signature for BIA Concurrence
NH-202-D(ADY)

Date

2-19-13

Enclosure



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Laurene Montero, City Archaeologist
City of Phoenix
4619 East Washington
Phoenix, Arizona 85034

Dear Ms. Montero:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:


- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for Chemehuevi Tribe Concurrence NH-202-D(ADY)	Date
Enclosure	
cc: June Leivas, Cultural Center Director (with enclosure)	

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

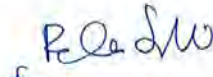
Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator


Signature for City of Phoenix Concurrence
NH-202-D(ADY)

2/20/2013
Date

Enclosure



ARIZONA DIVISION

4000 North Central Avenue
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Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Ronnie Lupe, Chairman
White Mountain Apache Tribe
P.O. Box 1150
Whiteriver, Arizona 85941

Dear Chairman Lupe:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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2

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

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Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
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SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

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- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history


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of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for White Mountain Apache Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Mark Altaha, Tribal Historic Preservation Officer, Historic Preservation Office, P.O. Box 507, Fort Apache, AZ 85926 (with enclosure)
Ramon Riley, Cultural Resource Director, Historic Preservation Office, P.O. Box 507, Fort Apache, AZ 85926



White Mountain Apache Tribe

Office of Historic Preservation

PO Box 507

Fort Apache, AZ 85926

Ph: (928) 338-3033 Fax: (928) 338-6055

To: Linda Davis, ADOT Historic Preservation Specialist

Date: February 21, 2013

Project: NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C 202L South Mtn Freeway DRC/EIS

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the proposed project, January 31, 2013. In regards to this, please attend to the following checked items below.

► *There is no need to send additional information unless project planning or implementation results in the discovery of sites and/or items having known or suspected Apache Cultural affiliation.*

N/A - The proposed project is located within an area of probable cultural or historical importance to the White Mountain Apache tribe (WMAT). As part of the effort to identify historical properties that maybe affected by the project we recommend an ethno-historic study and interviews with Apache Elders. The tribe's **Cultural Heritage Resource Director Mr. Ramon Riley** may be contacted at (928) 338-3033 for further information should this become necessary.

► Please refer to the attached additional notes in regards to the proposed project:

We have received and reviewed the information regarding ADOT's continuing technical studies in support of the EIS for 202L, South Mountain Freeway, EIS and Location/Design Concept Report proejct, Arizona, and we have determined the proposed project **will not have an adverse impact** on the White Mountain Apache tribe's (WMAT) historic properties and/or traditional cultural resources. Regardless, we recommend any/all ground disturbing activities be monitored **if** there are reasons to believe that there are human remains and/or funerary objects are present, and if such remains and/or objects are encountered all project activities should cease and the proper authorities and/or **affiliated** tribe(s) be notified to evaluate the situation.

Thank you. We look forward to continued collaborations in the protection and preservation of place of cultural and historical significance.

Sincerely,

Mark T. Altaha

White Mountain Apache Tribe

Historic Preservation Office



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

4000 North Central Avenue
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Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
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<http://www.fhwa.dot.gov/azdiv/index.htm>

January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Eldred Enas, Chairman
Colorado River Indian Tribes
26600 Mohave Road
Parker, Arizona 85344

Dear Chairman Enas:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Laurene Montero, City Archaeologist
City of Phoenix
4619 East Washington
Phoenix, Arizona 85034

Dear Ms. Montero:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

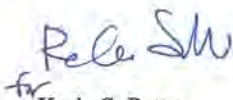
In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for Colorado River Indian Tribes Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Wilene Fisher-Holt, Director, CRIT Museum (with enclosure)



R

COLORADO RIVER INDIAN TRIBES
Museum

1007 Arizona Avenue • Parker, Arizona 85344
Mailing: 26600 Mohave Rd. • Parker, Arizona, 85344
Phone: (928) 669-8970 • Fax: (928) 669-1925

February 25, 2013

Karla S. Petty, Division Administrator
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: NH-202-D(ADY)

Dear Ms. Petty:

Thank you for your letters dated August 8, 2012 and January 31, 2013 requesting comment on the following project:

Project Name: 202L, South Mountain Freeway, DCR and EIS
TRACS Number: 202L MA 054 H5764 01C

In order to fully assess Colorado River Indian Tribes (CRIT) concerns regarding a given project area, Tribal members would generally have to visit the site. For this particular project, however, CRIT would like to join the Ak-Chin Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community in deferring to the Gila River Indian Community to take the lead in Section 106 consultation regarding the TCPS. At this time the Colorado River Indian Tribes is in concurrence with the Federal Highway Administration finding of "adverse effect" for the overall project, and CRIT does reserve the right to intervene if new or omitted information related to the proposed project becomes available.

Thank you. If you have any concerns please feel free to contact me at (928) 669-8970.

Sincerely,

Jennifer L. Barangan
Archaeological Compliance Technician

cc: Wayne Patch, Sr., Chairman
Rebecca Loudbear, Acting Attorney General
File: CPRL_10029

FEB 27 2013



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Dr. Alan Downer, Tribal Historic Preservation Officer
Historic Preservation Department
Navajo Nation
P.O. Box 4950
Window Rock, Arizona 86515

Dear Dr. Downer:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history


Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Navajo Nation Concurrence
NH-202-D(ADY)

Date

Enclosure



THE
NAVAJO
NATION

Historic Preservation Department, POB 4950, Window Rock, AZ 86515 • PH: 928.871-7198 • FAX: 928.871.7886

BEN SHELLY
PRESIDENT



REX LEE JIM
VICE-PRESIDENT

APR 1 - 2013

March 20, 2013

Karla S Petty, Division Administrator
U.S. Department of Transportation
Arizona Division
4000 N Central Ave.
Suite 1500
Phoenix, AZ 85012-3500

Dear Ms. Petty:

The Navajo Nation Historic Preservation Department-Traditional Culture Program (NNHPD-TCP) is in receipt of the proposed project regarding technical studies in support of the Environmental Impact Statement for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project, Phoenix, Arizona.

After reviewing your consultation documents, NNHPD-TCP has concluded the proposed undertaking/project area **will not impact** Navajo traditional cultural resources. The NNHPD-TCP, on behalf of the Navajo Nation has no concerns at this time.

However, the determination made by the NNHPD-TCP does not necessarily mean that the Navajo Nation has no interest or concerns with the proposed project. If the proposed project inadvertently discovers habitation sites, plant gathering areas, human remains and objects of cultural patrimony, the NNHPD-TCP request that we be notified respectively in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA). *The Navajo Nation claims cultural affiliation to all Anasazi people (periods from Archaic to Pueblo IV) of the southwest. The Navajo Nation makes this claim through Navajo oral history and ceremonial history, which has been documented as early as 1880 and taught from generation to generations.*

The NNHPD-TCP appreciates the U.S. Department of Transportation's consultation efforts, pursuant to 36 CFR Pt. 800.1 (c)(2)(iii). Should you have any additional concerns and/or questions do not hesitate to contact me electronically at tony@navajohistoricpreservation.org or telephone at 928-871-7750.

Sincerely,


Tony H. Joe, Jr., Supervisory Anthropologist (Section 106 Consultation) Navajo Nation Historic Preservation Department-Traditional Culture Program

TCP
cc: 13-141
Office File/Chrono

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

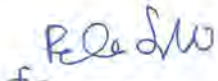
Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for City of Phoenix Concurrence
NH-202-D(ADY)

Date

Enclosure



ARIZONA DIVISION

4000 North Central Avenue
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January 31, 2013

In Reply Refer To:

HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Sherry Cordova, Chairwoman
Cocopah Tribe
County 15th & Avenue G
Somerton, Arizona 85350

Dear Chairwoman Cordova:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Cocopah Tribe Concurrence
NH-202-D(ADY)

Date

Enclosures

cc:
H. Jill McCormick, Cultural Resources Manager (with enclosure)



ARIZONA DIVISION

4000 North Central Avenue
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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Eldred Enas, Chairman
Colorado River Indian Tribes
26600 Mohave Road
Parker, Arizona 85344

Dear Chairman Enas:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

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Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

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- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history


Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Colorado River Indian Tribes Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Wilene Fisher-Holt, Director, CRIT Museum (with enclosure)



ARIZONA DIVISION

January 31, 2013

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In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Dr. Clinton Pattea, President
Fort McDowell Yavapai Nation
P.O. Box 17779
Fountain Hills, Arizona 85269

Dear President Pattea:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for Fort McDowell Yavapai Nation Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Erica McCalvin, Planning & Project Manager (with enclosure)
Karen Ray, Culture Coordinator (with enclosure)



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Timothy Williams, Chairman
Fort Mojave Indian Tribe
500 Merriman Avenue
Needles, California 92363

Dear Chairman Williams:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for Fort Mojave Indian Tribe Concurrence
NH-202-D(ADY)

Date

Enclosure

cc:

Linda Otero, Director, Cultural Resource Management, P.O. Box 5990, 10225 S. Harbor Avenue, Mojave Valley, AZ 86440 (with enclosure)



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Keeny Escalanti, President
Fort Yuma-Quechan Tribe
P.O. Box 1899
Yuma, Arizona 85366

Dear President Escalanti:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

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- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
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Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Fort Yuma-Quechan Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
John P. Bathke, Historic Preservation Officer (with enclosure)



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Don E. Watahomigie, Chairman
Havasupai Tribe
P.O. Box 10
Supai, Arizona 86435

Dear Chairman Watahomigie:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history


Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for Ak-Chin Indian Community Concurrence Date
NH-202-D(ADY)

Enclosure

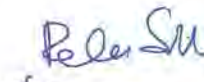
cc:
Caroline Antone, Cultural Resource Manager, Ak-Chin Indian Community, 42507 W. Peters and Nall Road, Maricopa, AZ 85138 (with enclosure)

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for Havasupai Tribe Concurrence Date
NH-202-D(ADY)

Enclosures

cc:
Travis Hamidreek, Director of Natural Resources (with enclosure)



ARIZONA DIVISION

January 31, 2013

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3846
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Leigh Kuwanwisiwma, Director
Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

2

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history


Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Hopi Tribe Concurrence
NH-202-D(ADY)

Date

Enclosure



ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Louise Benson, Chairwoman
Hualapai Tribe
P.O. Box 179
Peach Springs, Arizona 86434

Dear Chairwoman Benson:

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SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

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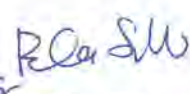
Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

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Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Hualapai Tribe Concurrence
NH-202-D(ADY)

Date

Enclosures

cc:
Loretta Jackson-Kelly, Tribal Historic Preservation Officer, Office of Cultural Resources, P.O. Box 310, Peach Springs, AZ 86434 (with enclosure)



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Manual Savala, Chairman
Kaibab Band of Paiute Indians
HC 65, Box 2, Tribal Affairs Bld.
Fredonia, Arizona 86022

Dear Chairman Savala:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South



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TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Garry Cantley, Western Regional Archaeologist
Bureau of Indian Affairs
2600 North Central Avenue, Suite 400
MS-620EQS
Phoenix, Arizona 85004-3008

Dear Mr. Cantley:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

4

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for Kaibab Band of Paiute Indians Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Charley Bulletts, Cultural Resources Director (with enclosure)



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

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NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Dr. Alan Downer, Tribal Historic Preservation Officer
Historic Preservation Department
Navajo Nation
P.O. Box 4950
Window Rock, Arizona 86515

Dear Dr. Downer:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history


Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Navajo Nation Concurrence
NH-202-D(ADY)

Date

Enclosure



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202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Peter Yucupicio, Chairman
Pascua Yaqui Tribe
7474 South Camino de Oeste
Tucson, Arizona 85757

Dear Chairman Yucupicio:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

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Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

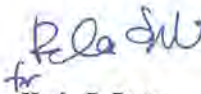
- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for
Karla S. Petty
Division Administrator

Signature for Pascua Yaqui Tribe Concurrence
NH-202-D(ADY)

Date

Enclosure

cc:
Rolando Flores, Assistant Tribal Attorney General, 4725 West Calle Tetakusim, Building B
Tucson, AZ 85757 (with enclosure)
Veronica La Motte Darnell, 4725 West Calle Tetakusim, Building B, Tucson, AZ 85757 (with enclosure)



ARIZONA DIVISION

January 31, 2013

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In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. May Preston, President
San Juan Southern Paiute
P.O. Box 1989
Tuba City, Arizona 86045

Dear President Preston:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

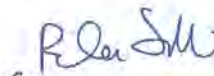
Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for Fort San Juan Southern Paiute Concurrence Date
NH-202-D(ADY)

Enclosure



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Terry Rambler, Chairman
San Carlos Apache Tribe
P.O. Box 0
San Carlos, Arizona 85550

Dear Chairman Rambler:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history


Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for Fort San Carlos Apache Tribe Concurrence Date
NH-202-D(ADY)

Enclosures

cc:
Vernelda Grant, Tribal Historic Preservation Officer (with enclosure)



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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Diane Enos, President
Salt River Pima-Maricopa Indian Community
10005 East Osborn Road
Scottsdale, Arizona 85256

Dear President Enos:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history


Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for SRP-MIC Concurrence
NH-202-D(ADY)

Date

Enclosures

cc:
Shane Anton, Salt River Pima-Maricopa Indian Community, Cultural Preservation Program Manager, 10005 E. Osborn Road, Scottsdale, AZ 85256 (with enclosure)
Angela Garcia-Lewis, Salt River Pima-Maricopa Indian Community, NAGPRA Coordinator, Cultural Preservation Program, 10005 E. Osborn Road, Scottsdale, AZ 85256 (with enclosure)
Jacob Butler, Salt River Pima-Maricopa Indian Community, Archaeologist, Cultural Preservation Program, 10005 E. Osborn Road, Scottsdale, AZ 85256 (with enclosure)



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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Louise Lopez, Chairwoman
Tonto Apache Tribe
Tonto Apache Reservation #30
Payson, Arizona 85541

Dear Chairwoman Lopez:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for Tonto Apache Tribe Concurrence
NH-202-D(ADY)

Date

Enclosure



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Peter Steere, Tribal Historic Preservation Officer
Mr. Joe Joaquin, Cultural Affairs Office
Tohono O’odham Nation
P. O. Box 837
Sells, Arizona 85634

Dear Messrs. Steere and Joaquin:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O’odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC’s Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for BIA Concurrence
NH-202-D(ADY)

Date


Enclosure

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Bucna, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of “adverse effect” for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


for Karla S. Petty
Division Administrator

Signature for Tohono O’odham Nation Concurrence
NH-202-D(ADY)

Date

Enclosure



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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Ronnie Lupe, Chairman
White Mountain Apache Tribe
P.O. Box 1150
Whiteriver, Arizona 85941

Dear Chairman Lupe:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

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Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

Signature for White Mountain Apache Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Mark Altaha, Tribal Historic Preservation Officer, Historic Preservation Office, P.O Box 507, Fort Apache, AZ 85926 (with enclosure)
Ramon Riley, Cultural Resource Director, Historic Preservation Office, P.O Box 507, Fort Apache, AZ 85926



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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Chris Coder, Tribal Archaeologist
Yavapai-Apache Nation
2400 West Datsi Street
Camp Verde, Arizona 86322

Dear Mr. Coder:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

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Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

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- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

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SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

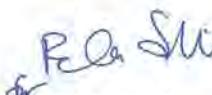
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with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

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Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA’s determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,


Karla S. Petty
Division Administrator

Signature for Yavapai-Apache Nation Concurrence
NH-202-D(ADY)

Date

Enclosure



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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Arlen Quetawki Sr., Governor
Pueblo of Zuni
P. O. Box 339
Zuni, New Mexico 87327

Dear Governor Quetawki:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Charles Wood, Chairman
Chemehuevi Tribe
P.O. Box 1976
Havasu Lake, California 92363

Dear Chairman Wood:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

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of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

K.S. Petty

Karla S. Petty
Division Administrator

Signature for Pueblo of Zuni Concurrence
NH-202-D(ADY)

Date

Enclosure

cc:

Kurt Dongoske, Director, Tribal Historic Preservation Officer, Heritage and Historic Preservation Office, P.O. Box 1149, Zuni, NM 87327 (with enclosure)



U.S. Department
of Transportation
Federal Highway
Administration

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500

Phoenix, Arizona 85012-3500

Phone: (602) 379-3646

Fax: (602) 382-8998

<http://www.fhwa.dot.gov/azdiv/index.htm>

January 31, 2013



In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)

TRACS No. 202L MA 054 H5764 01C

202L, South Mountain Freeway, DCR and EIS

Continuing Section 106 Consultation

Traditional Cultural Properties

Dr. Clinton Pattea, President
Fort McDowell Yavapai Nation
P.O. Box 17779
Fountain Hills, Arizona 85269

Dear President Pattea:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

4

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

Karla S. Petty

Karla S. Petty
Division Administrator

FEB 8 - 2013

[Signature]
Signature for Fort McDowell Yavapai Nation Concurrence Date
NH-202-D(ADY)

2-4-13

Enclosure

cc:
Erica McCalvin, Planning & Project Manager (with enclosure)
Karen Ray, Culture Coordinator (with enclosure)



ARIZONA DIVISION

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Terry Rambler, Chairman
San Carlos Apache Tribe
P.O. Box 0
San Carlos, Arizona 85550

Dear Chairman Rambler:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA’s eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O’odham culture and history

Cultural (TCP) enhancement purposes to elevate O’odham knowledge and awareness of these two sites so that any negative impact on their “presence” in O’odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

APPENDIX 4-1

ADOT RELOCATION ASSISTANCE PROGRAM POLICY

Appendix 4-1, *ADOT Relocation Assistance Program Policy*, provides the full ADOT policy on relocation assistance. This policy defines how ADOT complies with Title VI of the Civil Rights Act of 1964, which prohibits any action undertaken by ADOT to treat any person or group unfairly on the grounds of race, color, national origin, sex, age, or disability. A brochure explaining ADOT’s relocation assistance program is also included.

POLICY

The Arizona Department of Transportation assures full compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. Title VI of the Civil Rights Act requires that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the Arizona Department of Transportation. Related nondiscrimination statutes added sex, age, and disability. A program or activity is defined as all of the operations of a department or agency of a State government.

ASSURANCES

The State of Arizona (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a)(1) of the Regulations, a copy of which is attached.

More specifically and without limiting the above general assurance, the Arizona DOT hereby gives the following specific assurances with to its Federal-aid Highway Program.

1. That the Arizona DOT agrees that each “program” and each “facility” as defined in subsections 21.23(e) and 21.23 (b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Arizona DOT shall insert the following notifications in all solicitations for bids for work or material subject to the Regulations

and made in connection with all Federal-aid Highway Program and, in adapted form in all proposals for negotiated agreements:

The State of Arizona, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, gender, age, or disability in consideration for an award.

3. That the Arizona DOT shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Arizona DOT shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Arizona DOT constructs a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Arizona DOT acquires real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Arizona DOT shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Arizona DOT with other parties: (a) for the subsequent transfer of real property acquired or improved under the State Transportation Improvement Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the State Transportation Improvement Program.
8. That this assurance obligates the Arizona DOT for the period during which Federal financial assistance is extended, except where the Federal financial assistance is to provide, or is in the form of, personal

property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Arizona DOT or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Arizona DOT retains ownership or possession of the property.

9. The Arizona DOT shall provide for such methods of administration for the program as are found by the Secretary of Transportation of the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Arizona DOT agrees that the United States has right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Arizona DOT by the Department of Transportation under the Federal-aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in the interest and other participants in the Federal-aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Arizona DOT.

DATED _____ ARIZONA DOT

(Signature of Authorized Official)

Attachments
Appendices A, B, and C
Department of Transportation

APPENDIX A

During the performance of this contract, the contractors, for itself, its assignees and successors in the interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (herein, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of face, color, national origin, gender, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligation under this contract and the Regulations relative to nondiscrimination on the grounds of face, color, national origin, gender, age, or disability.
- (4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts other sources of information, and its facilities as may be determined by the State of Arizona or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the State of Arizona, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the State of Arizona shall imposed such contract sanctions

as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies and/or
- (b) cancellation, termination or suspension of the contract in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State of Arizona of the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State of Arizona to enter into such litigation to protect the interests of the State of Arizona, and, in addition, the contractor may require the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Arizona will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat.; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the State of Arizona all the right, title and interest of the Department of Transportation in and to said lands described to Exhibit “A” attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the State of Arizona and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Arizona, its successors and assigns.

The State of Arizona, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, the (1) no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed, and (2) that the State of Arizona shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal

Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall hereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI in the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits or similar instruments entered into by the State of Arizona pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that in the event facilities are constructed, maintained or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arizona shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land the facilities thereon, and hold the same if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds.]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arizona shall have the right to re-enter such lands and facilities shall revert to and vest in and become the absolute property of the State of Arizona and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreement entered into by the State of Arizona pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add “as a covenant running with the land”) that (1) no person on the grounds of race, color, national origin, gender, age, or

disability shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the grounds of race, color, national origin, gender, age, or disability shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]

That in the event of breach of any of the above nondiscrimination covenants, the State of Arizona shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds.]*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arizona shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Arizona and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI in the Civil Rights Act of 1964.

ARIZONA DEPARTMENT OF TRANSPORTATION
TITLE VI OPERATING PROCEDURES

STAFFING

The Arizona Department of Transportation has established a Civil Rights Office to administer civil rights related programs. The Civil Rights Office is a part of the Transportation Services Group, which reports to the Chief of Staff. The Civil Rights Administrator has direct access to the Director and Deputy Director. Organizational charts for the agency and for the Civil Rights Office are attached.

Title 23 of the Code of Federal Regulations, part 200.9 (b)(2), requires state departments of transportation to have an adequately staffed civil rights unit. The Civil Rights Office is staffed by the Administrator, an Equal Opportunity Specialist IV, three Equal Opportunity Specialists III, an Equal Opportunity Specialist II, an Administrative Secretary and a half-time clerical aide. All of the professionals participate in investigations when needed.

The Civil Rights Administrator serves as the Title VI Coordinator. The Administrator is responsible for initiating and monitoring Title VI activities and preparing reports. The Administrator is assisted by one of the Equal Opportunity Specialists.

The department has elected to use the interdisciplinary approach to implementing its Title VI program. The Title VI Team is composed of liaisons from relevant program areas: Transportation Planning, Environmental Planning, Engineering Consultant Services, Right of Way, and Contracts and Specifications. In some cases, there is more than one liaison. The liaisons meet on a quarterly basis and more often if necessary. The team assists in conducting reviews, investigating complaints, and defining issues. Some of the metropolitan planning organizations have also appointed liaisons.

The Title VI Coordinator, assisted by staff and the Title VI Team, has the following responsibilities:

1. Investigate Title VI complaints promptly and in accordance with complaint procedures which follows.

2. Develop a program to conduct Title VI reviews of program areas including reviewing procedures to collect statistical data (i.e., race, color, national origin, gender, age, and disability) of participants in, and beneficiaries of State highway programs.
3. Conduct annual reviews of special emphasis program areas, such as Transportation Planning, Environmental Planning, and Right-of-Way, to determine the effectiveness or program area activities at all levels.
4. Conduct Title VI reviews of cities, counties, consultant contractors, suppliers, universities, colleges, planning agencies, and other recipients of Federal-aid funds.
5. Review State program directives in coordination with State program officials and, where applicable, include Title VI and related requirements.
6. Conduct training on Title VI and related statutes for State program and civil rights officials.
7. Prepare a yearly report of Title VI accomplishments for the past year, goals for the next year and an updated Title VI implementing plan.
8. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
9. Establish procedures for pre and post grant approval reviews of State programs and applicants for compliance with Title VI requirements such as highway location, design and location, and persons seeking contracts with the State.
10. Establish procedures to identify and eliminate discrimination when found to exist.
11. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, within a period not to exceed 90 days.

COMPLAINTS PROCESS

Any person who believes that he or she, individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 may file a

complaint. The basis of the complaint must be (a) unequal treatment because of race, color, national origin, gender, age and/or disability, or (b) noncompliance with Title VI rules or guidelines adopted thereunder.

The Arizona Department of Transportation has the principal responsibility for processing, investigating, and resolving any complaint arising within or as a result of its operations, its contractors or its subrecipients. Complaints may be filed with the ADOT Director or Civil Rights Office, the U. S. Department of Transportation (USDOT), the Federal Highway (FHWA), the Federal Transit Administration (FTA), the Federal Aviation Administration (FAA). ADOT will use the interdisciplinary approach and involve the Title VI Liaisons in the investigation. In the event the complaint is against ADOT, FHWA will conduct or contract for the investigation or, if a class action complaint, a review.

Complaints must be filed within 180 days of the date of the alleged act of discrimination or, where there has been a continuing course of conduct, the date on which that conduct was discontinued.

Complaints must be filed in writing and must be signed by the complainant and/or complainant's representative. The complaint must describe the facts and circumstances surrounding the claimed discrimination. If the complaint is verbal, a representative of the ADOT Civil Rights Office will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature.

When a complaint is filed directly with ADOT, the appropriate agency (FHWA, FTA, or FAA) will be notified within ten (10) working days of the allegations. The following information will be included in every notification to the appropriate office:

- Name, address, and telephone number of the complainant or representative.
- Name(s) and address(es) of alleged discrimination officials.
- Basis of complaint (i.e., race, color, national origin, gender, age, disability).
- Date of alleged discriminatory act(s).
- Date complaint was received by ADOT.

- A statement of the complaint.
- Other agencies (state, local, or federal) with which the complaint has been filed.
- An explanation of the actions ADOT has taken or proposed to resolve the issues raised in the complaint.

Within ten (10) days, the ADOT Civil Rights Administrator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available.

Within sixty (60) days, the Civil Rights Administrator will conduct and complete an investigation of the allegation, and based on the information obtained, will render a recommendation for action in a report of findings to the ADOT Director. The Transportation Division of the Attorney General's Office will be consulted during the course of the investigation and the preparation of the report.

Within ninety (90) days from the allegation's receipt, the ADOT Director will notify the complainant in writing of the final decision reached, including the disposition of the matter. This notification will advise the complainant of the avenues of appeal if dissatisfied with the decision. A copy of the decision and summary of findings will be provided to the FHWA Division Office.

All Title VI complaints will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

The ADOT Civil Rights Administrator will periodically inform the FHWA Division Office regarding the status of any complaints.

When an allegation has been directly filed with another agency, the ADOT Civil Rights Administrator will be informed and coordinate any action needed by ADOT to resolve the complaint.

If a complaint or the ensuing investigation reveals any factor, element, or omission within the Department's procedures as contributory to the situation causing the complaint, the Civil Rights Administrator will initiate prompt action to amend the procedure to preclude future complaints arising from the same cause. Procedures for promptly resolving deficiency status and reducing to writing necessary remedial action will be established within 90 days.

The Civil Rights Office will maintain a complete file on each Title VI complaint, investigation and final resolution.

Any individual having filed a complaint or participated in the investigation of a complaint will not be subjected to any form of intimidation or retaliation.

Individuals who believe they have been subjected to intimidation or retaliation must follow the procedures described above.

TITLE VI PROGRAM AREAS

General Guidelines

Division Directors and subordinate staff are responsible for being in compliance with the requirements of Title VI and related statutes.

If, during a review of the program area, deficiencies are found, the deficiencies will be pointed out to the appropriate liaison for corrective action. Corrective action must occur within 90 days. A follow up review will be conducted to ensure deficiencies are being corrected. All finding recommendations and progress made in implementing corrective action will be thoroughly documented.

The guidelines for conducting reviews of program areas are attached in Appendix ____.

Transportation Planning

The Transportation Planning Division (TPD) is part of ADOT's comprehensive planning process. Data from various management information systems and source documents are used to enhance management operations and decision making. TPD's Planning Team conducts various studies to support the comprehensive planning process. The two primary types of studies are Multimodal Corridor Profile Analysis and Small Area Transportation Studies.

Multimodal Corridor Profile Analysis studies focus on multimodal corridors of statewide significance. The goal of these studies is to develop specific strategic that includes all transportation modes to accommodate the transportation needs in the key corridors in Arizona. Public involvement is a very important component of these studies. Open House Public Meetings are held at key points in the study process. Additionally, the scope of work specifically states that Title VI issues, including environmental justice, will be addressed.

Small Area Transportation studies are a partnership between ADOT and local jurisdictions. These studies are managed by the local jurisdictions and ADOT requires that the scope of work explicitly state the Title VI issues will be addressed as part of the development of the local jurisdictions' transportation plan. Public involvement is also a very important part of these efforts. Typically at least one member of the Technical Advisory Committee is from the general public. Public meetings are also held as a part of the Small Area Transportation study process.

The Title VI Coordinator and TPD's liaisons work closely with local officials of the Metropolitan Planning Organizations (MPO) and Councils of Governments (COG) to ensure compliance with the Title VI requirements. The Title VI Coordinator provides training, coordinates efforts with the local governments and community organizations on potential Title VI issues, and investigates complaints. The following actions may be taken by the Title VI Coordinator, with assistance from the liaison, in the planning process in order to ensure effective implementation and compliance with Title VI.

- Participate and provide local governments with Title VI information and training.
- Assist the MPO's, COG's and the community in general in establishing Title VI priorities for plans, programs and projects.
- Work closely with the MPO's, COG's and the community in general to create an awareness of the specific requirements of Title VI and especially to assure that the methods used are applied equitably to all groups of people.
- Participate in public meetings, when possible, to create an awareness of Title VI and to ensure the benefits are equally accessible to all.
- Conduct reviews of the statewide transportation planning programs to determine the process for considering community needs.
- Review public participation processes to ensure efforts are taken to reach out and encourage the participation of the transportation disadvantaged.

Environmental Planning

The Environmental Planning Section implements and maintains an environmental planning program, in compliance with state and federal environmental and civil rights laws and regulations, to obtain appropriate environmental approval for proposed highway projects. The section researches and evaluates social, economic, and environmental impacts of proposed highway projects. Environmental documents, including mitigation for identified impacts, are also prepared and processed.

The Title VI Coordinator reviews all Environmental Impact Statements (EIS) and Environmental Assessments (EA) to ensure Title VI and environmental justice issues are addressed. Guidance on Title VI and environmental justice is attached as Appendix _____. The Title VI Coordinator, with assistance from the liaison, takes the following actions to ensure compliance:

- Monitor reports to ensure appropriate statistical data is included.
- If adverse impacts are identified, evaluate the mitigative measures to assure they are applied in an equitable manner to those people affected.
- Review public meeting and public hearing notices, press releases, advertisements, etc., to determine if all segments of the impacted communities are being notified of proposed or pending projects.
- Attend public meetings, when possible, to discuss Title VI information and to ensure the meetings are held so all segments of the impacted communities can participate.

Right of Way

The Right of Way Section is responsible for acquiring all real property and real property rights necessary for construction and maintenance of all federal and state highways, maintenance camps, and other transportation-related purposes. Right of Way administers all matters relating to the management and disposal of all Department-owned property and the Relocation Assistance Program.

The Title VI Coordinator, with assistance with the liaison, with Right of Way to:

- Make certain persons who are being relocated are treated in an equitable manner in terms of fair payment for property acquired, relocation assistance, and timely notification of the rights and avenues of appeal. This includes providing information in other languages and alternative formats.
- Monitor procedural methods used in land appraisals, acquisitions, negotiations, selection of comparables, application of cost factors, and relocation activities to ensure activities are uniformly applied to all impacted and potentially impacted persons.
- Monitor activities to ensure minority and low-income populations are not adversely impacted.
- Monitor reports to ensure appropriate statistical information is being collected and maintained.

Engineering Consultant Services

Project Management & Valley Project Management

Engineering Consultant Services (ECS) is responsible for preparing scopes-of-work incorporated into contracts with private consultants, assisting in the selection of private consultants, reviewing documents prepared by consultants, prequalifying consultants, and coordinating design development with other agencies. Project Management and Valley Project Management are two primary customers of ECS. Scopes of work for their projects generally include public participation.

The Title VI Coordinator, with assistance from the liaison, is responsible for the following:

- Monitoring the selection process to ensure Disadvantaged Business Enterprises (DBE's) have the maximum opportunity to participate in consultant contracts.
- Monitor prequalification requirements to ensure they are equally applied to all firms.
- Monitor scopes-of-work, when feasible, to ensure Title VI and environmental justice issues are addressed.

Contracts and Specifications

The Title VI Coordinator is responsible for the following with respect to bidding construction contracts:

- Take steps to ensure DBE’s are included on the listing to receive bid advertisements for highway construction jobs.
- Monitor bid bond requirements to ensure they are applied to all construction firms.
- Evaluate all federal aid construction contracts with DBE requirements for compliance with contract specifications.
- Monitor prequalification requirements to ensure they are equally applied to all firms.

Procurement

The Title VI Coordinator works with Procurement to ensure the process of selection consultants and/or vendors is done so in a nondiscriminatory manner. This includes research and other projects funded in whole or in part with federal funds. Procurement also participates in a variety of trade fairs to explain the process of doing business with ADOT to small businesses.

Roadside Development/Transportation Enhancement Program

Funding is available for transportation enhancement activities or projects that add community or environmental value to a completed or underway transportation project. The funding is designed to encourage activities and projects that more creatively integrate transportation facilities into their surrounding communities and natural environment. The program is divided into two programs. One is for projects associated with the State highway system and the other for local projects.

The Title VI Coordinator works with the liaison from Roadside Development to ensure the process of selecting transportation enhancement projects is done so in a nondiscriminatory manner.

SUBRECIPIENT REVIEWS

The Title VI Coordinator will require annual reports from subrecipients. Subrecipients include cities, counties, consultant contractors, suppliers, universities, colleges, planning agencies such as MPO’s and COG’s, and other recipients

Subrecipients such as cities, counties, and planning agencies such as MPO’s and COG’s must submit the following information by August 1 of each year. Semi annual reviews may be conducted of larger organizations. The reports will contain the following information and will be maintained in the Civil Rights Office.

- Assurances
- Statistical breakdown of communities’ populations
- Beneficiaries of projects – identify the race/ethnicity/gender/age, disability of those who will benefit from projects and, specifically, the mobility benefits such as pedestrian, bicycles, automobiles, and transit which will result
- Effects of transportation programs within the community: transportation, social, and other beyond mobility
- Process for public participation, specifically discussing efforts to reach out and to ensure participation of the transportation disadvantaged
- Composition of advisory boards having an impact on transportation programs, indicating the race, ethnicity, gender, age and disability of the members
- A listing of all complaints, claims and lawsuits alleging discrimination
- Process for identifying and eliminating procedures which result in discrimination and correcting deficiencies within 90 days
- A listing of pending applications for federal assistance

The Title VI Coordinator will review subrecipients reports to determine which reviews will be conducted during the next year.

Subrecipients such as consultants, contractors, suppliers, universities, and colleges, will maintain the following information:


- Assurances
- Statistical breakdown of organizations such as the EEO 1 report
- Information by race, ethnicity, gender, disability showing the extent to which members of minority groups are beneficiaries of programs
- A listing of all complaints, claims and lawsuits alleging discrimination
- Processes for identifying and eliminating procedures which result in discrimination and correcting deficiencies within 90 days
- A listing of pending applications for federal assistance.

TRAINING


The Title VI Coordinator will conduct training with the Title VI liaisons, MPO’s, COG’s, and other interested individuals on an annual basis. All


training conducted during the year will be reported in the annual element.

Relocation Assistance Program



Arizona Department of Transportation





U.S. Department of Transportation

Right of Way Section

INTRODUCTION

One of the unfortunate, but unavoidable consequences of a modern transportation program is the necessary relocation of a small percentage of people for the benefit of the public as a whole. Since transportation improvements usually require the purchase of land, people living on that land must then be relocated.

If you are required to move as a result of a transportation improvement project, you may be eligible for relocation assistance or benefits. Help will be provided in locating suitable replacement property and in obtaining payments as provided by State and Federal laws.

This brochure is intended to explain only relocation in general. If you have any questions concerning the Relocation Assistance Program, please call Acquisition Services at (602) 712-7701 or write to:

Arizona Department of Transportation
Intermodal Transportation Division
Right of Way Section
Acquisition Services, 612E
205 South 17th Avenue
Phoenix, Arizona 85007

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Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

Declaration Of Policy



Sec. 201

"The purpose of this title is to establish a **uniform policy for fair and equitable treatment** of persons displaced as a result of federal and federally assisted programs in order that such persons **shall not suffer disproportionate injuries** as a result of programs designed for the benefit of the public as a whole."

Introduction

In a changing America, government programs designed to benefit the public as a whole often result in the acquisition of private property, and sometimes in the displacement of people from their residences, businesses or farms.

As a means of providing uniform and equitable treatment for those persons displaced, your government passed the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970," and the "Uniform Relocation Act Amendments of 1987." These two laws are the foundation for the information discussed in this brochure.

The brochure provides general information regarding relocation assistance advisory services and relocation payments. Section I contains information important to persons displaced from residences. Section II provides information about relocation assistance advisory services. Section III contains information for displaced businesses, farms and nonprofit organizations. These policies and provisions are now contained in the governmentwide single rule published in the Federal Register of March 2, 1989 under 49 CFR Part 24. The rule provides the regulations for all Federal and federally-aided programs and projects.

If you are required to move as a result of a Federal or federally assisted program or project, a relocation counselor will contact you. The counselor will answer your specific questions and provide additional information you may need.

Some Important Definitions . . .

Program or Project Any activity or series of activities undertaken by a Federal agency, or any activity undertaken by a State or local agency with Federal financial assistance in any phase of the activity.

Agency In practically all States and Territories, relocation assistance advisory services and payments are administered at the local level by an Agency responsible for the acquisition of real property and/or the displacement of people from property to be used for a federally funded program or project. The Agency may be a Federal agency, a State agency, a local political subdivision such as a county or a city, or a person carrying out a program or project with Federal financial assistance. An Agency may also contract with a qualified individual or firm to administer the relocation program, but the Agency remains responsible for the program.

Displaced Person Any person (individual, family, partnership, association or corporation) who moves from real property, or moves personal property from real property as a direct result of (1) the acquisition of the real property, in whole or in part, (2) a written notice of intent to acquire from the Agency, (3) the initiation of negotiations for the purchase of the real property by the Agency, or, (4) a written notice requiring a person to vacate real property for the purpose of rehabilitation or demolition of the improvements (s), provided the displacement is permanent and the property is needed for a Federal or federally assisted program or project.

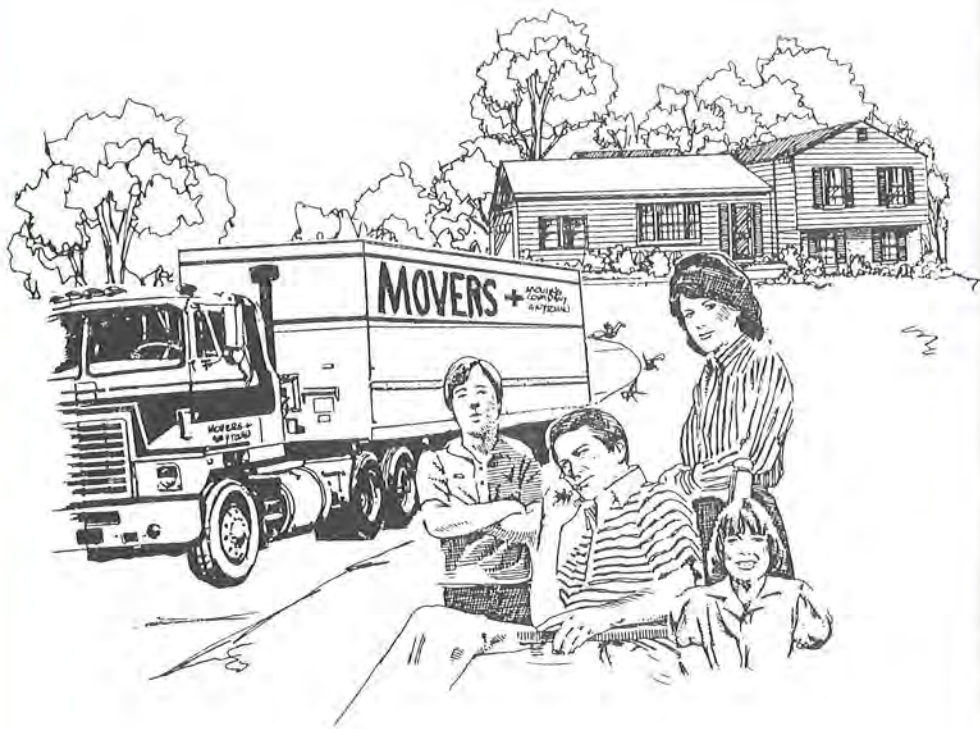
Business Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease, and rental of personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of this Act, an outdoor advertising display or displays, when the display(s) must be moved as a result of the project. A "small business" is defined as a business having at least one, but not more than 500 employees working at the site being acquired or who will be displaced by a program or project.

Farm Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

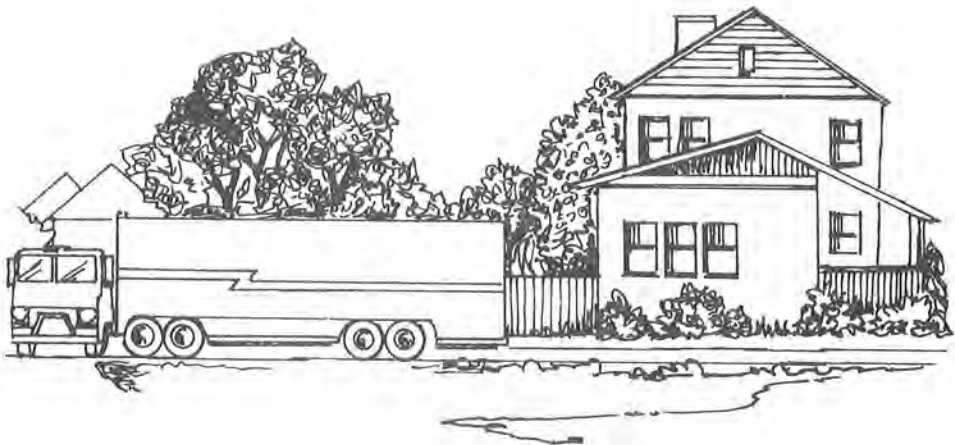
Nonprofit Organization A public or private entity that has established its nonprofit status under applicable Federal or State law.

Section I

Information for Persons Displaced from a Residence



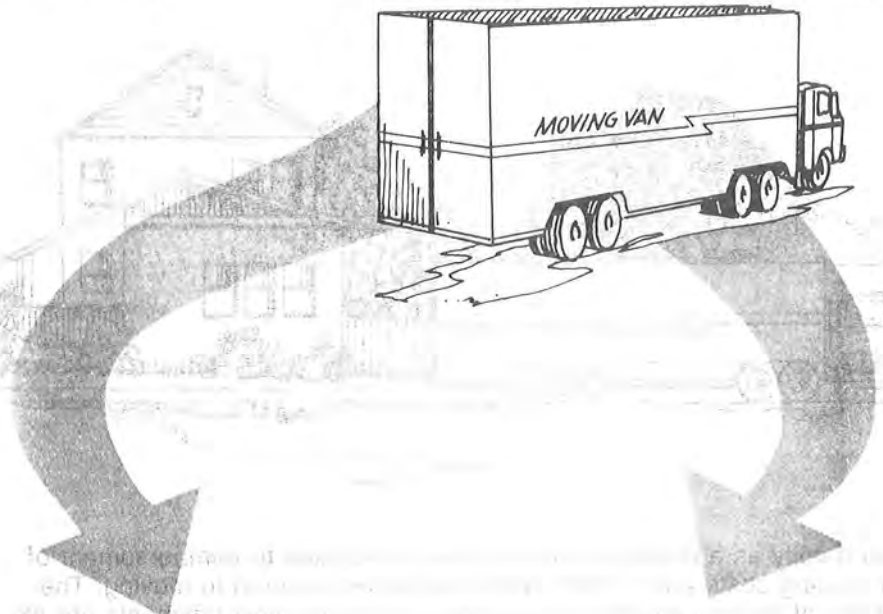
Moving Cost Reimbursement: Individuals and Families



If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

Displaced individuals and families may choose to be paid on the basis of actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule. However, to assure your eligibility and prompt payment of moving expenses, you should contact the relocation counselor from the agency before you move.

You Can Choose Either:



Actual Reasonable Moving Costs

Including

- Packing and Unpacking
- Temporary Storage
- Transportation
- Moving Insurance
- Other Related Costs

- OR -

Fixed Moving Cost Schedule

Schedule

Established for your State of Residence

Actual Reasonable Moving Costs

You may be paid for your actual reasonable moving costs by a professional mover plus related expenses, or you may move yourself. Reimbursement will be limited to a 50 mile distance in most cases. Related expenses involved in the move may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household appliances.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Transfer of telephone service and other similar utility reconnections.
- Other expenses considered eligible by the Agency.

All expenses must be considered necessary and reasonable by the Agency and supported by paid receipts or other evidence of expenses incurred.

Fixed Moving Cost Schedule

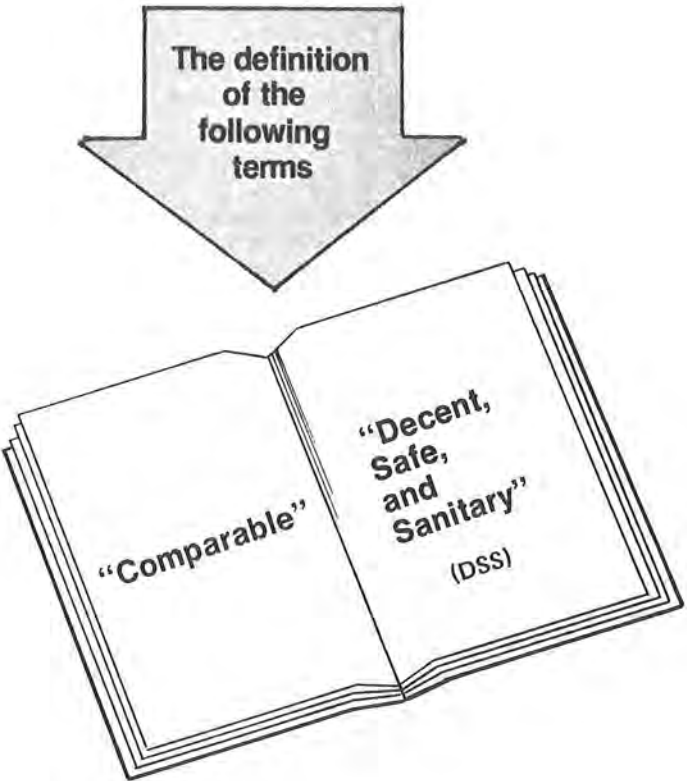
Or you may choose to be paid on the basis of a fixed moving cost schedule established for your State of residence. The amount of the payment is based on the number of rooms in your dwelling. Your relocation counselor will be able to tell you the exact amount you will be eligible to receive if you select this option. The schedule is designed to include all of the expenses incurred in moving, including those services that must be purchased from others.

The owner of a displaced mobile home may be entitled to a payment for the cost of moving the mobile home to a replacement site on an actual cost basis. Displaced mobile home occupants (owners or tenants) may also be eligible for a payment for moving personal property from the mobile home such as furniture, appliances and clothing on an actual cost basis, or on the basis of a moving cost schedule. For a complete explanation of all moving cost options involving a mobile home, please discuss the matter with your relocation counselor.

**Replacement
Housing
Payments**

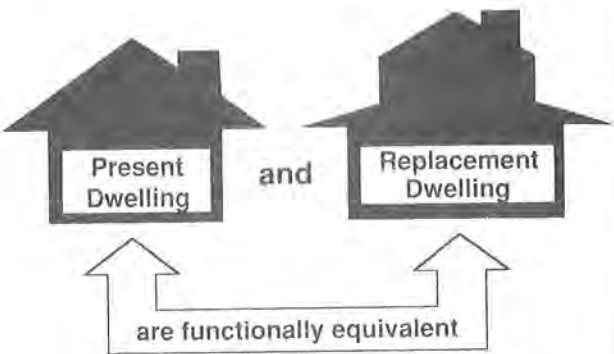


**Replacement
Housing
Payments . . .** Can be better understood if you become familiar with



These terms are explained on the following pages.

A
“Comparable”
Replacement
means that
your...



A comparable replacement dwelling must be decent, safe and sanitary, and functionally equivalent to your present dwelling. While not necessarily identical to your present dwelling, a comparable replacement dwelling should be capable of contributing to a comparable style of living and should contain amenities similar to those found in the dwelling from which you are being displaced. In addition, a comparable replacement dwelling should be:

- Adequate in size to accommodate the occupants. (e.g., you and your family).
- Located in an area that is not subject to unreasonable adverse environmental conditions.
- Located in an area that is not less desirable than your present location with respect to public utilities and commercial and public facilities.
- Reasonably accessible to your place of employment.
- Located on a site that is typical in size for residential development with normal site improvements.
- Currently available on the private market.
- Within your **financial means**.

If you are a tenant and the portion of the monthly rent and utility costs you must continue to pay for a replacement dwelling unit, after receiving a rental assistance payment, does not exceed the monthly rent and utility costs that you paid for the displacement dwelling unit, or, if your portion of the payment for the replacement unit does not exceed 30% of your gross household monthly income, the replacement unit is considered to be within your financial means.

Decent,
Safe and
Sanitary*

If you are a homeowner and you have received a purchase supplement (see page 15), and any additional amount that might be required under Housing of Last Resort (see pages 26 and 27), the replacement dwelling is considered to be within your financial means.

Replacement housing must be decent, safe, and sanitary... which means it meets all of the minimum requirements established by Federal regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

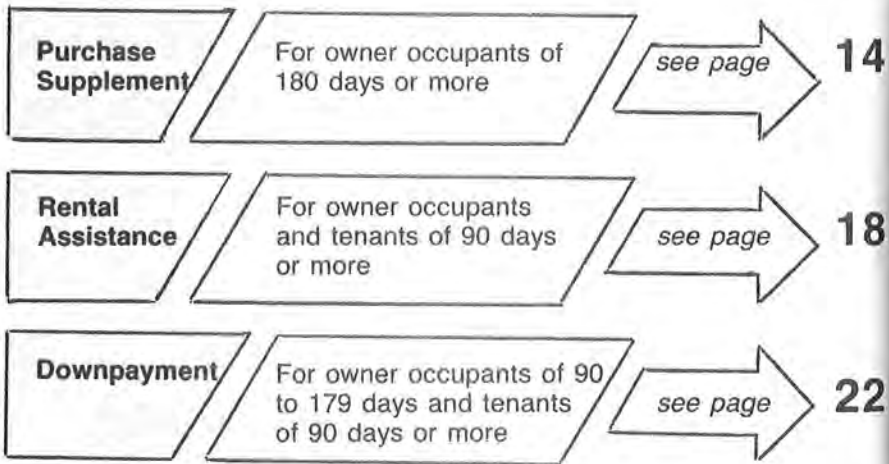
- Be structurally sound, weathertight, and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy to the user and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers which prevent reasonable ingress, egress, or use of the dwelling in the case of a handicapped displaced person

*Decent, safe and sanitary is frequently abbreviated as DSS and will be so referenced for the remainder of this brochure.

Replacement Housing Payments Are Separated Into Three Basic Types:

- Purchase Supplement
- Rental Assistance
- Downpayment

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.



Complete details on length of occupancy requirements follow

The Two Basic Occupancy Time Periods and What You Are Entitled To

There are two basic length-of-occupancy requirements which determine the type of replacement housing payment you are entitled to. Length-of-occupancy simply means counting the number of days that you occupied the dwelling before the date of initiation of negotiations by the acquiring agency for the purchase of the property. The term "initiation of negotiations" means the date the acquiring agency makes the first personal contact with the owner of real property, or his/her representative, to provide a written offer for the property to be acquired.

Owners who were in occupancy 180 days or more prior to the initiation of negotiations may be eligible for a purchase supplement up to \$22,500 or a rental assistance payment up to \$5,250.

If you are a tenant who has been in occupancy for 90 days or more prior to the initiation of negotiations, you may be eligible for a rental assistance payment or a downpayment up to \$5,250. If you are an owner who has been in occupancy from 90 days to 179 days prior to the initiation of negotiations, you may be eligible for a rental assistance payment or a downpayment up to \$5,250, however, the downpayment cannot exceed the amount of the payment you would have received if you had been a 180-day owner.

If you were in occupancy at the time of the initiation of negotiations, but less than 90 days prior to that date, you will be considered a displaced person entitled to relocation assistance advisory services and moving payments. You may also be entitled to a rental assistance payment if comparable replacement rental housing is not available at a monthly rental rate of 30% or less of your gross monthly household income. If you are required to pay rent and utilities in excess of 30% for a comparable replacement dwelling unit, you may be eligible for a rental assistance payment under Housing of Last Resort because comparable replacement housing is not available within your financial means. If you do not meet the length-of-occupancy requirements you should meet with your relocation counselor for an explanation of the relocation benefits that you may be eligible to receive.

**Purchase
Supplement**

**For Owner Occupants of
180 Days or More**

If you are an owner and have occupied your home for 180 days or more immediately prior to the initiation of negotiations for the acquisition of your property, you may be eligible - **in addition to the fair market value of your property** - for a supplemental payment, not to exceed \$22,500 for all costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The agency will compute the maximum payment you are eligible to receive. You must purchase and occupy a DSS replacement dwelling within 1 year.

The Purchase Supplement Includes:

Price Differential	The price differential payment is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.
Increased Mortgage Interest Costs	You may be reimbursed for increased mortgage interest costs if the interest rate on your new mortgage exceeds that of your present mortgage. To be eligible your acquired dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to the initiation of negotiations.
Incidental Expenses	You may also be reimbursed for other expenses such as reasonable costs incurred for title search, recording fees, and certain other closing costs, but not including prepaid expenses such as real estate taxes and property insurance.

The total amount of the purchase supplement cannot exceed \$22,500, according to the law.

**Example of A
Price Differential
Payment
Computation**

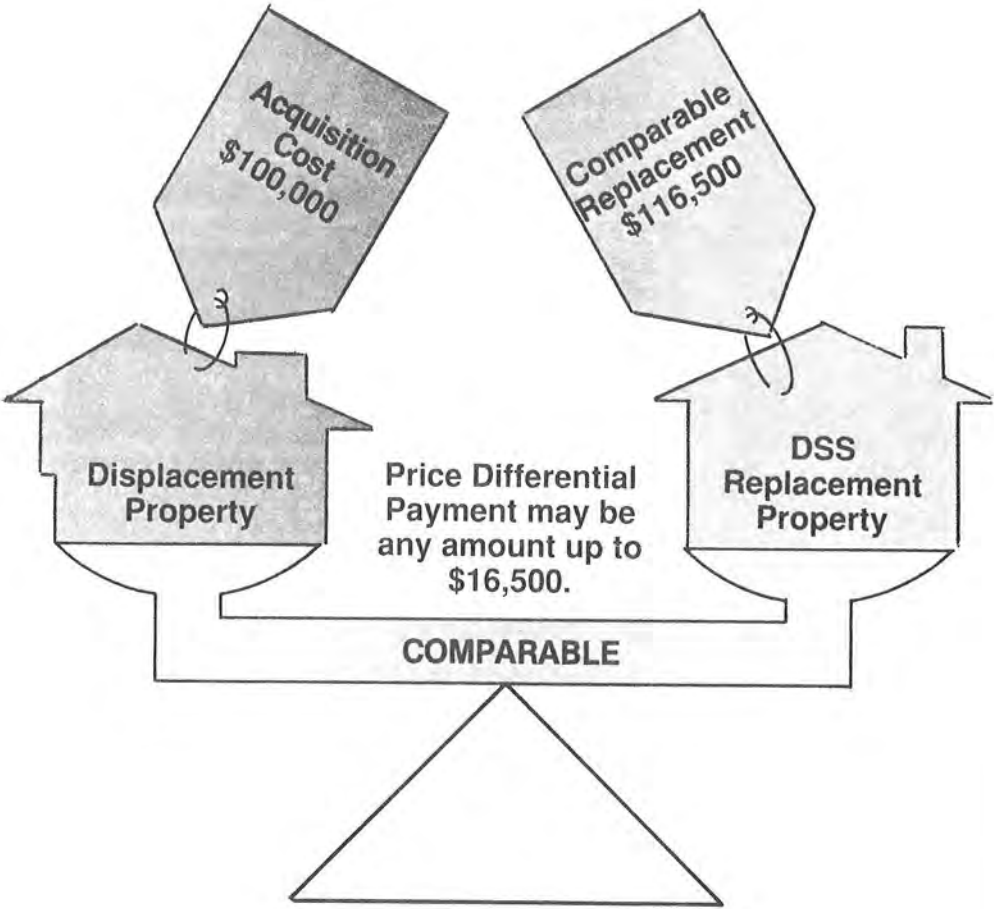
Assume that the Agency purchases your property for \$100,000. After a thorough study of the available comparable residential properties on the open market, the Agency determines that a comparable replacement property will cost \$116,500. If you purchase a DSS replacement property for \$116,500, you will be eligible for a price differential payment of \$16,500; see Example A.

If you purchase a DSS replacement property costing more than \$116,500, you pay the difference as shown in Example B. If your purchase price is less than \$116,500 the price differential payment will be based on your actual cost; see Example C.

The price differential payment you will receive depends on how much you actually spend on a replacement dwelling as shown in the following examples:

Agency's Computation	Cost of Comparable Replacement	\$116,500
	Acquisition Price of Your Property	- <u>100,000</u>
	Maximum Price Differential Payment	\$ 16,500
Example A	Actual Cost of Replacement Property (Same Purchase Price as Comparable)	\$116,500
	Acquisition Price of Your Property	- <u>100,000</u>
	Price Differential Payment	\$ 16,500
Example B	Actual Cost of Replacement Property	\$125,000
	Acquisition Price of Your Property	- <u>100,000</u>
	Difference	\$ 25,000
	Maximum Price Differential Payment	- <u>16,500</u>
	You Are Responsible For This Amount	\$ 8,500
Example C	Actual Cost of Replacement Property	\$114,000
	Acquisition Price of Your Property	- <u>100,000</u>
	Your Price Differential Payment is (Payment based on your actual cost)	\$ 14,000

Example . . .



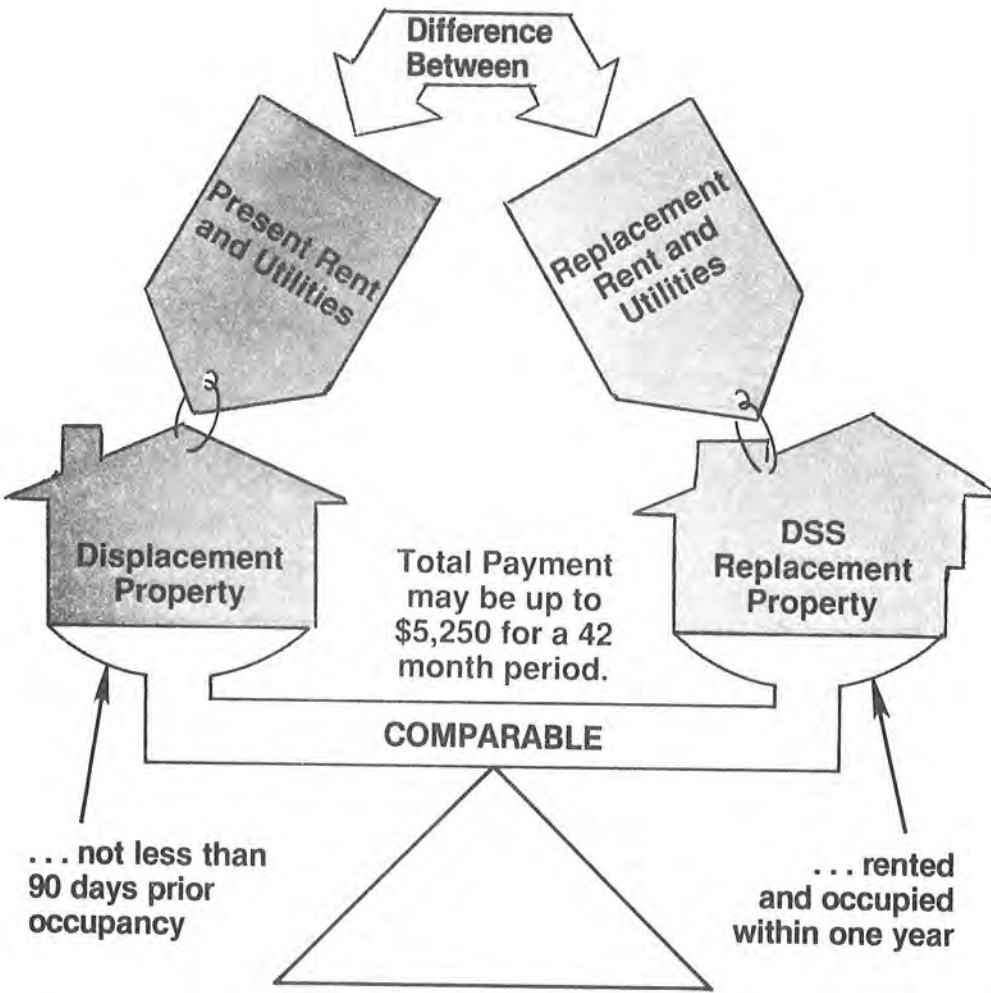
Rental Assistance

For Owner Occupants and Tenants of 90 Days or More

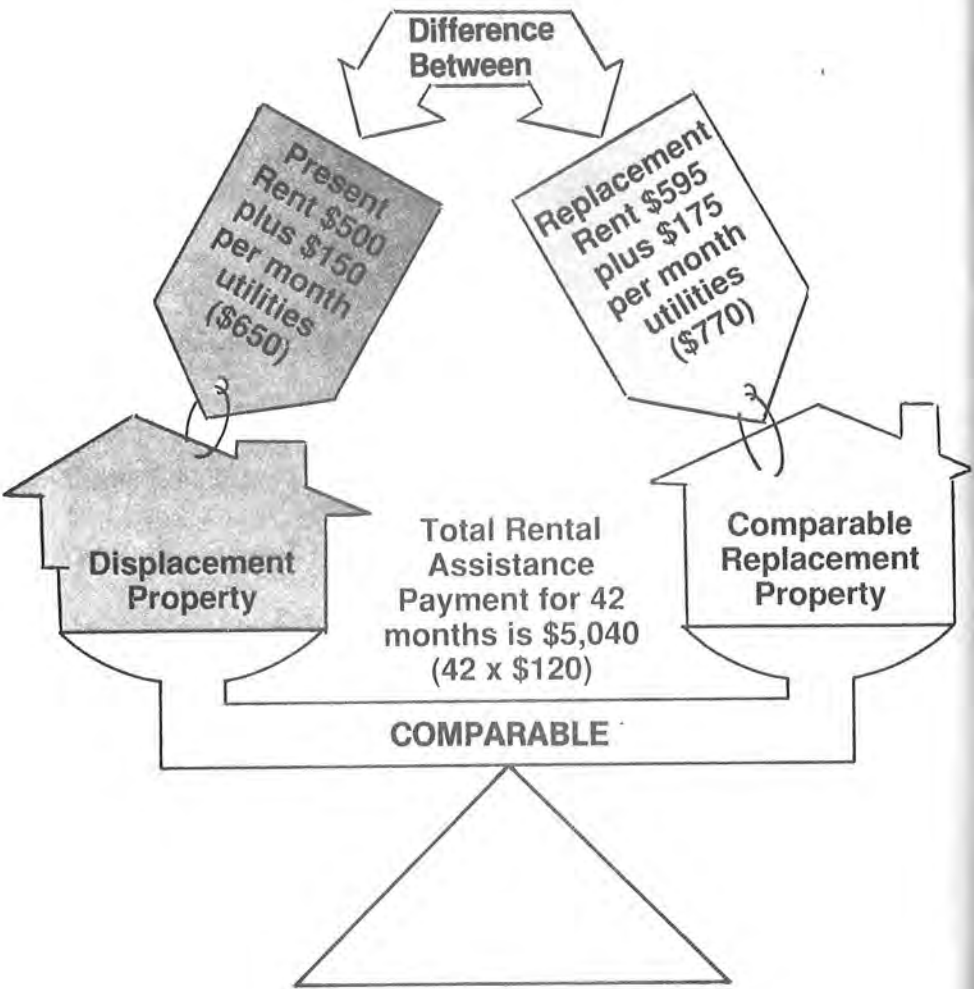
Owner occupants and tenants of 90 days or more may be eligible for a rental assistance payment. To be eligible for a rental assistance payment, tenants and owners must have been in occupancy at least 90 days immediately preceding the initiation of negotiations for the acquisition of the property.

This payment was designed to enable you to rent a comparable decent, safe, and sanitary replacement dwelling for a 42 month period. If you choose to rent a replacement dwelling and the cost of rent and utilities are higher than you have been paying, you may be eligible for a rental assistance payment up to \$5,250.

The agency will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless the agency determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within 1 year to be eligible.



Example . . .



For Instance...

As an example of how a rental assistance computation is prepared by the Agency, let's assume that you have been paying \$500 per month rent for the dwelling unit occupied by you and purchased by the Agency. You also pay \$150 per month for utilities, (heat, light, water, and sewer). After a study of the rental market, the Agency determines that a replacement rental unit, which is DSS and comparable to your unit, is available for \$595 per month. It is estimated that average monthly utility costs for the replacement unit will be \$175 per month. The maximum rental assistance payment you can receive is \$120 per month for a 42 month period, or a total of \$5,040. The rental assistance payment computation always includes the cost of the four basic utilities, (heat, light, water and sewer), as well as the cost of the rent. If the rent includes utilities a separate computation will not be necessary.

Option A

If you select a replacement dwelling unit that rents for \$650 per month plus utilities, despite the availability of comparable DSS replacement rental units that rent for \$595 per month plus utilities, you will still receive only the maximum amount computed by the Agency, or \$5,040. In other words, you must pay the additional \$55 per month yourself.

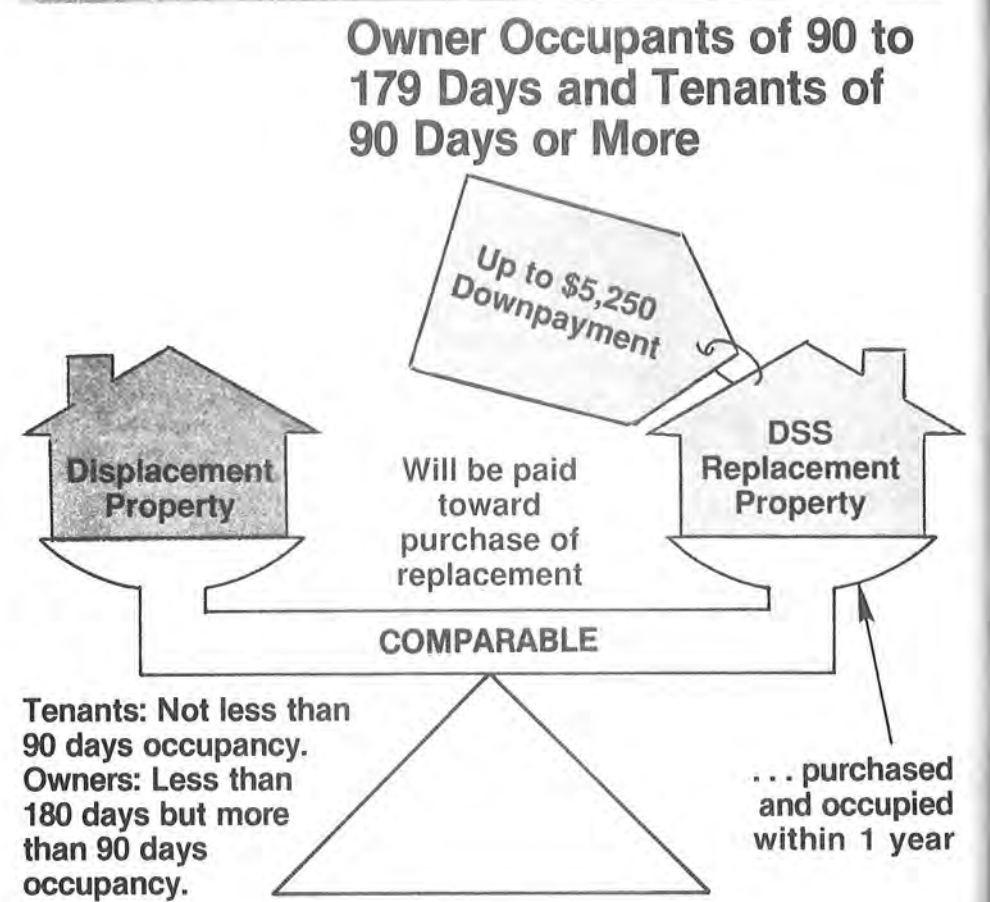
Option B

If you select a replacement dwelling unit that rents for more than your present unit, but less than the amount determined by the Agency as necessary to rent a comparable unit, your payment will be based on actual cost. For example, assume you select a replacement dwelling unit that rents for \$575 per month plus \$165 for utilities. On the basis of actual cost you will be eligible for a payment of \$90 per month for 42 months, or \$3,780.

Owners

Displaced owners who are interested in renting a replacement property should contact the Agency for a complete explanation of this option since the computation is more complex.

Downpayment



Owner-occupants of 90 to 179 days and tenants of 90 days or more may be eligible for a downpayment and incidental expenses, not to exceed \$5,250. The Agency will determine the maximum downpayment you may be eligible to receive based on its computation for a rental assistance payment discussed on page 21, or a maximum of \$5,250. However, the payment for a displaced owner occupant cannot exceed the amount of the payment that would be received by a 180 day owner for the same property as explained on page 15. The relocation counselor will be able to explain how the Agency determines the maximum downpayment assistance payment.

Incidental expenses include the reasonable costs of a title search, recording fees, and certain other closing costs but do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and they do not represent prepaid interest. The combined amount of the downpayment and incidental expenses cannot exceed the maximum payment of \$5,250.

Downpayment Computation

	Example 1	Example 2	Example 3
Required Downpayment	\$5,000	\$5,000	\$4,500
Closing & Incidental Costs	+ 950	+ 950	+ 750
Total Amount Needed	\$5,950	\$5,950	\$5,250
Agency Downpayment Payment	-4,800	-5,250	-5,250
Displaced Person Pays	\$ 1,150	\$ 700	\$ 0



Explanation of Downpayment and Examples

If you are a owner-occupant of 90-179 days or a tenant of 90 days or more, you may be eligible for a downpayment up to \$5,250. The amount of a downpayment you will receive depends upon agency policy. Many agencies will limit such assistance to the amount of the computed rental assistance payment for a tenant or an eligible homeowner, however, the maximum payment cannot exceed \$5,250. This explains the difference in the agency payments depicted in the examples on page 24. Refer to page 21 for a detailed explanation of a rental assistance computation.

On the opposite page, in example 1, the total amount needed to purchase the property exceeded the Agency payment of \$4,800, making it necessary for the displaced person to make up the difference of \$1,150. In example 2, the displaced person must pay \$700 in addition to the agency payment, but in example 3, the agency payment was sufficient to cover the total amount needed. It will not be unusual in today's inflated real estate market to need more for downpayment and closing costs than the maximum payment established by law, however, the payment should be a great help if it enables a displaced tenant to become a homeowner.

The computation of a downpayment for an owner occupant of 90 to 179 days is limited to the amount an owner would have received if the payment were computed on the basis of a purchase supplement for a 180 day owner. See pages 15 and 16 for an explanation of the purchase supplement and sample computations if you are a short term owner of 90 to 179 days. Displaced owner occupants of 180 days or more are not eligible for downpayment assistance.

HOUSING OF LAST RESORT

On most projects, an adequate supply of housing will be available for sale and for rent, and the benefits provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide the necessary housing for those persons being displaced. When a housing shortage occurs, the Agency will solve the problem by the administrative process called Housing of Last Resort.

If comparable housing is not available, or it is not available within the maximum \$5,250 or \$22,500 payment limits, it must be provided before you are required to move.

The Agency may provide the necessary housing in a number of ways, such as:

- 1. Purchasing an existing comparable residential property and making it available to the displaced person in exchange for the displacement property.
- 2. The relocation and rehabilitation (if necessary) of a dwelling purchased from the project area by the Agency and making it available to the displaced person in exchange for the displacement property.
- 3. The purchase, rehabilitation and/or construction of additions to an existing dwelling to make it comparable to a particular displacement property.

- 4. The purchase of land and the construction of a new replacement dwelling comparable to a particular displacement property when comparables are not otherwise available.
- 5. The purchase of an existing dwelling, removal of barriers and/or rehabilitation of the structure to accommodate a handicapped displaced person when suitable comparable replacement dwellings are not available.
- 6. A replacement housing payment in excess of the maximum \$5,250 or \$22,500 payment limits.
- 7. A direct loan which will enable the displaced person to construct or contract for the construction of a decent, safe, and sanitary replacement dwelling.

All eligible displaced persons have a freedom of choice in the selection of replacement housing, and the Agency will not require any displaced person, without his/her written consent, to accept a replacement dwelling provided by the Agency. If a displaced person decides not to accept the replacement housing offered by the Agency, the displaced person may secure a replacement dwelling of his/her choice, providing it meets DSS housing standards.

If you are eligible for replacement housing under the Housing of Last Resort program, you will be so informed by the relocation counselor, who will thoroughly explain the program.

To All Persons Displaced From A Residence...

The most important thing to remember is that the replacement dwelling you select must meet the basic "decent, safe, and sanitary" standards. Do not execute a sales contract or a lease agreement until a representative from the Agency has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards. Please do not jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



Fair Housing

The Fair Housing Law (actually Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. These Acts and Executive Order 11063 make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin.

Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require an acquiring agency to provide a displaced person with a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling outside of an area of minority concentration.

Section II

Information on Relocation Services



Relocation Assistance Services . . .

Any individual, family, business or farm displaced by a Federal or federally assisted program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by the Agency. It is their goal and desire to be of service to you, and assist in any way possible to help you successfully relocate.

Remember—they are there to **help** and **advise** you; be sure to make full use of their services. Do not hesitate to ask questions, and be sure you understand fully all of your rights and benefits.

A Relocation Counselor Will Contact You . . .

Residential Assistance

A relocation counselor from the Agency will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you in order to assure that it meets decent, safe, and sanitary standards.

In addition, if you desire, the relocation counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or handicapped. The agency will also provide counseling or help you get assistance from other available sources as a means of minimizing hardships in adjusting to your new location.

You will also be provided with information concerning other Federal, State, and local housing programs offering assistance to displaced persons.

Business and Farm Assistance

The relocation counselor will maintain listings of commercial properties and farms whenever businesses and farms are displaced. Steps will be taken to minimize economic harm to displaced businesses and to increase the likelihood of their being able to relocate back into the affected community. The counselor will also explore and provide advice as to possible sources of funding and assistance from other local, State, and Federal agencies.

Social Services Provided By Other Agencies

Your relocation counselor will be familiar with the services provided by other public and private agencies in your community. If you have special problems the counselor will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you. Make your needs known in order that you may receive the help you need.

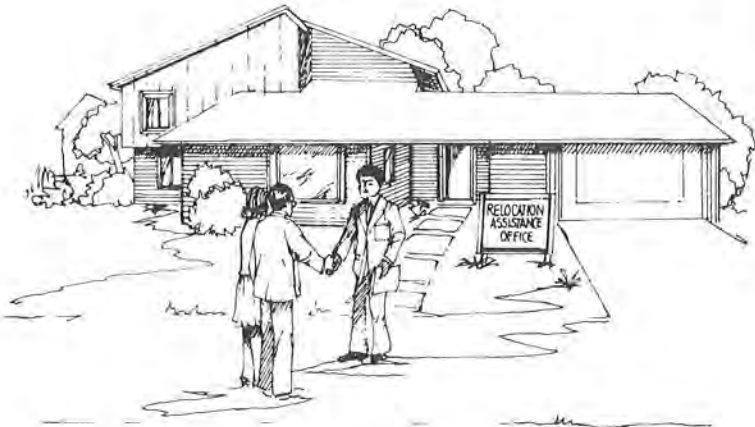


**In Addition to
Personal
Contacts . . .**

In addition to personal contacts by the relocation counselor, the Agency may establish a relocation office on or near a project. Project relocation offices are usually open during hours convenient to those persons being displaced, including evening hours when considered necessary by the Agency. The persons employed in the project relocation office will be happy to assist you. The office maintains a variety of information that should be helpful to you, such as:

- Listings of Available Replacement Properties
- Local Housing Ordinances
- Building Codes
- Social Services
- Security Deposits
- Interest Rates and Terms
- Typical Downpayments
- VA and FHA Loan Requirements
- Real Property Taxes
- Consumer Education Literature on Housing

Visit your relocation office if one has been established—you will be more than welcome.



**Relocation
Advisory
Assistance**

Checklist

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a Federal or federally assisted project. In addition to the services listed, the Agency is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

**The Relocation Counselor Must Personally
Interview Displaced Persons to:**

- Determine their Needs and Preferences
- Explain Relocation Benefits
- Offer Assistance
- Offer Transportation if Necessary
- Assure the Availability of a Comparable Property in Advance of Displacement
- Provide Current Listing of Comparable Properties
- Provide the Amount of the Replacement Housing Payment in Writing
- Inspect Houses for DSS Acceptability
- Supply Information on other Federal and State Programs Offering Assistance to Displaced Persons
- Provide Counseling to Minimize Hardships

**Another
Important
Benefit . . .**



No Adverse Effects on:

- **Social Security Eligibility**
- **Welfare Eligibility**
- **Income Taxes**
- **Etc.**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law (except for any Federal law providing low-income housing assistance).

Your Right of Appeal

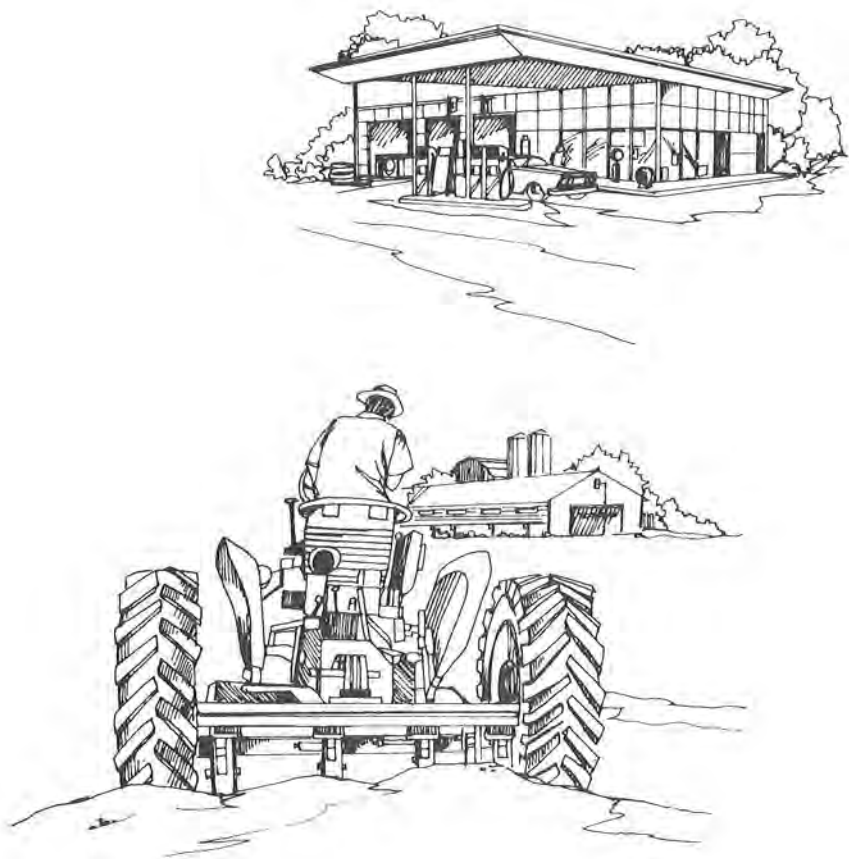
Any aggrieved person may file a written appeal with the head of the Agency if the person believes the Agency has failed to properly determine his or her eligibility for relocation assistance advisory services, or the amount of a relocation payment.

If you have a grievance, you will be given a prompt and full opportunity to be heard. You will also have the right to be represented by legal counsel or other representative in connection with the appeal, (but solely at your own expense).

The Agency will promptly review your appeal and consider all pertinent justification and information available to ensure a fair and full review. The Agency will provide you with a written determination as well as an explanation of the decision. If you are still dissatisfied with the relief granted, the Agency will recommend that you seek a judicial review.

Section III

Information for Businesses, Farms,
and Nonprofit Organizations



Moving Cost
Reimbursement:
Businesses,
Farms, and
Nonprofit
Organizations

Owners or tenants may be paid on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.

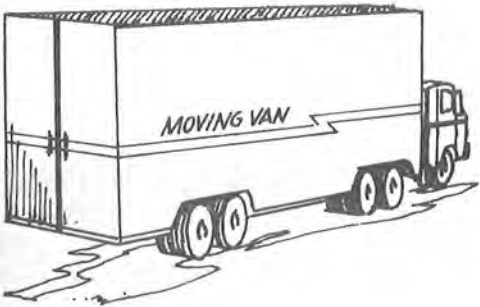
- A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 41). Related expenses, such as personal property losses (page 42), expenses in finding a replacement site (page 43), and reestablishment expenses (page 44), may also be reimbursable.
- B. Or, you may be eligible for a fixed payment of not less than \$1,000 nor more than \$20,000 in lieu of the payments listed in A above. The fixed payment is based on a two year average of the annual net earnings of a business or farm operation. To qualify for a fixed payment, certain conditions must be met. See page 45 for a detailed explanation of the fixed payment. If you represent a nonprofit organization, this payment is computed differently. Contact your relocation counselor for more details.

Types of Payments

Actual Reasonable Moving Costs

Including

- Personal Property Losses
- Expenses in Finding a Replacement Location
- Reestablishment Expenses



OR

Fixed Payment in Lieu of Moving Costs, Etc.

From

- \$1,000 to \$20,000
Equal to Average
Annual Net Earnings

Two Ways to Move Your Enterprise

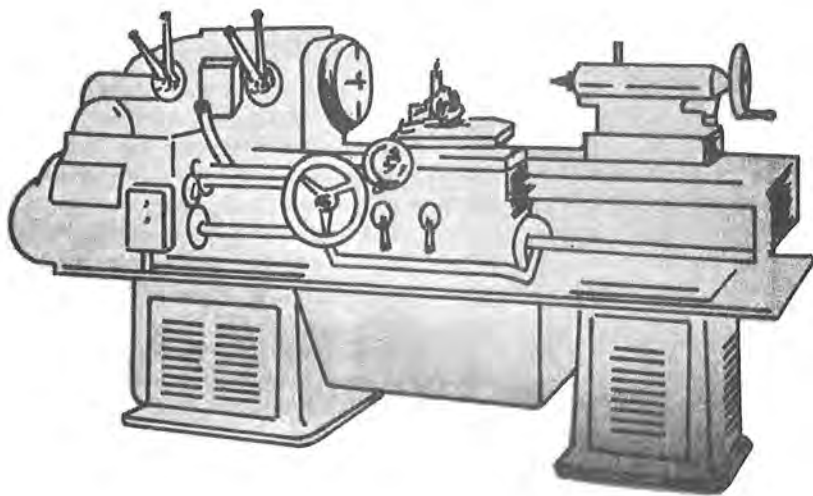
Actual Cost Move. You may be paid the actual, reasonable and necessary costs of your move when the move is performed by a professional mover or when you elect to move yourself under this option, however all of your moving costs must be supported by paid receipts or other evidence of expenses incurred. In addition to the transportation costs of your personal property, certain other expenses may also be reimbursable, such as packing, crating, unpacking and uncrating, and the disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as professional services necessary for planning and carrying out the move, temporary storage costs, and the cost of licenses, permits and certifications may also be reimbursable. This is not intended to be an all inclusive list of moving related expenses. Your relocation counselor will provide you with a complete explanation of reimbursable expenses.

Estimated Cost Move. If you agree to take full responsibility for all or part of the move of your business or farm operation, the Agency may approve a payment not to exceed the lower of two acceptable bids or estimates obtained by the Agency from qualified moving firms, moving consultants, or a qualified Agency staff employee. A low cost or uncomplicated move may be based on a single bid or estimate at the Agency's discretion. The advantage of this moving option is the fact that it relieves the displaced business or farm operator from documenting all moving expenses. The Agency may make the payment without additional documentation as long as the payment is limited to the amount of the lowest acceptable bid or estimate.

**Direct
Losses of
Tangible
Personal
Property**

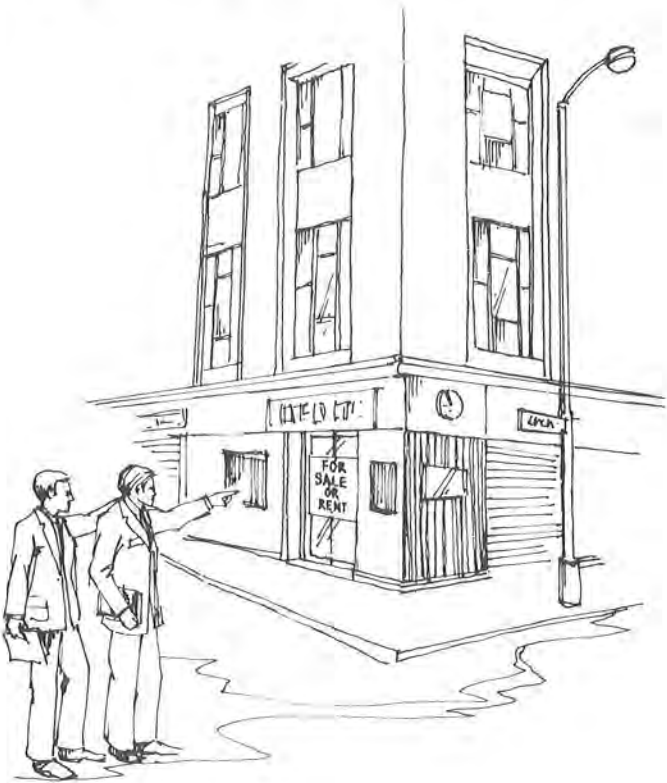
Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property which is incurred as a result of the move or discontinuance of the operation. This payment will be based upon the value of the item for continued use at the displacement site less the proceeds from its sale or the estimated cost of moving the item, whichever is the lesser.

Your relocation counselor will explain this procedure in detail if you are faced with this problem.



**Searching
Expenses for
Replacement
Property**

Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$1,000. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants; and other expenses determined to be reasonable and necessary by the acquiring agency.



Reestablishment Expenses

A small business, farm or nonprofit organization may be eligible for a payment, not to exceed \$10,000, for expenses actually incurred in relocating and reestablishing the enterprise at a replacement site. To qualify, the business, farm or nonprofit organization must have at least one but not more than 500 employees working at the site being affected who will be displaced by a program or project.

Reestablishment expenses may include, but are not limited to, the following:

1. Repairs or improvements to the replacement real property required by Federal, State or local laws, codes or ordinances.
2. Modifications to the replacement real property to make the structure(s) suitable for the business operation.
3. Installation of exterior advertising signs, not to exceed \$1,500.
4. The cost of installing utilities from the right-of-way line to the structure(s) or improvements on the replacement site.
5. Redecoration or replacement such as painting, wallpapering, panelling and carpeting when required by the condition of the replacement site.
6. The cost of license fees and permits when not covered as a moving expense.
7. Marketing studies, feasibility surveys and soil testing.
8. Advertising the new business location, not to exceed \$1,500.
9. Professional real estate services needed for the purchase or lease of a replacement site.
10. The estimated increased costs of operation at the replacement site during the first two years, not to exceed \$5,000 for items such as:
 - Lease or rental charges
 - Personal or real property taxes,
 - Insurance premiums, and,
 - Utility charges (excluding impact fees).
11. One time assessments or impact fees for anticipated heavy utility usage.
12. Other items that the Agency considers essential for the reestablishment of the business or farm.
13. Reestablishment costs in excess of the maximums set forth in 3, 8 and 10 may be considered eligible by the Agency if excessive costs are encountered at the replacement site, but the total payment cannot exceed \$10,000 in any event.

Fixed Payment (In Lieu)

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of (in place of) actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than \$1,000 nor more than \$20,000.

For a business to be eligible for a fixed payment, the Agency must determine the following:

1. The business owns or rents personal property that must be moved due to the displacement.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity which are under the same ownership and are not being displaced by the Agency.
4. The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

Any business operation that is engaged solely in the rental of space to others is not eligible for a fixed payment. This includes the rental of space for residential or business purposes.

Eligibility requirements for farms and nonprofit organizations are slightly different than business requirements. If you are interested in a fixed payment please consult your relocation counselor for additional information if you are being displaced from a farm or you represent a nonprofit organization.

The
Computation
of Your
Fixed
Payment
(In Lieu)

The fixed payment for a displaced business or farm is based upon the average annual net earnings of the operation for the two taxable years immediately preceeding the taxable year in which it was displaced.*

Example:

1988	1989	
Annual Net Earnings \$16,500	Annual Net Earnings \$18,500	Year Displaced

AVERAGE:
 $\$16,500 + \$18,500 = \$35,000 \div 2 = \$17,500$
 $\$17,500 = \text{Fixed Payment}$

The computation for nonprofit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two year period specified above.

You must provide the Agency with proof of net earnings to support your claim. Proof of net earnings can be documented by income tax returns, certified financial statements, or other reasonable evidence acceptable to the Agency.

*Or that two year period deemed more representative by the Agency

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APPENDIX 4-2

DUST CONTROL PERMIT

Appendix 4-2, *Dust Control Permit*, contains an application for a Maricopa County Dust Control Permit. Fugitive dust generated as a result of construction activities must be controlled in accordance with the 2000 Arizona Department of Transportation *Standard Specifications for Road and Bridge Construction*, Section 104.08, local rules and ordinances, and special provisions. A Maricopa County Dust Control Permit would be obtained by the selected roadway contractor prior to the commencement of construction.



Maricopa County
Air Quality Department

DUST CONTROL PERMIT APPLICATION PACKAGE

This package contains information and forms necessary to apply for a Dust Control permit as set forth in Maricopa County Air Pollution Control Regulations Rule 310. The Dust Control Permit Application Package is organized into three major parts.

PART 1. DUST CONTROL PERMIT APPLICATION INSTRUCTIONS 5
PART 2. DUST CONTROL PERMIT APPLICATION FORM 23
PART 3. DUST CONTROL PERMIT APPLICATION DUST CONTROL PLAN 28

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In order to be accepted for review the Dust Control Permit Application Package must be complete. This includes answering all questions fully and accurately in the Applicant and Project information areas as well as submitting a Dust Control Plan. You may fill out Part 3 of the Dust Control Permit Application and submit it as your Dust Control Plan or you may write your own Dust Control Plan that conforms to Rule 310, Section 402.

Once a complete Dust Control Permit Application Package is accepted, allow up to 14 calendar days for permit processing plus sufficient time for delivery by U.S. Postal Service First Class mail.

Keep in mind, the Maricopa County Air Quality Department uses the Instructions portion of the Dust Control Permit Application Package as criteria when reviewing, evaluating, and approving the Permit Application. The rules identified in the instructions contain legally binding and enforceable requirements. Permits issued by the Maricopa County Air Quality Department under the rules also contain legally binding and enforceable conditions and terms. The Dust Control Permit Application Instructions do not supersede or change any existing federal, state, or county regulations and laws, including requirements of an approved State Implementation Plan (SIP).

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IMPORTANT RULE CHANGES EFFECTIVE MARCH 2008

Maricopa County Air Pollution Control Regulations Rule 310 “Fugitive Dust from Dust-Generating Operations” and Rule 200 “Permit Requirements” introduced the following requirements in early 2008 that you should be aware of:

1. Dust Control Coordinator

A Dust Control Coordinator is required to be on-site at all times during primary dust-generating operations for any site of five or more acres of disturbed surface area that is subject to a Maricopa County dust control permit (Rule 310, Section 310). The contact information for the Dust Control Coordinator(s) must be provided in Question #5 of Part 2 of the Dust Control Permit Application.

2. Dust Control Training Classes

Comprehensive Dust Control Training:

The Dust Control Coordinator is required to successfully complete a Comprehensive Dust Control Training Class at least once every three years.

Basic Dust Control Training:

Site superintendents or other designated on-site representatives of the permit holder, if present at a site with more than one acre of disturbed surface area, is required to successfully complete a Basic Dust Control Training Class at least once every three years.

All water truck drivers and water pull drivers must successfully complete a Basic Dust Control Training Class at least once every three years.

More information on these training classes can be found by calling the Training Line at 602-372-1467 or at: www.maricopa.gov/aq/divisions/compliance/dust/dust_control_training on the MCAQD's Dust Compliance Division web site.

3. Visible emissions beyond property line

Rule 310, Section 303.1 requires that the owner and/or operator of a dust generating operation shall not cause, suffer, or allow visible emissions of particulate matter, including fugitive dust, beyond the property line within which the emissions are generated. Section 303.2 does provide an exception for dust-generating operations conducted within 25 feet of the property line.

4. Subcontractor Registration

A requirement of Rule 200 (Permit Requirements) is Subcontractor Registration. Subcontractors do not submit the Dust Control Permit Application in the role of “Applicant” but subcontractors engaged in dust-generating operations at a site that is subject to a Maricopa County dust control permit are required to register with the MCAQD (Rule 200, Section 306) and pay an annual fee as specified in Rule 280, Section 312. The subcontractor shall have its registration number readily accessible on-site while conducting any dust-generating operations and the registration number must be visible and readable by the public without having to be asked by the public. The registration and \$50.00 fee can be submitted by mail or in person at the One Stop Shop, 501 N. 44th Street, Suite 200, Phoenix, AZ 85008. Additional information on Subcontractor Registration requirements, submittal and current fees can be found at <http://www.maricopa.gov/aq/divisions/compliance/dust/subcontractorRegistration.aspx>

FREQUENTLY ASKED QUESTIONS (FAQs)

1. Do I need a Dust Control Permit?

- A. Activity: Whenever a dust-generating activity will disturb 1/10th acre (4,356 square feet) or more you must obtain a dust control permit before commencing the activity. This area of disturbance includes all areas under common control such as stockpiles, storage and equipment yards as well as the area being disturbed, even if they may be separated by public or private roadways (Rule 310, Section 302). No activity may commence before the permit is approved and, along with the Dust Control Plan, posted in a conspicuous location at the work site, within on-site equipment, or in an on-site vehicle, or otherwise kept available on-site at all times.
- B. Re-application: Dust Control permits are valid for one year from the date of approval. If the project still has a disturbed surface area of 0.10 acre (4,356 square feet) or more at the expiration of the one year permit term a new permit will need to be obtained by submitting a new Dust Control Application. The re-application process can take up to 14 calendar days once a complete application is received (not including time for postal delivery) so the application must be submitted at least 14 calendar days before the existing Dust Control permit expires.

2. How do I apply? What are the steps?

- A. Obtain Dust Control Permit Application Package: You can pick up the application package in person at either the Maricopa County Air Quality Department (MCAQD) Dust Compliance Division offices at 1001 North Central Avenue, Suite 400 in Phoenix, Arizona as well as the One Stop Shop at 501 North 44th Street, Suite 200 in Phoenix or download it from <http://www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx>
- B. Review the Instructions: Read the instructions thoroughly before beginning work on the application. The instructions are intended to accompany the application. The instructions constitute a body of experience and informed judgment by the Maricopa County Air Quality Department and dust control field inspectors to which you may properly resort for guidance, including details and explanations of the information required in the application. If you still have questions about the application you may find answers on the MCAQD website or by calling the Dust Compliance Division at 602-506-6010.
- C. Complete the Permit Application Form: Fully complete both the Applicant and the Project Information portions of the application, generally in the sequence it is written, using the instructions and Dust Compliance personnel for assistance.
- D. Complete the Dust Control Plan: A dust control plan is required and the third part of the package is designed to guide project personnel in developing a dust control plan that will be posted on-site, and the project will abide by on a day to day basis. Every category or sub-category must be completed, including an explanation for those that are designated non-applicable. A project may develop its own dust control plan as long as it conforms to Rule 310, Section 402.
- E. Review the Completeness Checklist: (see the first page of the Dust Control Permit Application Form, p. 23)
- F. Submit the completed permit application: When submitting the completed application to the One Stop Shop at 501 North 44th Street, Suite 200, Phoenix, Arizona 85008, include the appropriate fee for your Dust Control Permit Application (see FAQ #3 below). The completed application can be submitted to the One Stop Shop in person or by mail with payment by check or money order in either case. In addition, a credit card or cash may be used for payment if the application is submitted in person at the One Stop Shop location.

Make checks payable to “Maricopa County Air Quality Department” or “MCAQD”.

The completed permit will be sent to the Applicant's address. Allow up to 14 calendar days for permit processing plus sufficient time for delivery by U.S. Postal Service First Class mail.

3. What will it cost?

Detailed information on current fees can be found in the Maricopa County Air Pollution Control Regulations Rule 280 – Fees or on the Department's web site: http://www.maricopa.gov/aq/divisions/permit_engineering/permit_fees.aspx

Basic fees for a Dust Control Permit (permit valid for one year) are calculated according to the following:

- If total surface area disturbed is 0.1 acre to less than 1 acre, submit \$350.00.
- If total surface area disturbed is 1 acre or more, submit \$350.00 plus \$77.00 per acre (to a maximum of \$15,750).
- A late fee of \$100.00 is required for any application submitted in response to a violation.

PART 1.
DUST CONTROL PERMIT APPLICATION INSTRUCTIONS

A. INSTRUCTIONS FOR COMPLETING THE DUST CONTROL PERMIT APPLICATION FORM

APPLICANT INFORMATION INSTRUCTIONS

1. Applicant

Please note that if you are completing this application and you are the "Applicant", then you are the responsible authority for controlling all aspects of all the work accomplished on-site from initial groundbreaking to final stabilization. This includes canceling the Dust Control Permit when the project is complete and/or when you no longer have control over the day-to-day operations on the site. The Applicant must be the property owner, general/prime contractor, developer or lessee; a subcontractor cannot be the Applicant responsible for a dust control permit.

The Applicant's name will show on the permit and will not change on re-applications or changes to the permit that retain the original permit number. The Applicant may or may not also be the party contracting to do the work at the site. The address provided will be put on all subsequent permits with the same Applicant name and will serve as the mailing address for the permit or other compliance issues. The Applicant will be the responsible party for the purposes of this project.

The Maricopa County Air Quality Department requires the Applicant Information to be fully and accurately completed, including full legal names of all entities and individuals (no DBA's or trade names). For all Applicants, appropriate registration in the State of Arizona will be verified with the Arizona Corporation Commission or other applicable resources before a permit will be issued.

2. Parent Company if Applicant is a wholly owned subsidiary

If the Applicant is a wholly owned subsidiary provide full information for the parent company as well. If the parent company has a local or regional presence, use that location and provide contact information for the highest ranking official at that location.

3. Applicant President/Owner

Provide contact information for the highest ranking, local or regional company official of the Applicant.

4. Property Owner/Developer, if not Applicant

Include information regarding the property owner/developer, if different from the Applicant.

5. Dust Control Coordinator

Any site with five acres or more of disturbed surface area subject to a permit issued by the Control Officer requiring control of PM₁₀ emissions from dust-generating operations requires at least one designated Dust Control Coordinator, with a valid dust training certification identification card that is readily accessible, on-site at all times during primary dust-generating operations per Rule 310, Section 310. The Dust Control Coordinator is required in Rule 310, Section 309.2 to complete a Comprehensive Dust Control Training Class at least once every three years, after which a unique identification badge will be issued to the coordinator and is to be referenced in Question #5 in the application. If there are multiple Dust Control Coordinators, list additional information on a separate sheet of paper and attach following the page this question is on. Changes to the Dust Control Coordinator list can be made with the appropriate form, such as the Dust Control Plan Change form, which can be found on the MCAQD Dust Control Compliance website at <http://www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx> or with a letter that clearly states the changes to be made as well as the permit and dust control plan that will be affected. A form is also available that applies to notifying the MCAQD that a site no longer needs a Dust Control Coordinator when the disturbed surface area of the site falls below five acres.

6. Primary Project Contact

For all projects, provide a Primary Project Contact that may be a Dust Control Coordinator or a different individual all together. Provide information in this question regarding the person the MCAQD can contact who is knowledgeable of the project site or state if this person is listed as the Dust Control Coordinator in the previous question. The phone number(s) provided should be able to reach the contact within four hours.

7. Certification by a Responsible Official of the Applicant

A Responsible Official of the Applicant is the person who will be contacted or named in any enforcement action initiated by the Maricopa County Air Quality Department or the Maricopa County Attorney's Office. Pursuant to Rule 310, Section 401.3, the signature on the Dust Control permit application shall constitute agreement to accept responsibility for meeting the conditions of the Dust Control permit and for ensuring that control measures are implemented throughout the project site and during the duration of the project.

- For a corporation, a corporate officer or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person, if the representative is responsible for the dust-generating operations in the subject application. Delegation of authority to such representative shall be approved in advance by the Maricopa County Air Quality Department, Dust Compliance Division.
- For a partnership or sole proprietorship, a general partner or the proprietor, respectively.
- For a municipality, state, federal, or other public agency, the principle executive officer or ranking elected official of that entity. Delegation of signature authority needs to be submitted in writing to the Maricopa County Air Quality Department, Dust Compliance Division.

8. Application completed by, (if other than Signatory)

Frequently, this person needs to be contacted to clarify information in the application or if there are questions regarding how the Dust Control Plan was filled out.

PROJECT INFORMATION INSTRUCTIONS

9. Name of Project

Name, if any, by which this project will be referred (e.g. Pleasant Hill Acres).

10. Project Location

Provide the best available information for the project's geographic location. If there is an on-site construction office or similar physical contact point this should be referenced. If no specific street address is available, provide a block number and street name, Maricopa County Assessor's parcel number, master plan community number, geographic coordinates or any other pertinent location information or description.

11. Project Location by Township (N or S), Range (E or W), Section (1-36)

The map code or grid location in Township/Range/Section (TRS) format is required and can be obtained from a Phoenix Metropolitan map book or from the Maricopa County Assessor's parcel description.

12. Brief Project Description

Describe the project that will be taking place on the site (e.g. 3-building commercial complex; custom home; weed control; demolition of two buildings; roadway improvement).

13. Will a basement or underground parking be excavated?

This information influences the volume of dust generating material that will be disturbed, moved, stored, and removed from the project location.

14. Will building occur on a pre-existing/prepared pad?

A pre-existing pad/prepared pad is considered to be on a parcel within an existing/prepared subdivision.

15. Size of Project

The size of the project is the total area that will be disturbed throughout the duration of the Permit. Include all unpaved staging areas, stockpiles, access and haul roads, parking, driveways, as well as storage (stated in acres). Be sure to separately notate the specific area of land to be graded if it is different in size than the total area. You will also need to indicate the estimated amount of import/export Bulk Material, as defined in Section 203 of Rule 310, to/from the project site. The estimated amount of import/export Bulk Material to/from the project site is for hauling purposes and may not match the cubic yards to be moved within the boundaries of the project.

16. Project Site Drawing

Maricopa County uses a project site drawing to delineate boundaries between separate projects, so one permit holder is not held responsible for another's work. It is used as a reference, so it does not need to be to scale. It should however be as accurate as possible. The drawing should be no larger than 8½" x 11". The Dust Control Permit Application Form contains an example of what this drawing should contain (see page 26), including the following minimum elements:

- Entire project site boundaries
- Area(s) to be disturbed with linear dimensions, usually in feet (including staging areas, stockpiles, access and haul roads, parking, driveways, and storage)
- Nearest main crossroads
- North arrow
- Access Point(s) – Planned exit locations onto paved areas accessible to the public

17. Is this a Re-application?

A permit is valid for 1 year after the date of approval. The re-application process may take up to 14 calendar days for review and processing (not including time for postal delivery) and must be approved **prior** to the expiration of the old permit. You must re-apply for a permit more than 14 calendar days before the original permit expires.

18. Estimated Project Start Date

Before Dust-Generating Operations may occur the permit must be approved, which may take up to 14 calendar days for review and processing of the permit application (not including time for postal delivery).

Project Start Date and Project Completion Date (next question) are used by Maricopa County to schedule inspection work load. This information is also used to determine if the same project is on-going or a subsequent dust-generating operation is taking place at the project location. If this is a re-application provide the original start date of the project.

19. Estimated Project Completion Date

The answer to this question may be a date beyond the last effective date of the permit that is being applied for; it is acceptable and encouraged to enter the actual Estimated Project Completion Date, not the end date of the permit period or some other modification. See Estimated Project Start Date (previous question) as well.

20. List of Soil Designations from Appendix F

Soil Texture

Rule 310, Section 402.5 requires a Dust Control Plan for construction projects one acre or larger (except for routine maintenance and repair done under a block permit) to include the following information:

- Soil texture naturally present at the dust-generating operation
- Soil texture to be imported onto the dust-generating operation

The information to answer this questions may be obtained from Appendix F of the Maricopa County Air Pollution Control Regulations or attach a copy of a geotechnical report if the site has been tested. For more detail on soil textures and types see the "Appendix – Additional Information on Key Topics" on page 15.

21. Asbestos NESHAP Notification requirements

Any Project that includes demolition or renovation of any existing facilities must address asbestos NESHAP issues that pertain to the Project. Question #21, including all of its sub-questions, must be fully completed to demonstrate whether or not there are any existing asbestos NESHAP issues and compliance with applicable rules before a Dust Control Permit can be issued. A separate notification and fee for demolition and/or renovation activities may be required. More information on the NESHAP Notification program and fees can be found at: http://www.maricopa.gov/aq/divisions/compliance/air/asbestos_neshap/Default.aspx and http://www.maricopa.gov/aq/divisions/permit_engineering/permit_fees.aspx respectively.

B. INSTRUCTIONS FOR COMPLETING THE DUST CONTROL PERMIT APPLICATION DUST CONTROL PLAN

Rule 310, Section 402 (Dust Control Plan requirements) requires the submission of a Dust Control Plan with your application. You may fill out Part 3 of the Dust Control Permit Application and submit it as your Dust Control Plan or you may write your own Dust Control Plan describing all dust control measures to be used during the project and submit it for approval as your Dust Control Plan. Once approved the Dust Control Plan, along with the permit, must be posted in a conspicuous location at the work site, within on-site equipment, or in an on-site vehicle, or otherwise kept available on-site at all times (Rule 310, Section 409). Additionally, according to Rule 310, Section 401.2 complete copies of the approved Dust Control permit, including the Dust Control Plan, must be supplied to all project contractors and subcontractors.

Changes to aspects of the Dust Control Plan may be made after the application is approved by submitting a Permit Plan Change Form to the Maricopa County Air Quality Department. See below for more information regarding making changes to an approved Dust Control Permit and Dust Control Plan.

DUST CONTROL PLAN GENERAL INFORMATION

Unlisted Dust Control Measures

You may choose to use dust control measures not currently listed in Part 3 of the Dust Control Permit Application. Such unlisted dust control measures will be reviewed by the Maricopa County Air Quality Department which may require additional information regarding the control measure effectiveness. Any unlisted dust control measure must clearly meet the dust control requirements of Rule 310 for any dust-generating operation.

MCAQD will apply the following minimum criteria when evaluating any unlisted dust control measures:

- The dust control measure technique is a new or alternative technology that is demonstrated to be equally or more effective in meeting the dust control requirements than the existing dust control measures provided in the Dust Control Permit Application.
- Site logistics do not practically allow for implementation of a listed dust control measure as written (e.g., road width or pre-existing barriers limit the size or width of a gravel pad).
- The owner and/or operator demonstrates that a listed dust control measure is technically infeasible due to site-specific or material-specific conditions, such that implementation of the dust control measure will not provide a benefit in reducing fugitive dust (e.g., pre-soaking screened, washed rock when handling).

Written explanation and/or documentation may be required when including unlisted dust control measures in a Dust Control Permit Application.

Opacity

Rule 310, Section 303 (Visible emissions requirements for Dust-Generating Operations) requires visible fugitive dust emissions to not exceed 20% opacity. As a general rule of thumb, if at any time you can see dust being generated by equipment operations, it is already at least 10% opacity.

Opacity is measured by looking through the dust plume, while the sun is at your back. If more than 20% of the background is obscured, then the opacity is greater than 20%. Appendix C – Fugitive Dust Test Methods contains information and other sources that more fully describe this concept. (See http://www.maricopa.gov/aq/divisions/planning_analysis/AdoptedRules.aspx for an online version of Appendix C).

Making Changes to an Approved Dust Control Permit and Dust Control Plan

You are allowed to make changes to aspects of your approved Dust Control Permit and Dust Control Plan. Maricopa County has permit modification forms available at 1001 N. Central Avenue, 4th floor, or you can download permit modification forms from: <http://www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx>

You might have to change your Dust Control Plan if fugitive dust emissions from your project exceed the standards in Rule 310, even though you are following your Dust Control Plan. You might also have to change your Dust Control Plan if the acreage for your project changes or if the permit holder changes.

If you change your Dust Control Plan because you have been notified that fugitive dust emissions from your project exceed the standards in Rule 310, even though you are following your Dust Control Plan, then you must submit a revised Dust Control Plan to the Control Officer within three working days of being notified that your original Dust Control Plan is not effective. During the time that you are preparing revisions to your Dust Control Plan, you must still comply with all of the requirements of Rule 310.

In order to change your Dust Control Permit and/or Dust Control Plan for any other reason, Maricopa County accepts the following permit modification forms:

Parcel Sale Notification

Form requires applicant name and address, parcel(s) sold, date sold, and buyer name and address.

Permit Name Change Request

Form requires existing permit holder name and address, new Applicant name and address, and reason for the permit name change. Appropriate registration in the State of Arizona will be verified with the Arizona Corporation Commission or other applicable resources as is the case with new applications. The previously approved Dust Control Plan can stay in effect or a new Dust Control Plan can be submitted for review and approval.

Permit Cancellation Request

Form requires permit holder name and address, project location, reason for cancellation, verification that no further soil disturbing construction activities will occur, that soils have been permanently stabilized, or that all applicable rules have been satisfied. You must cancel your Dust Control Permit when your project is complete or when you no longer have control over the day-to-day operations on the site.

Permit Acreage Increase Request

Form requires permit holder name & address, reason for acreage change, and the new acreage. The original Dust Control Permit expiration date will not change, it will remain the same. A new site plan showing the increased site area must be submitted as well as the appropriate fee corresponding to the additional acreage amount.

- Sites that increase to 1 acre or more may require modifications to the originally submitted Dust Control Plan.
- Sites that increase to five acres or more require a project information sign. (Rule 310, Section 308)

Permit Plan Change

Form requires permit holder name and address, reason for the change, and areas of the plan to be changed. If applicable, a revised Dust Control Plan must be submitted with the form and a new site plan may be required.

Dust Control Coordinator Change Notification

Form is to be used when a site no longer requires a Dust Control Coordinator but is still active. A site visit will be required for verification, a Primary Project Contact must be selected, and a new site plan may be required.

Control Measures

Water

When planning a contingency control method, do not choose water if it is already your primary control method. Maricopa County assumes that you will apply enough water to control dust, until it becomes an infeasible option.

Ceasing operations

Keep in mind that weather conditions play a big part in dust control and may require that you cease operations. While not appropriate in all situations, ceasing operations is an acceptable contingency measure many businesses currently use. Due to the common use of this control measure and to clarify when its use is appropriate the cease operations option has been included as a contingency option in several places in the Dust Control Plan. At the least it requires you to stop operations, evaluate why your primary control measure is not working, and make corrections. Ceasing operations lasts as long as it takes to resolve or abate the dust control issue.

Vehicle speed

Vehicle speed is not an acceptable dust control measure for all dust-generating operations. Where vehicle speed is an option for dust control, you must indicate the maximum number of vehicle trips that will be allowed, how the speed of such vehicles will be limited, and what areas or roads the limits will apply to.

Vegetative ground cover

If you choose “establish vegetative ground cover” as a control measure, you must comply with at least one of the following standards. These standards are also described in Rule 310, Section 304.3 – Stabilization requirements for Dust-Generating Operations – Disturbed Surface Area:

- Maintain a flat vegetative cover (i.e., attached/rooted vegetation or unattached vegetative debris lying on the surface with a predominant horizontal orientation that is not subject to movement by wind) that is equal to at least 50%;
- Maintain a standing vegetative cover (i.e., vegetation that is attached/rooted with a predominant vertical orientation) that is equal to or greater than 30%;
- Maintain a standing vegetative cover (i.e., vegetation that is attached/rooted with a predominant vertical orientation) that is equal to or greater than 10% and where the threshold friction velocity is equal to or greater than 43 cm/second when corrected for non-erodible elements; or
- Maintain a percent cover that is equal to or greater than 10% for non-erodible elements.

Surface gravel, recycled asphalt, or other suitable material

If you choose “apply and maintain surface gravel, recycled asphalt, or other suitable material” as a control measure for unpaved haul roads/access areas, you must comply with the following standard. This standard is also described in Rule 310, Section 304.2 – Stabilization requirements for Dust-Generating Operations – Unpaved Haul/Access Roads:

- Do not allow visible dust emissions to exceed 20% opacity and either do not allow silt loading to be equal to or greater than 0.33 oz/ft² or do not allow silt content to exceed 6%.

If you choose to “apply and maintain surface gravel, recycled asphalt, or other suitable material” as a control measure for unpaved parking areas, you must comply with the following standard. This standard is also described in Rule 310, Section 304.1 – Stabilization requirements for Dust-Generating Operations – Unpaved Parking Lot:

- Do not allow visible fugitive dust emissions to exceed 20% opacity and either do not allow silt loading to be equal to or greater than 0.33 oz/ft² or do not allow silt content to exceed 8%.

More detail on opacity and silt loading can be found in Appendix C – Fugitive Dust Test Methods at http://www.maricopa.gov/aq/divisions/planning_analysis/AdoptedRules.aspx

DUST CONTROL PLAN CONTROL MEASURES INSTRUCTIONS

What follows is a listing of the ten category headings (A-J) that corresponds to the same category headings (A-J) in Part 3 of the Dust Control Permit Application. Under each of the ten category headings (A-J) that follow are questions to ask and concepts to consider when designing your Dust Control Plan. You must comply with the work practice standards described in Rule 310 and you must implement, as applicable, the dust control measures in Rule 310, Section 305. Section 305 describes primary and contingency dust control measures for a variety of dust-generating operations.

When completing the Dust Control Permit Application, use this listing to select dust control measures for your project. Changes to the Dust Control Plan may be made after the application is approved by submitting a Permit Plan Change Form to the Maricopa County Air Quality Department. See information provided previously (p. 8) regarding making changes to an approved Dust Control Permit and Dust Control Plan.

EXAMPLES of how to complete Control Measures and Water Tables can be found on pages 19-22.

A. Vehicles/Motorized Equipment

A.1 Unpaved Staging Areas, Unpaved Parking Areas, and Unpaved Material Storage Areas

What areas have you set aside for parking, including areas where your employees and contractors will be parking their vehicles? What areas have you set aside for material staging? How will you keep vehicles, including the public, employees, subcontractors, utilities, and project inspectors, in areas intended for travel? Paving is acceptable as a primary control measure, if paving is done at the beginning of a project.

A.2 Unpaved Access Areas/Haul Roads

Will you be operating, hauling, or delivering equipment or materials using unpaved areas? Unpaved haul roads/access areas are unpaved roads or designated access areas for vehicles or delivery trucks. On most single residential sites, the haul road is typically the future driveway. Paving is acceptable as a primary control measure, if paving is done at the beginning of a project.

B. Disturbed Surface Areas

B.1 Before Active Operations occur

Create a plan to minimize dust before you start site work. For example Rule 310, Section 305.11 describes dust control measures to implement before site work begins. According to Section 305.11 you must either pre-water the site to depth of cuts, allowing time for penetration, or you must phase work to reduce the amount of disturbed surface areas at any one time.

If you choose to pre-water the site, you should pre-water the areas to be disturbed prior to commencing a dust-generating operation. A rule of thumb is 1 acre-foot of water (325,851 gallons) per acre of land. Pre-watering areas to depth of cuts will reduce the amount of water required for dust control. Pre-watering does not mean flooding the area to be disturbed, which may make the area unworkable. Nor does it mean allowing the watered area to dry-out before the dust-generating operation occurs, since that would prevent adequate dust control.

If you choose to phase work as a dust control measure to reduce the amount of disturbed surface areas at any one time, you must show how you will phase the project to create the least amount of disturbance at any one time. You may use the project site drawing to show the various project phases, along with a time line showing relative start and stop times. Indicate on the application that you have shown the various project phases on the project site drawing.

B.2 During Active Operations

Water must be applied continuously in front of or in conjunction with a scraper/grader/dozer. Water applied behind equipment is usually intended for compaction purposes and not dust control. If a water truck is required to leave the project site for refilling, the contingency measure must be implemented, as needed, to comply with Rule 310, Section 303 – Visible emissions requirements for Dust-Generating Operations.

If you choose to limit vehicle speed, you must indicate the maximum number of vehicle trips that will be allowed and how the speed of such vehicles will be limited.

B.3 Stabilization for any inactive period, of any length, 24 hours per day, seven days per week including weekends, after work hours, holidays

How are you going to stabilize your site during non-work hours including any and all times there are no active operations occurring but the site has not been permanently stabilized? How will you control wind generated dust?

B.4 Permanent Stabilization of Disturbed Surface Areas required within ten days following the completion of the Dust-Generating Operation if finished for a period of 30 days or longer

How will the open areas of the site be permanently stabilized? How will the site be stabilized if construction is halted?

Open areas and vacant lots need to remain stabilized (i.e., maintain a visible crust, vegetation, or surface gravel) and inaccessible to motorized vehicles. When your site is permanently stabilized and your project is complete, you should cancel your Dust Control Permit. Maricopa County has permit cancellation request forms available at 1001 N. Central Avenue, 4th Floor, or you can download the form from: <http://www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx>

C. Bulk Material Handling

C.1 Off-Site Hauling onto Paved Areas Accessible to the Public

Will you be conducting debris clean up or lot clean up? Will you be exporting materials?

C.2 Hauling/Transporting within the Boundaries of the Work Site but not crossing a Paved Area Accessible to the Public

Will you be moving dirt or rock from one area to another area on your site?

C.3 Hauling/Transporting within the Boundaries of the Work Site and Crossing and/or accessing a Paved Area Accessible to the Public

Crossing a paved area is when you are traveling perpendicular to the paved area, typically entering and leaving it with the primary purpose of arriving at a destination on the other side. If you are not crossing a paved area (not traveling perpendicular to a paved area), then you are traveling along the paved area. Traveling along the paved area may take you outside the work area, unless such area has been barricaded to public travel.

C.4 Bulk Material Stacking, Loading, and Unloading Operations

Will you be trenching, backfilling, and/or importing/exporting Bulk Material?

Stacking, loading, and unloading operations include any time Bulk Materials are loaded into a truck or when materials are put into spoils piles from trenching operations.

If you choose to use water to control dust for cut and fill activities, a rule of thumb is (1) 10,000 gallon water pull for each 7,000 cubic yards of material moved per day. When determining the total amount of water necessary for a project, another rule of thumb is that it takes at least 30 gallons of water to control dust from each cubic yard of material to be moved.

C.5 Open Storage Piles

How will you control dust from storage or spoils piles? Will you have spoils and/or storage piles for any length of time?

Open storage piles include piles that are on-site for any length of time. If you apply water or dust suppressant(s) to open storage piles when not conducting stacking, loading, and unloading operations, make sure that you limit unauthorized vehicle access to the area.

D. Trackout, Carry-out, Spillage, and Erosion

D.1 Trackout Control Device

What will you use as a trackout control device if trenching removes an existing gravel pad? What will you use as a control device during curb and gutter installation? How will you direct traffic to the designated exit locations and restrict traffic from using other exit points?

Trackout control devices are preventative devices intended to reduce the amount of dirt transferred onto paved areas and entrained into the atmosphere. Trackout control devices are required at every exit to a paved area accessible to the public (any retail parking lot or public roadway that is open to public travel primarily for purposes unrelated to the dust-generating operation) for job sites 2 acres or larger or when 100 cubic yards of bulk material are hauled on-site or off-site per day. Trackout control devices include, but are not limited to, the following:

Gravel Pad

A layer of washed gravel, rock, or crushed rock that is at least one inch or larger in diameter that is maintained at the point of intersection of a paved area accessible to the public and a work site entrance to dislodge mud, dirt, and/or debris from the tires of motor vehicles and/or haul trucks, prior to leaving the work site.

Grizzly or Rumble Grate

A device (i.e., rails, pipes, or grates) used to dislodge mud, dirt, and/or debris from the tires and undercarriage of motor vehicles and/or haul trucks prior to leaving the work site.

Paving

Application and maintenance of asphalt, concrete, or other similar material to a roadway surface (i.e., asphaltic concrete, concrete pavement, chip seal, or rubberized asphalt).

Wheel Wash System

A system, station, or device either temporary or permanent, that utilizes a bath or spray of water for the purpose of cleaning mud, soil, and rock from the tires and undercarriage of vehicles to prevent tracking of those materials onto paved surfaces.

Rule 310, Section 306 addresses dust control measures for trackout control. According to Section 306 you must prevent trackout by installing, at all access points to the site, a trackout control device such as a grizzly or rumble grate, a wheel wash system, or a gravel pad, defined in Rule 310, Section 217 to be at least 30 feet wide, 50 feet long, and 3 inches deep. Or you must pave starting from the point of intersection with a paved area accessible to the public and extending for a centerline distance of at least 100 feet and a width of at least 20 feet.

It is a violation of Rule 310 if your site is required to have a trackout control device and does not, regardless of whether trackout is present.

D.2 Cleaning

Trackout/carry-out is any and all bulk materials that adhere to and agglomerate on the surfaces of motor vehicles, haul trucks, and/or equipment (including tires) and that have fallen or been deposited onto a paved area accessible to the public. You are required to immediately clean trackout/carry-out extending 25 feet or more. Trackout/carry-out that is less than 25 feet requires cleaning by the end of the work day. During import/export operations and following rain events, cleaning may need to be done on a consistent basis to control trackout/carry-out.

Cleaning trackout/carry-out includes removing any and all bulk material that has been deposited onto public roadways, medians, gutters, and sidewalks. Cleaning trackout/carry-out can be accomplished by manually sweeping up the deposits, by operating a street sweeper or wet broom, or by power washing. Some street sweepers (e.g., street sweepers with steel brushes) are more efficient than others, especially on stubborn trackout/carry-out.

Be sure to check other applicable regulations. For instance, some work sites are located in areas where the paved areas may not be cleaned by power washing with water due to Storm Water Pollution Prevention Plans (SWPP), National Pollutant Discharge Elimination Standards (NPDES), or Arizona Pollutant Discharge Elimination System (AZPDES).

It is a violation of Rule 310 if you have not cleaned trackout/carry-out, regardless of whether a trackout control device is present. If a street sweeper has been chosen as the primary control measure and is needed immediately but is not available, then you must employ the contingency measure.

E. Weed Abatement by discing or blading

If this is a long project, will weed removal or weed control be an issue in the future? Weed abatement for the purpose of this question is the removal of a weed and its roots by turning over the soil, usually with a disc or blade implement, thereby disturbing the surface area and removing a means of stabilizing the surface area.

F. Blasting operations

Will blasting be conducted for removal of structural concrete? Is there an available site for stockpiling material? Will underlying material require blasting?

G. Demolition activities

If concrete removal quantity is sizable, is there an available dump site? Has dust control for this staging or storage area been addressed?

H. Wind Event

A “wind event” is when the 60-minute average wind speed is greater than 25 m.p.h. In category H, some control measures are to be used in the “nonattainment area” and some control measures are to be used in the “attainment area”. A “nonattainment area” is an area designated by the Environmental Protection Agency (EPA) as exceeding national ambient air quality standards based upon data collected through air quality monitoring.

Maricopa County does not meet the national ambient air quality standards for particulate matter (PM₁₀). Consequently, Maricopa County is considered a nonattainment area for PM₁₀. The general geographical boundary of Maricopa County’s PM₁₀ nonattainment area is as follows: Salt River Mountains on the south, Phoenix Mountains on the northwest, Estrella Mountains on the southwest, White Tank Mountains on the west, and Superstition Mountains on the east. Maricopa County’s PM₁₀ nonattainment area includes all cities within this geographical boundary.

What has been done to address a possible wind event when no one is on-site, such as on a weekend or a holiday?

I. Water

For categories A-H in Part 3 of the Dust Control Permit Application, for which you choose to “apply water” as a dust control measure, you must describe the size and number of pieces of the equipment that you will use to supply the water, and the size and number of pieces of equipment that you will use to apply the water.

Soil Rating. For the purpose of completing the minimum water availability tables, soil types have been simplified from the four ratings categories in the Appendix F Soil Map into two rating categories. A Severe rating includes clay, silty clay, and sandy clay while the Moderate rating includes all other soil types. (See pages 15-17 for additional information to assist in determining soil rating)

Water supply means how water will be supplied to the site. Equipment options for water supply include, but are not limited to, metered hydrant, water tower, and water pond.

Water application system means how water will be applied to the site. Equipment options for water application system include, but are not limited to, hoses, water truck, water pull, and water buffalo.

Minimum water availability means water supply in conjunction with water application system.

- A minimum water availability table is included for different construction phases to be used in Part 3 where “apply water” is chosen as a dust control measure.
- Each minimum water availability table lists the minimum amount of water that you must have available for the duration of the project for dust control and compaction in severe and moderate soil types.
- Use each minimum water availability table to determine the size and number for the equipment that you will use to supply the water and to apply the water.

Regardless of the minimum amount of water that you have available to your site or on your site and regardless of your water supply and water application, in no case shall you exceed 20% opacity. Test methods for opacity can be found in Appendix C of the Maricopa County Air Pollution Control Regulation. (See an online version of Appendix C at http://www.maricopa.gov/aq/divisions/planning_analysis/AdoptedRules.aspx)

J. Dust Suppressants other than water

Although water is a dust suppressant, the information required by Table J in Part 3 in the Dust Control Permit Application should not include information on water supply and water application systems.

The information required by Table J in Part 3 of the Dust Control Permit Application is for all other dust suppressants that you use. Fill out the applicable areas in Table J in Part 3 of the Dust Control Permit Application. Be sure to attach information on environmental impacts and approvals or certifications related to appropriate and safe use for ground application. Also, attach product specification(s) and application sheet(s) or label instructions.

Different types of soil require more intensive water use or the use of water in combination with dust suppressants, in order to meet the requirements of Rule 310. Brief descriptions of dust suppressants and related information can be found in “Appendix – Additional Information on Key Topics” in the next segment of these instructions.

C. APPENDIX – ADDITIONAL INFORMATION ON KEY TOPICS

GLOSSARY OF TERMS (A more complete list of definitions can be found in Rule 310, Section 200)

Caliche – Common in, and somewhat unique to, the southwestern United States is a soil component known as caliche. Caliche is defined as an amorphous (non-crystalline) mass of calcium carbonate (limestone) mixed with clay. Caliche is a general term for any secondary calcium carbonate (CaCO₃) that forms in sediments or in voids and crevices within bedrock just below the surface in semiarid regions, as a result of soil-forming processes (pedogenic caliche) or ground-water evaporation (ground-water caliche). Caliche is material left behind by the evaporation of ground water or soil moisture that is no longer present at that level, although ground water may be present at much lower depths beneath the caliche.

Disturbed Surface Area – A portion of the earth's surface or material placed on the earth's surface that has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed native condition if the potential for the emission of fugitive dust is increased by the movement, destabilization, or modification. For the purpose of Rule 310, an area is considered to be a disturbed surface area until the activity that caused the disturbance has been completed and the disturbed surface area has been permanently stabilized.

Dust-Generating Operation – Any activity capable of generating fugitive dust, including but not limited to, land clearing, earthmoving, weed abatement by discing or blading, excavating, construction, demolition, bulk material handling, storage and/or transporting operations, vehicle use and movement, the operation of any outdoor equipment, or unpaved parking lots. For the purpose of Rule 310, landscape maintenance and playing on or maintaining a field used for non-motorized sports shall not be considered a dust-generating operation. However, landscape maintenance shall not include grading, trenching, or any other mechanized surface disturbing activities performed to establish initial landscapes or to redesign existing landscapes.

Fugitive Dust – The particulate matter not collected by a capture system that is entrained in the ambient air and is caused from human and/or natural activities, such as, but not limited to, movement of soil, vehicles, equipment, blasting, and wind. For the purpose of Rule 310, fugitive dust does not include particulate matter emitted directly from the exhaust of motor vehicles and other internal combustion engines, from portable brazing, soldering, or welding equipment, and from pile drivers, and does not include emissions from process and combustion sources that are subject to other rules in Regulation III-Control Of Air Contaminants of the Maricopa County Air Pollution Control Regulations.

APPLICABLE MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS

1. Rule 200 (Permit Requirements), Section 305 (Dust Control Permit)
- Requires any dust-generating operation disturbing 0.10 acres (4,356 sq.ft.) or more to obtain a permit,
 - Applies the provisions of Rule 310 (Fugitive Dust from Dust-Generating Operations) to Dust Control permits.
2. Rule 200 (Permit Requirements), Section 309 (Standards for Applications)
- Gives the Control Officer authority to design permit applications that contain all the information necessary to enable the Control Officer to make the determination to grant or deny a permit,
 - Such applications can contain terms and conditions as the Control Officer deems necessary to assure a source's compliance with the requirements of the Maricopa County Air Pollution Control Regulations.
3. Rule 310 (Fugitive Dust from Dust-Generating Operations)
- Requires an owner and/or operator of a dust-generating operation to submit a Dust Control Plan with any Dust Control Permit as well as before commencing any routine dust-generating operation at a site that has obtained or must obtain a Title V, Non-Title V, or general permit under Maricopa County Air Pollution Control Regulations, Regulation II (Permits And Fees),
 - Required from initial ground breaking through final stabilization,
 - Valid for one year from the date of issuance,
 - Re-application must be submitted at least 14 calendar days prior to the expiration date of the original permit, if 0.10 acres (4,356 sq.ft.) or more remain disturbed at the expiration of the original permit,
 - Must describe all control measures to be implemented before, after, and while conducting any dust-generating operation, including during weekends, after work hours, and on holidays,
 - Maricopa County approves, disapproves, or conditionally approves a Dust Control Plan, in accordance with the criteria used to approve, disapprove, or conditionally approve a permit,
 - Failure to comply with the provisions of the approved Dust Control Plan and/or failure to comply with all other requirements of Rule 310 is deemed to be a violation of Rule 310,
 - Once approved by the Control Officer, the Dust Control Permit and Dust Control Plan must be posted on-site.
 - Any person who conducts Dust-Generating operations that require a Dust Control Plan shall keep a written record of self-inspection on each day Dust-Generating Operations are conducted. (Also referred to as a “Dust Control Log”)
 - Permit holder must cancel the permit when the project is complete or when the permit holder no longer has control over the day-to-day operations on the site. (See pages 8-9 of the Instructions)

PROJECT INFORMATION SIGN

For sites that are five acres or larger a project information sign must be posted and maintained at the main entrance to the project where members of the public can easily view and read the sign (Rule 310, Section 308). The sign must have a white background with black block lettering that is at least four inches high and contain at least the following information:

- Project name and permittee's name;
- Current Dust Control permit number and expiration date;
- Name and local phone number(s) of person(s) responsible for dust control matters; and
- Text stating: “Dust complaints? Call Maricopa County Air Quality Department – (Insert the accurate Maricopa County Air Quality Department complaint line telephone number).”

SOIL TEXTURE AND TYPE CLASSIFICATION SUMMARY

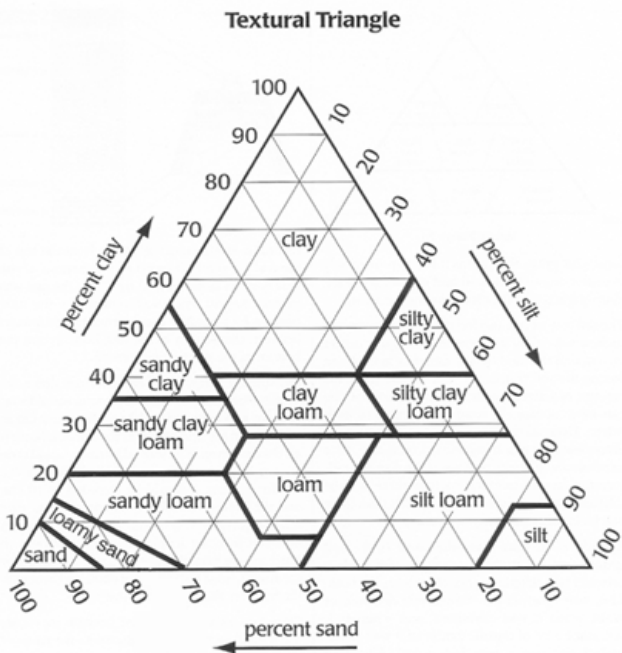
According to Rule 310, Section 402.5 – Dust Control Plan Requirements for construction projects one acre or larger (except for routine maintenance and repair done under a block permit), the soil texture that is naturally present and the texture of any soil that will be imported to the site must be designated. (See Question #20)

Soil texture is the single most important physical property of the soil. Knowing the soil texture alone will provide information about: (1) water flow potential, (2) water holding capacity, and (3) suitability for many urban uses. Soils can be divided into three basic classifications: sands, silts, and clays. (Caliche, commonly found in the Southwest, is basically a form of clay. See Glossary of Terms, p. 14 of the Instructions for more information regarding caliche).

There is great variation within the three basic classifications: sands, silts, and clays, but these classifications will suffice for the purpose of choosing appropriate dust control measures for a work site.

Soils are visually classified by the Unified Soil Classification System on boring logs. Grain-size analysis and Atterberg Limits Tests are often performed on selected samples, and the results entered onto a plasticity chart, to aid in classification. The classification system is outlined in the chart on page 16 of the Instructions. For a more detailed description of the system, including plasticity and liquid limits, see "The Unified Soil Classification System" ASTM Designation D2487 at <http://www.astm.org/Standards/D2487.htm>

Once the amount of sand, silt, and clay is known, you can give the soil a texture class name. These names change depending on how much of each type of particle is in the soil. The textural triangle (shown below) is used to determine the names of the textural classes.



Different textural classes will require more intensive water use or the use of water in combination with dust suppressants (see the tables on pages 16 and 17 of the Instructions), so that visible fugitive dust emissions do not exceed 20% opacity in accordance with Rule 310, Section 303 – Visible Emissions requirements for Dust-Generating Operations. Test methods for opacity can be found in Appendix C of the Maricopa County Air Pollution Control Regulations (see Appendix C – Fugitive Dust Test Methods at http://www.maricopa.gov/aq/divisions/planning_analysis/AdoptedRules.aspx)

Unified Classification System for Soils

Major Division				Group Symbol	Typical Description
Coarse-Grained Soils (less than 50% passes No. 200 sieve)	Gravels (50% or less of course fraction passes No. 4 sieve)	Clean Gravels (less than 5% passes No. 200 sieve)		GW	Well graded gravels, gravel-sand mixtures or sand-gravel-cobble mixtures
		Gravels With Fines (more than 12% passes No. 200 sieve)	Limits plot below "A" line & hatched zone on plasticity chart	GP	Poorly graded gravels, gravel-sand mixtures, or sand-gravel-cobble mixtures
			Limits plot above "A" line & hatched zone on plasticity chart	GM	Silty gravels, gravel-sand-silt mixtures
				GC	Clayey gravels, gravel-sand-clay mixtures
	Sands (more than 50% of course fraction passes No. 4 sieve)	Clean Sands (less than 5% passes No. 200 sieve)		SW	Well graded sands, gravelly sands
		Sands With Fines (more than 12% passes No. 200 sieve)	Limits plot below "A" line & hatched zone on plasticity chart	SP	Poorly graded sands, gravelly sands
			Limits plot above "A" line & hatched zone on plasticity chart	SM	Silty sands, sand-silt mixtures
				SC	Clayey sands, sand-clay mixtures
Fine-Grained Soils (50% or more passes No. 200 sieve)	Silts (limits plot below "A" line & hatched zone on plasticity chart)	Silts Of Low Plasticity (liquid limit less than 50)		ML	Inorganic silts, clayey silts with slight plasticity
		Silts Of High Plasticity (liquid limit more than 50)		MH	Inorganic silts of high plasticity, silty soils, elastic silts
	Clays (limits plot above "A" line & hatched zone on plasticity chart)	Clays Of Low Plasticity (liquid limit less than 50)		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
		Clays Of High Plasticity (liquid limit more than 50)		CH	Inorganic clays of high plasticity, fat clays, silty and sandy clays of high plasticity

Note: Coarse-grained soils with between 5% & 12% passing the No. 200 sieve and fine-grained soils with limits plotting in the hatched zone on the plasticity chart to have dual symbol.

SOIL TEXTURE AND TYPE MAP SUMMARY

The soil map in Appendix F of the Maricopa County Air Pollution Control Regulations (a large printed soil map is available for viewing at the One Stop Shop while a smaller, downloadable version can be found at: http://www.maricopa.gov/aq/divisions/planning_analysis/rules/docs/AppendixF-0404.pdf) designates soil texture ratings within the PM₁₀ nonattainment area. See page 13 for more information regarding the PM₁₀ nonattainment area in Maricopa County.

Four soil texture ratings in the table below – severe, moderate, slight, and very slight – refer to a soil's potential to create PM₁₀. The table summarizes the soil map in Appendix F and designates control measures that could be used with each soil type. Also, the table shows which soil texture rating relates to which group symbol used in the chart of the Unified Classification System for Soils previously on this page.

The soil map in Appendix F is to be used to identify soil types for purposes of completing Question #20 of the Dust Control Permit Application, in lieu of submitting actual measured soil types with your Dust Control Plan. However, the actual measured soil types take precedence over any mapped soils.

If any requirements stated in the Instructions or in the Dust Control Permit Application contradict recommendations of a site geotechnical report, attach a copy of the report to the Dust Control Plan. The report will be incorporated as part of the Dust Control Plan.

Summary of Soil Map in Appendix F of the Maricopa County Air Pollution Control Regulations

Map Color Designations	Soil Texture Ratings	Soil Types	Group Symbols	Characteristics Of Soil	Control Measures
Red	Severe	Clay Silty Clay Sandy Clay	CL CH	• Low hydraulic conductivity (the rate at which water can flow through the soil) • Retains water • Hardens in heat of summer • Warms-up slower in spring	Apply water Or Apply water and a dust suppressant
Orange	Moderate	Loam Silty Loam Clay Loam Sandy Clay	ML MH	• Retains more water than sandy soil • Drains well • Easier to work than clay	Apply water Or Apply water and a dust suppressant
Green	Slight	Very Fine Sandy Loam	SW SP SM SC	• Retains more water than sandy soil • Drains well • Easier to work than clay	Apply water
Light Yellow	Very Slight	Fine Sand Coarse Sand	GW GP GM GC	• High hydraulic conductivity (the rate at which water can flow through the soil) • Tends not to compact	Apply water

ADDITIONAL ASSISTANCE

You can reach the MCAQD Dust Compliance Division offices at 1001 North Central Avenue, Suite 400 in Phoenix, Arizona, by calling 602-506-6010, or on their website at www.maricopa.gov/aq/divisions/compliance/dust

Additional useful information and websites are listed below:

- Dust Compliance main webpage: www.maricopa.gov/aq/divisions/compliance/dust/Default.aspx
- MCAQD Complaint Line for all complaints including dust related items: 602-506-6010
- Dust Compliance resources including:
 - Sample Dust Control Logs
 - Applications
 - Other Forms
 - Informational brochurecan be found at www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx
- Information on current fees can be found on the MCAQD's web site: www.maricopa.gov/aq/divisions/permit_engineering/permit_fees.aspx
- Questions concerning Asbestos NESHAP regulations should be referred to the Maricopa County's Asbestos NESHAP Coordinator at 602-506-6708 or 602-506-0421. Forms, contacts, regulations and additional information not covered in the application package may be obtained on the MCAQD website at http://www.maricopa.gov/aq/divisions/compliance/air/asbestos_neshap/Default.aspx
- Maricopa County Air Pollution Control Regulations Rule 200 (Permit Requirements) and Rule 310 (Fugitive Dust from Dust-Generating Operations) which contain information regarding the requirements and work practices associated with this application can be found at: www.maricopa.gov/aq/divisions/planning_analysis/AdoptedRules.aspx
- Document Request Forms, in the event the permit and application are not received after the processing and mail period have passed: www.maricopa.gov/materials/Document_Request/public_record_request.asp
- Assistance in completing the application may be available by calling the Training Line at 602-372-1467 or online at: <http://www.maricopa.gov/aq/divisions/compliance/dust/Default.aspx>

DUST SUPPRESSANTS SUMMARY

Dust suppressants are defined in Rule 310 as: water, hygroscopic material, solution of water and chemical surfactant, foam, non-toxic chemical stabilizer or any other dust palliative, which is not prohibited for ground surface application by the Environmental Protection Agency (EPA) or the Arizona Department Of Environmental Quality (ADEQ) or any applicable law, rule, or regulation, as a treatment material for reducing fugitive dust emissions.

Dust suppressants work by either agglomerating the fine particles, adhering/binding the surface particles together, or increasing the density of the road surface material. They reduce the ability of the surface particles to be lifted and suspended by either vehicle tires or wind and non-water suppressants do so with a minimum amount of added water and usually a longer useful life than water alone.

One important factor in evaluating dust suppressants is the long-term monetary cost versus that of water alone. Environmental impacts of both methods on water quality and plant life must also be considered.

More detail can be found on the MCAQD Dust Compliance website at: www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx

DUST SUPPRESSANT CATEGORIES:

- 1. **Water-Attracting Chemicals:** Chlorides, Salts, Brine Solutions.
- 2. **Organic, Non-Bituminous Chemicals:** Lignosulfonates, Sulphite, Liquors, Tall Oil Pitch, Pine Tar, Vegetable Oils, Molasses.
- 3. **Electro-Chemical Stabilizers:** Sulphonated Petroleum, Ionic Stabilizers, Bentonite.
- 4. **Polymers:** Polyvinyl Acrylics, Acetates.
- 5. **Microbiological Binders:** Cryptogams, Blue-Green Algae Inoculants, Enzyme Slurries.

DUST SUPPRESSION TECHNOLOGIES:

In addition to categories of dust suppressants, the subject can also be divided by dust suppression technologies including the following:

- 1. **Wetting Agents:** Surfactant (see below) formulations that improve the ability of water to wet and agglomerate fine particles.
- 2. **Foaming Agents:** Surfactant formulations used to convert water and air into a dry, stable, small-bubbled foam with a consistency similar to shaving cream.
- 3. **Binding/Agglomerating Agents:** Performs similar functions as wetting and foaming agents but provides a longer residual effect than water alone and thus is used when it is either impractical or uneconomical to control dust using just water technologies.
- 4. **Crusting Agents:** Binding agents that are chemically similar to latex paint in that their primary active components are water-based latex polymers that cure to form a mechanically stable water-insoluble film.

DUST SUPPRESSION MATERIALS:

- 1. **Surfactants:** Surface-active agents, make water more efficient by making water “wetter”, lowering its surface tension allowing drops of water to spread out and contact surfaces more effectively
- 2. **Tackifiers:** Substances used with water to hold together mulches and other dust suppressants, binding small particles together without forming a hard crust
- 3. **Flocculants:** Chemicals that cause a dispersed colloidal system (such as clay) to coagulate and form flocs. Most flocculants are either multivalent cations such as calcium, magnesium, aluminum, or ion polymers. High pH, high salinity, and high temperature can also cause clay flocculation.

EXAMPLES FOR CORRECTLY COMPLETING PART 3 – DUST CONTROL PLAN

EXAMPLE FOR USE OF THE “NOT APPLICABLE” OPTION

Z.1 Operations

☐ P ☐ C Apply water (Fill out Category I, “Water” on pp. 37-41)

☐ P ☐ C Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving

☐ P ☐ C Limit vehicle trips to space provided, list the number of employee speeds will be restricted to no more than 15 m.p.h. In the areas/haul roads each day (including trucks) and a description of how vehicle speeds will be restricted.

☒ ☐ C Cease operations, NO control measure.

☐ P ☐ C Other: _____

This is an INCORRECT EXAMPLE.
WHY? If a Control Measure is “not applicable” you must provide an explanation for why.

Or, explain why this sub-category and its control measures are not applicable N/A

Z.1 Operations

☐ P ☐ C Apply water (Fill out Category I, “Water” on pp. 37-41)

☐ P ☐ C Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving

☐ P ☐ C Limit vehicle trips to space provided, list the number of employee speeds will be restricted to no more than 15 m.p.h. In the areas/haul roads each day (including trucks) and a description of how vehicle speeds will be restricted.

☒ ☐ C Cease operations, NO control measure.

☐ P ☐ C Other: _____

This is a CORRECT EXAMPLE of a completed “not applicable” statement with a full explanation.

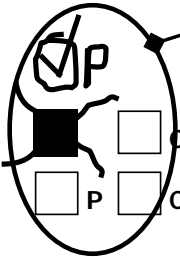
Or, explain why this sub-category and its control measures are not applicable N/A because there will not be any operations of this type being performed as part of this project

EXAMPLES FOR CORRECTLY COMPLETING PART 3 – DUST CONTROL PLAN (continued)

EXAMPLE FOR USE OF CHECKBOXES

Z.1 Operations

- ☐ P ☐ C Apply water (Fill out Category I, "Water" on pp. 37-41)
- ☐ P ☐ C Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving
- ☐ P ☐ C Limit vehicle trips to space provided, list the number of employee speeds will be restricted to no more than 15 m.p.h. In the areas/haul roads each day (including streets) and a description of how vehicle speeds will be restricted.



This is an INCORRECT EXAMPLE.

WHY? If a Control Measure checkbox is blacked out it CANNOT be used.

- ☐ C Cease operations, NO other control measures.
- ☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

Z.1 Operations

- ☒ P ☐ C Apply water (Fill out Category I, "Water" on pp. 37-41)
- ☐ P ☐ C Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving
- ☐ P ☐ C Limit vehicle trips to space provided, list the number of employee speeds will be restricted to no more than 15 m.p.h. In the areas/haul roads each day (including streets) and a description of how vehicle speeds will be restricted.



This is a CORRECT EXAMPLE of how to use available Control Measure checkboxes and avoid using non-available Control Measure checkboxes.

- ☒ C Cease operations, NO other control measures.
- ☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

EXAMPLES FOR CORRECTLY COMPLETING PART 3 – DUST CONTROL PLAN (continued)

There are two main types of tables (with multiple variations) used in the "Category I. Water" portion of Part 3 of the Application. Following is an example of each of the main two table types and how to use each:

CATEGORY I. WATER, EXAMPLE 1:

Soil Texture Rating	Project Phase - Staging/Parking Areas/Storage Areas Including Landscaping Installation	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	375 - 750 gallons per day
	2 - 10 acres	750 - 3,500 gallons per day
	10 - 100 acres	3,500 - 35,000 gallons per day
	> 100 acres	> 35,000 gallons per day
Moderate (all other classifications)	0 - 2 acres	225 - 400 gallons per day
	2 - 10 acres	400 - 2,250 gallons per day
	10 - 100 acres	2,250 - 22,500 gallons per day
	> 100 acres	> 22,500 gallons per day

Average Daily Disturbance in Acres 8 acres Number of Gallons per day 750 - 3,500 gal/day

Supply	Quantity and Size	Application	Quantity and Size
<input checked="" type="checkbox"/> Metered Hydrant	<u>(1) 2"</u>	<input type="checkbox"/> Hose	
<input type="checkbox"/> Water Tower		<input checked="" type="checkbox"/> Water Truck	<u>(1) 2,000 gal</u>
<input type="checkbox"/> Water Pond		<input type="checkbox"/> Water Pull	
<input type="checkbox"/> Off-Site		<input type="checkbox"/> Water Buffalo	
<input type="checkbox"/> Other		<input type="checkbox"/> Other	

Example 1. Illustration:

- Assume the project has a disturbed area of 8 acres for staging, storage and some parking with a severe soil rating.
- Begin with the second line under the headings in the table above. This selection shows a range of 2 – 10 acres of Total Acres Disturbed in the Severe, Soil Texture Rating field.
- Following this to the Minimum Water Available column on the right gives a range of 750 – 3,500 gallons per day. This means that even if an amount of water toward the lower end of the range is being used (750 gallons per day) the project must have the availability of water, along with the equipment to apply it, up to the highest end of the range (3,500 gallons per day), should conditions demand the higher application.
- The total water needed and its distribution must now be reflected in the quantity and size of the water supply methods as well as the quantity and size of the water application methods that you enter in their respective columns.

EXAMPLES FOR CORRECTLY COMPLETING PART 3 – DUST CONTROL PLAN (continued)

CATEGORY I. WATER, EXAMPLE 2:

Soil Texture Rating	Project Phase - Mass Grading (Includes basements)	
	Minimum Water Available (November – February)	Minimum Water Available (March – October)
Severe (clay, silty clay, sandy clay)	5,000 gallons per acre per day	10,000 gallons per acre per day
	and 30 gallons per cubic yard of material moved	and 30 gallons per cubic yard of material moved
Moderate (all other classifications)	5,000 gallons per acre per day	10,000 gallons per acre per day
	and 30 gallons per cubic yard of material moved	and 30 gallons per cubic yard of material moved

Average Daily Disturbance in Acres 10 acres Number of Gallons per acre per day 10,000 gal/acre/day

Daily Minimum Water Availability 100,000 gallons per day AND 90,000 gallons for material moved
(Number of Acres Disturbed) × (Number of Gallons per acre per day)

Supply	Quantity and Size	Application	Quantity and Size
<input checked="" type="checkbox"/> Metered Hydrant	<u>(1) 2"</u>	<input type="checkbox"/> Hose	
<input type="checkbox"/> Water Tower		<input checked="" type="checkbox"/> Water Truck	<u>(2) 5,000 gal</u>
<input checked="" type="checkbox"/> Water Pond	<u>(1) 700,000 gal</u>	<input checked="" type="checkbox"/> Water Pull	<u>(3) 10,000 gal</u>
<input type="checkbox"/> Off-Site		<input type="checkbox"/> Water Buffalo	
<input type="checkbox"/> Other		<input type="checkbox"/> Other	

Example 2. Illustration:

- Assume the project entails grading 10 acres and all 10 acres are to be graded each day for five days during the March thru October time period. Additionally, 3,000 cubic yards of material are to be removed over the five days.
- 10 acres x 10,000 gallons per acre per day = 100,000 gallons per day for all 10 acres, AND
3,000 cubic yards x 30 gallons per cubic yard = 90,000 gallons for the five day period
- Total water need for all five days = 590,000 gallons
- The total water needed and its distribution must now be reflected in the quantity and size of the water supply methods as well as the quantity and size of the water application methods that you enter in their respective columns.



Maricopa County
Air Quality Department

Return all applications to: **One Stop Shop**
501 N. 44th Street, Suite 200
Phoenix, Arizona 85008
Phone (602) 372-1071 Fax (602) 372-1078

PART 2
DUST CONTROL PERMIT APPLICATION FORM

For Office Use Only			
District #		Date Issued	
Permit #		Approved By	
Fee Paid/Acreage		Cross Streets	

IS MY APPLICATION COMPLETE?

- ☐ 1. **Dust Control Permit Application Form:** Completely answer all questions; fill in all blanks and check boxes as appropriate, in both the Applicant and Project Information areas of the Form. Attach a copy of the Project Site Drawing.
- ☐ 2. **Dust Control Plan:** Rule 310, Section 402 (Dust Control Plan requirements) requires the submission of a Dust Control Plan with your application. You may submit Part 3 of this application after completely filling in every category or sub-category; a primary and contingency control measure must be chosen for each or an explanation of why the category or sub-category is not applicable must be provided. Alternately, you may submit your own Dust Control Plan that conforms to Rule 310, Section 402 describing all dust control measures to be used during the project.
- ☐ 3. **Fee Payment:** Have the appropriate fee ready when submitting the completed permit application to the One Stop Shop referenced above, see the MCAQD website: www.maricopa.gov/aq/divisions/permit_engineering/permit_fees.aspx or FAQ #3 in the instructions. Fees can be paid with a check or money order when submitting the application in person or by mail. When submitting the application in person the fees may also be paid with a credit card or cash.

Applicant Information (See Instructions page 5)

Applicant Information must be fully and accurately completed, including full legal names of entities and individuals (no DBA's or trade names). For all Applicants, appropriate registration in the State of Arizona will be verified with the Arizona Corporation Commission or other applicable resources before a permit will be issued.

1. **Applicant:**

Relationship to property (Check all that apply):
☐ Property Owner ☐ General/Prime Contractor ☐ Developer ☐ Lessee

Type of Entity:
☐ Corporation ☐ Limited Liability Company or Partnership ☐ Sole Proprietor ☐ Individual ☐ Government

Name:

Address:

City: State: Zip:

Phone: Fax:

E-Mail Address:

Local Mailing Address (if not the same as above):

Contractor License Number:

2. Is Applicant a wholly owned subsidiary of another Company? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If "Yes" , please provide all requested information below. If "No" , please proceed to Question 3:			
Parent Company (if Applicant is a wholly owned subsidiary):			
Type of Entity: <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company or Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Individual <input type="checkbox"/> Government			
Name:			
Address:			
City:		State:	Zip:
Phone:		Fax:	
State of Incorporation or Registration:			
3. Applicant President/Owner:			
Name:			
Address:			
City:		State:	Zip:
Phone:		Fax:	
4. Property Owner/Developer, if not Applicant:			
Type of Entity: <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company or Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Individual <input type="checkbox"/> Government			
Name:			
Address:			
City:		State:	Zip:
Phone:		Fax:	
Contact Person:			
5. Dust Control Coordinator:			
<ul style="list-style-type: none">At least one Dust Control Coordinator is required to be on-site at all times during primary dust-generating operations for any site with five acres or more of disturbed surface area subject to a permit issued by the Control Officer requiring control of PM₁₀ emissions from dust-generating operationsList additional Dust Control Coordinators on a separate sheet of paper and include following this sheet			
Name:			
Title:		Company Name:	
On-Site Phone:		Mobile:	Fax:
E-mail Address:			
Dust Control Badge ID Number:		Expiration Date:	
6. Primary Project Contact:			
<ul style="list-style-type: none">Provide a Primary Project Contact for all sites with a disturbed surface area subject to a permit issued by the Control Officer requiring control of PM₁₀ emissions from dust-generating operationsState if the Primary Project Contact is already referenced in Question #5 above or provide all of the following:			
Name:			
Title:		Company Name:	
On-Site Phone:		Mobile:	Fax:
E-mail Address:			

7. Certification by a Responsible Official of the Applicant:	
A Responsible Official of the Applicant is the person who will be contacted or named in any enforcement action initiated by the Maricopa County Air Quality Department or the Maricopa County Attorney's Office. Pursuant to Rule 310, Section 401.3, the signature on the Dust Control Permit Application shall constitute agreement to accept responsibility for meeting the conditions of the Dust Control Permit and for ensuring that control measures are implemented throughout the project site and during the duration of the project.	
Arizona Revised Statute § 13-2704 makes it a criminal offense to knowingly make a false material statement to a public servant in connection with an application for any benefit, privilege, or license.	
I hereby certify that, based on information and belief formed after reasonable inquiry, the statements and information in the Dust Control Permit Application, including Applicant Information, Project Information, and the Dust Control Plan, are true, accurate, and complete.	
Signature:	
Printed Name:	Title:
8. Application completed by (if other than Signatory):	
Signature:	
Printed Name:	Title
Phone:	Fax:
E-mail Address:	

Project Information (See Instructions page 6)

9. Name of Project:		
10. Project Location: (If address is not available, complete Other Location information as fully as possible)		
Address:		
City:	State: AZ	Zip:
Nearest Major Cross Street North/South:		
Nearest Major Cross Street East/West:		
Is this location:	<input type="checkbox"/> Unincorporated Area (County)	<input type="checkbox"/> Incorporated Area (City)
Other Location information: (If address is not available provide all information possible below)		
County Assessor's Parcel Number(s):		
Master Plan Community Number(s):		
Geographic Coordinates:		
11. Project Location by Township (N or S), Range (E or W), Section (1-36):		
Township:	Range:	Section:
12. Brief Project Description:		
13. Will a basement or underground parking be excavated? <input type="checkbox"/> Yes <input type="checkbox"/> No		
14. Will building occur on a pre-existing pad/prepared pad? <input type="checkbox"/> Yes <input type="checkbox"/> No		
15. Size of Project:		
Estimated acres to be graded:		
Estimated cubic yards of Bulk Material to be moved within the boundaries of the project:		
Estimated cubic yards of import Bulk Material:		
Estimated cubic yards of export Bulk Material:		
Total acres that will be disturbed throughout the duration of this Permit, including staging areas, stockpiles, access and haul roads, parking, driveways, as well as temporary storage yards:		

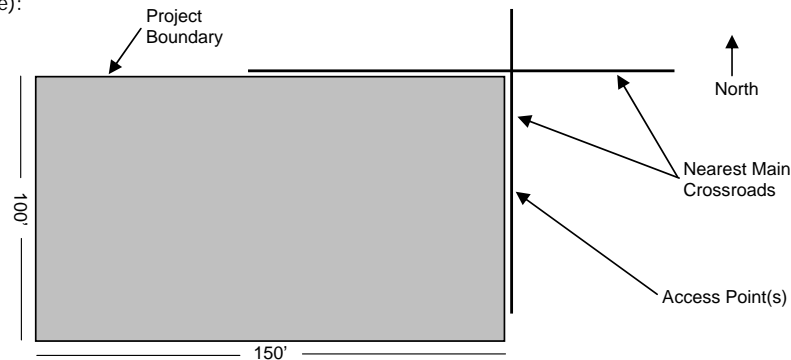
16. Project Site Drawing:

(NOTE: A Dust Control Permit will not be issued unless a drawing is submitted)

Attach a separate page (8½" x 11") with a drawing showing all of the following elements:

- Entire project site boundaries
- Area to be disturbed with **linear dimensions**
(including staging areas, stockpiles, access and haul roads, parking, driveways, and storage)
- Nearest main crossroads
- North arrow
- Access Point(s) – Planned exit locations onto paved areas accessible to the public

Example (simplified, not to scale):



17. Is this a Re-application? ☐ Yes Previous Permit #

☐ No

A permit is valid for 1 year after the date of approval. **The re-application process may take up to 14 calendar days for review and processing (not including time for postal delivery) and must be approved prior to the expiration of the old permit. You must re-apply for a permit more than 14 calendar days before the original permit expires.**

18. Estimated Project Start Date (month/day/year). If this is a re-application, list the **original** project start date:

19. Estimated Project Completion Date (month/day/year), the date may be beyond the one year duration of the permit:

20. List Soil Designations from Appendix F in Maricopa County Air Pollution Control Regulations or, if attaching a copy of the site geotechnical report, check here ☐

For construction projects one acre or larger, except for routine maintenance and repair done under a block permit, designate in the table below which soil texture is naturally present on the work site and which soil texture will be imported onto the work site (if applicable). If the soil on the work site has been tested, then you should rely on the test results to complete the table and you should attach a copy of the site soil report (boring logs) to this application. If the soil on the work site has not been tested, then use Appendix F in the Maricopa County Air Pollution Control Regulations to complete the table below.

Texture of soil naturally present on work site	Texture of soil to be imported onto work site

21. Asbestos NESHAP Notification requirements: (answer all subparts of Question 21 below)

SEPARATE notification and fee for demolition/renovation activities may be required.

Questions concerning the Asbestos NESHAP regulation should be referred to the Maricopa County's Asbestos NESHAP Coordinator at 602-506-6708 or 602-506-0421. Forms, contacts, regulations and additional information not covered below may be obtained at: http://www.maricopa.gov/ag/divisions/compliance/air/asbestos_neshap/Default.aspx

Be advised that Maricopa County has been delegated regulatory jurisdiction for all regulated facilities within the boundaries of Maricopa County, including within all city boundaries contained in the county. All regulated facilities scheduled for demolition or renovation (defined below) must be inspected by a currently certified Asbestos Hazard Emergency Response Act (AHERA) Building Inspector. There is no waiver of this requirement based on the age of the facility. The inspection must be performed within the 12 months preceding commencement of demolition or renovation activity.

Demolition: The wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of a facility.

Renovation: Altering a facility or one or more facility components in any way, including the stripping or removal of Regulated Asbestos Containing Material (RACM) from a facility component.

21a. Does the Project include demolition or renovation? ☐ Yes ☐ No

If **"Yes"**, provide all requested information for Questions 21b to 21d. If **"No"**, proceed to Part 3:

21b. Description of demolition/renovation activities:

21c. Has the property ever been used as a ranch, farm, business or any other commercial or industrial purpose? ☐ Yes ☐ No

21d. Is there a guesthouse, more than one livable structure on the property, or is work being done in conjunction with another property in the area? ☐ Yes ☐ No

If "Yes" to either Question 21c or 21d then skip Question 21e and provide all requested information for Questions 21f to 21l as the residential property exemption does not apply.

If **"No"** to both Question 21c **and** 21d, continue and answer Question 21e:

21e. Is this a residential property? ☐ Yes ☐ No

If **"Yes"**, proceed to Part 3. If **"No"**, provide all requested information for Questions 21f to 21i:

21f. Description of each structure:

21g. Has an asbestos inspection been conducted by an AHERA Certified Building Inspector within the last 12 months before the time of scheduled activities? ☐ Yes ☐ No

If **"Yes"**, provide requested information for Question 21h. If **"No"**, proceed to Question 21i:

21h. Date of AHERA inspection:

21i. Has a 10-Day NESHAP Notification been submitted? ☐ Yes ☐ No

If **"Yes"**, provide all requested information for Questions 21j to 21l.

If "No", you need to file the appropriate form(s), therefore, check online or call the Coordinator as referenced above.

21j. 10-Day NESHAP Notification submittal date (Attach a copy):

21k. 10-Day NESHAP Notification number: ASB0

21I. 10-Day NESHAP Notification submitted by: (provide name of the contractor, individual, etc.)

For Central Office Use Only

Demolition Notification number on file:	Approved by:
Renovation Notification number on file:	Date approved:
Scheduled days of operation:	Date contacted:
Follow up:	Phone approval:
	Date contacted:



Maricopa County
Air Quality Department

Return all applications to: **One Stop Shop**
501 N. 44th Street, Suite 200
Phoenix, Arizona 85008
Phone (602) 372-1071 Fax (602) 372-1078

PART 3
DUST CONTROL PERMIT APPLICATION DUST CONTROL PLAN

DUST CONTROL PLAN

(See Instructions pages 8-13, 19-22)

The following 13 pages will become the dust control plan that will be followed for the project named in this permit. Once fully completed and approved this Dust Control Plan must be posted on-site with the Dust Control Permit and supplied to all contractors and subcontractors.

Primary (“P”) and Contingency (“C”) Control Measures:

Every category and/or sub-category requires at least one Primary control measure (“P”) and at least one Contingency control measure (“C”). A contingency control measure is the back-up or secondary action(s) that needs to immediately be implemented when the primary control measure(s) fails to adequately control dust emissions at the named project.

To indicate your choice, mark the box next to the appropriate letter (“P” or “C”) in front of each control measure(s) that you have chosen. Do this for both primary and contingency control measures in every category and/or sub-category.

Categories and/or sub-categories that are not applicable:

When a category and/or sub-category does not apply to the named project this must be acknowledged by completely filling out the final entry in the category and/or sub-category. An explanation must be supplied for WHY the category and/or sub-category is not applicable. This is in addition to simply writing “NA” or “not applicable”.

When completing the following Dust Control Plan, use the Instructions on pages 8-13 and 19-22 to help you select dust control measures and keep in mind the following:

- Every category and/or sub-category requires at least one “P” (Primary) and at least one “C” (Contingency).
- Categories and/or sub-categories of dust-generating operations C1, C3, D1, E1, F, and G, in the following Dust Control Plan, have primary control measures, “P”, required by Rule 310. You will need to choose a contingency measure, “C”, for these dust-generating operations if they are applicable to your project.
- Where ☒ has replaced a “P”, the dust control measure **CANNOT** be used as a primary control measure; this measure may only be considered a contingency control measure when selected.
- Where ☒ has replaced a “C”, the dust control measure **CANNOT** be used as a contingency control measure and is required to be used as a primary control measure whenever that category and/or sub-category applies to a project.
- Where “Other” is listed without reference to opacity or surface stabilization standard(s) and is selected as a primary control measure, then the description must meet the criteria in the instructions on page 8 for “Unlisted Dust Control Measures.”
- If a category and/or sub-category does not apply to the project named in this application the last item in that category and/or sub-category must be fully completed. An explanation of why it is not applicable is required.

After your Dust Control Permit Application has been approved, you must post your Dust Control Permit along with this Dust Control Plan on-site, as required by Rule 310, Section 409.

Category A. Vehicles/Motorized Equipment

(See Instructions page 10)

A.1 Unpaved Staging Areas, Unpaved Parking Areas, and Unpaved Material Storage Areas

- ☐ **P** ☐ **C** Apply water (**Fill out Category I, “Water” on pp. 37-41**)
- ☐ **P** ☐ **C** Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving
- ☐ **P** ☐ **C** Apply and maintain gravel, recycled asphalt, or other suitable material
- ☐ **P** ☐ **C** Apply and maintain dust suppressant(s), other than water (**Fill out Category J, “Dust Suppressants other than water” on p. 42**)
- ☐ **P** ☐ **C** Limit vehicle trips to no more than 20 per day per road **AND** limit vehicle speeds to no more than 15 m.p.h. In the space provided; 1) list the maximum number of vehicle trips on the unpaved parking/staging/material storage areas each day (including number of employee vehicles, earthmoving equipment, haul trucks and water trucks), 2) provide a description of how vehicle speeds will be restricted to no more than 15 m.p.h., and 3) specify which area(s) this will apply to:
- _____
- ☐ **P** ☐ **C** Other: _____
- _____

Or, explain why this sub-category and its control measures are not applicable _____

A.2 Unpaved Access Areas/Haul Roads

- ☐ **P** ☐ **C** Apply water (**Fill out Category I, “Water” on pp. 37-41**)
- ☐ **P** ☐ **C** Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving
- ☐ **P** ☐ **C** Apply and maintain surface gravel, recycled asphalt, or other suitable material
- ☐ **P** ☐ **C** Apply and maintain dust suppressant(s), other than water (**Fill out Category J, “Dust Suppressants other than water” on p. 42**)
- ☐ **P** ☐ **C** Limit vehicle trips to no more than 20 per day per road **AND** limit vehicle speeds to no more than 15 m.p.h. In the space provided; 1) list the maximum number of vehicle trips on the unpaved parking/staging/material storage areas each day (including number of employee vehicles, earthmoving equipment, haul trucks and water trucks), 2) provide a description of how vehicle speeds will be restricted to no more than 15 m.p.h., and 3) specify which road(s) this will apply to:
- _____
- ☒ ☐ **C** Cease operations, NOTE: This option CANNOT be considered a *primary* control measure.
- ☐ **P** ☐ **C** Other: _____
- _____

Or, explain why this sub-category and its control measures are not applicable _____

Category B. Disturbed Surface Areas

(See Instructions page 10)

B.1 Before Active Operations occur

- ☐ P ☐ C Pre-water site to the depth of cuts (Fill out Category I, "Water" on pp. 37-41)
- ☐ P ☐ C Phase work to reduce the amount of disturbed surface area at any one time. Attach a map delineating the phases and their extent
- ☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

B.2 During Active Operations

- ☐ P ☐ C Apply water or other suitable dust suppressant(s) other than water (Fill out Category I, "Water" on pp. 37-41 or Category J, "Dust Suppressants other than water" on p. 42)
- ☐ P ☐ C Apply water to maintain a soil moisture content at a minimum of 12% or at least 70% of the optimum soil moisture content for areas that have an optimum moisture content for compaction of less than 12% (Fill out Category I, "Water" on pp. 37-41)
- ☐ P ☐ C In conjunction with one of the above listed measures construct fences or three-foot to five-foot high wind barriers with 50% or less porosity adjacent to roadways or urban areas to reduce the amount of windblown material leaving the site
- ☒ ☐ C Cease operations, NOTE: This option CANNOT be considered a *primary* control measure.
- ☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

B.3 Stabilization for any inactive period, of any length, 24 hours per day, seven days per week including weekends, after work hours, and holidays

- ☐ P ☐ C Apply water (Fill out Category I, "Water" on pp. 37-41)
Disturbed Surface Areas: Three times per day, increased to a minimum of four times per day if there is evidence of wind-blown dust
Open Storage Piles (temporarily disturbed): At least twice per hour in a PM₁₀ nonattainment area, at least once per hour in a PM₁₀ attainment area
- ☐ P ☐ C Apply and maintain surface gravel or dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than water" on p. 42)
- ☐ P ☐ C Cover open storage piles with tarps, plastic or other materials such that wind will not remove the covering(s)
- ☐ P ☐ C Establish vegetative ground cover (landscaping)
- ☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

B.4 Permanent Stabilization of Disturbed Surface Areas required within ten days following the completion of the Dust-Generating Operation if finished for a period of 30 days or longer

- ☐ P ☐ C Pave (Choose one of the following): ☐ Beginning of Project* ☐ During Project* ☐ End of Project*
*Must specify additional primary control measure(s) that will be in place prior to paving
- ☐ P ☐ C Apply and maintain gravel, recycled asphalt, or other suitable material
- ☐ P ☐ C Apply and maintain dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than water" on p. 42)
- ☐ P ☐ C Establish vegetative ground cover (landscaping)
- ☐ P ☐ C Implement above control measures and restrict vehicle access to the area
- ☐ P ☐ C Apply water (Fill out Category I, "Water" on pp. 37-41) and prevent access/trespass by:
(Check all of the following that apply)
☐ ditches ☐ fences ☐ berms ☐ shrubs ☐ trees ☐ other
- ☐ P ☐ C Restore area such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed native conditions (desert xeriscaping)
- ☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

Category C. Bulk Material Handling

(See Instructions page 11)

C.1 Off-Site Hauling onto Paved Areas Accessible to the Public

☐ P ☒ **Required:** Install, maintain, and use a suitable trackout control device that controls and prevents trackout and/or removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse the site

☐ P ☒ **Required when a cargo compartment is loaded:** cover haul trucks with a tarp or other suitable closure **AND** load all haul trucks such that the freeboard is not less than 3 inches **AND** load all haul trucks such that at no time shall the highest point of the bulk material be higher than the sides, front, and back of the cargo container area **AND** prevent spillage or loss of bulk material from holes or other openings in the cargo compartment

☐ P ☒ **Required when a cargo compartment is empty:** cover haul trucks with a tarp or other suitable closure **OR** clean the interior of the cargo compartment before leaving the site

NOTE: The following options CANNOT be considered for a *primary* control measure.

☒ ☐ C Apply water to the top of the load (Fill out Category I, “Water” on pp. 37-41)

☒ ☐ C Apply dust suppressant(s) other than water to the top of the load (Fill out Category J, “Dust Suppressants other than water” on p. 42)

☒ ☐ C Cease operations

☒ ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

C.2 Hauling/Transporting within the Boundaries of the Work Site but not crossing a Paved Area Accessible to the Public

☐ P ☐ C Limit vehicle speed to 15 m.p.h. or less while traveling on the work site such that visible emissions coming-off the load do not exceed 20% opacity

☐ P ☐ C Apply water to the top of the load (Fill out Category I, “Water” on pp. 37-41)

☐ P ☐ C Apply dust suppressant(s) other than water to the top of the load (Fill out Category J, “Dust Suppressants other than water” on p. 42)

☐ P ☐ C Cover haul trucks with a tarp or other suitable closure

☒ ☐ C Cease operations, NOTE: This option CANNOT be considered a *primary* control measure.

☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

C.3 Hauling/Transporting within the Boundaries of the Work Site and crossing and/or accessing a Paved Area accessible to the Public

☐ P ☒ **Required:** Load all haul trucks such that the freeboard is not less than 3 inches **AND** load all haul trucks such that at no time shall the highest point of the bulk material be higher than the sides, front, and back of the cargo container area **AND** prevent spillage or loss of bulk material from holes or other openings in the cargo compartment **AND** install suitable trackout control device

NOTE: The following options CANNOT be considered for a *primary* control measure.

☒ ☐ C Cease operations

☒ ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

C.4 Bulk Material Stacking, Loading, and Unloading Operations

☐ P ☐ C Apply water (Fill out Category I, “Water” on pp. 37-41)

☐ P ☐ C Apply dust suppressant(s) other than water (Fill out Category J, “Dust Suppressants other than water” on p. 42)

NOTE: These following options CANNOT be considered for a *primary* control measure.

☒ ☐ C Cease operations

☒ ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

C.5 Open Storage Piles

☐ P ☐ C **Prior to and/or while conducting** stacking, loading, and unloading operations spray material with water or a dust suppressant other than water (Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)

☐ P ☐ C **When not conducting** stacking, loading, and unloading operations cover open storage piles with tarps, plastic, or other material,
OR
Apply water to maintain soil moisture content at a minimum of 12% or maintain at least 70% of the optimum soil moisture content, for areas that have an optimum moisture content for compaction of less than 12% (Fill out Category I, “Water” on pp. 37-41),
OR
Maintain a soil crust,
OR
In conjunction with the two measures above, construct and maintain wind barriers, storage silos, or a three-sided enclosure with walls, whose length is no less than equal to the pile length, whose distance from the pile is no more than twice the height of the pile, whose height is equal to the pile height, and whose porosity is no more than 50%

☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

Category D. Trackout, Carry-out, Spillage, and Erosion

(See Instructions page 11)

D.1 Trackout Control Device

A trackout control device must be installed if a work site has 2 acres or more of disturbed surface area or if a work site has 100 cubic yards of bulk material hauled on-site or off-site per day.

☐ P ☒ Required: Install at all exits to a paved area accessible to the public at least one of the following:
(Choose all that apply) ☐ gravel pad ☐ grizzly or rumble grate ☐ wheel wash system ☐ paved area

☒ ☐ C Cease operations, NOTE: This option CANNOT be considered a *primary* control measure.

☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

D.2 Cleaning

Trackout/carry-out must be cleaned up immediately if trackout/carry-out extends a cumulative distance of 25 linear feet or more along a paved area accessible to the public including curbs, gutters, and sidewalks.

All other trackout/carry-out must be cleaned up no later than the end of the workday (End of Work Day is the end of a working period that may include one or more work shifts. If working 24 hours a day, the end of a working period shall be considered no later than 8:00 p.m.).

☐ P ☐ C Operate a street sweeper or wet broom with sufficient water and at the manufacturer's recommended speed (e.g. kick broom, steel bristle broom, Teflon broom, vacuum)

☐ P ☐ C Manually sweep-up deposits

☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

Category E. Weed Abatement by Discing or Blading

(See Instructions page 12)

E.1 Disturbance Operations

☐ P ☒ Required: Pre-water site **AND** apply water during weed abatement by discing or blading (Fill out Category I, "Water" on pp. 37-41)

NOTE: The following options CANNOT be considered for a *primary* control measure.

☒ ☐ C Cease operations

☒ ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

E.2 Stabilization

☐ P ☐ C Pave immediately following weed abatement

☐ P ☐ C Apply gravel

☐ P ☐ C Apply water (Fill out Category I, "Water" on pp. 37-41)

☐ P ☐ C Apply dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than water" on p. 42)

☐ P ☐ C Establish vegetative ground cover (landscaping)

☐ P ☐ C Other: _____

Or, explain why this sub-category and its control measures are not applicable _____

Category F. Blasting Operations

(See Instructions page 12)

☐ P ☒ Required: Discontinue blasting, if wind gusts above 25 m.p.h., **AND** Required: Pre-water **AND** maintain surface soils in a stabilized condition where support equipment and vehicles will operate (Fill out Category I, "Water" on pp. 37-41)

☐ P ☐ C Apply water (Fill out Category I, "Water" on pp. 37-41)

☐ P ☐ C Apply and maintain dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than water" on p. 42)

☒ ☐ C Other, NOTE: This option CANNOT be considered a *primary* control measure. _____

Or, explain why this category and its control measures are not applicable _____

Category G. Demolition Activities

(See Instructions page 12)

- ☐ P ☒
- Required:** Apply water or water in combination with dust suppressant(s) to demolition debris immediately following demolition activity **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42),**

AND

Required: Apply water or water in combination with dust suppressant(s) to all surrounding areas and to all disturbed soil surfaces immediately following demolition activity **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)**

NOTE: The following options CANNOT be considered for a *primary* control measure.

- ☒ ☐ C Thoroughly clean debris from paved and other surfaces following demolition activity
- ☒ ☐ C Other: _____

Or, explain why this category and its control measures are not applicable _____

Category H. Wind Event

(See Instructions page 13)

H.1 During Active Operation

- ☐ P ☐ C Cease dust-generating operation for the duration of the wind event when the 60-minute average wind speed is greater than 25 m.p.h. and stabilize work area if dust-generating operation is ceased for the remainder of the work day
- ☐ P ☐ C Apply water or other suitable dust suppressant at least twice per hour (once per hour if outside the nonattainment area) **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)**
- ☐ P ☐ C Apply water to maintain soil moisture content at a minimum of 12%, as determined by ASTM Method D2216-05 or other equivalent method as approved by the Control Officer and the Administrator of the Environmental Protection Agency **(Fill out Category I, “Water” on pp. 37-41)**
- ☐ P ☐ C Maintain at least 70% of the optimum soil moisture content for areas that have an optimum moisture content for compaction of less than 12%, as determined by ASTM Method D1557-02e1, or other equivalent method as approved by the Control Officer or the Administrator Of The Environmental Protection Agency **(Fill out Category I, “Water” on pp. 37-41)**
- ☐ P ☐ C Apply water or other suitable dust suppressant(s) at least twice (once if outside the nonattainment area) per hour and construct fences or three-foot to five-foot high wind barriers with 50% or less porosity adjacent to roadways or urban areas to reduce the amount of windblown material leaving the site **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)**
- ☒ ☐ C Other, NOTE: This option CANNOT be considered a *primary* control measure. _____

Or, explain why this sub-category and its control measures are not applicable _____

H.2 Temporary Disturbed Surface Areas after work hours, weekends, holidays and any other inactive periods 24 hours per day, seven days per week

- ☐ P ☐ C Apply and maintain surface gravel or dust suppressant(s) **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)**
- ☐ P ☐ C Apply water or water in combination with dust suppressant(s) to all disturbed surface areas three times per day. If there is evidence of windblown dust, increase watering frequency to a minimum of four times per day. **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)**
- ☐ P ☐ C Apply water or water in combination with dust suppressant(s) on open storage piles at least twice per hour (once per hour if outside the nonattainment area) to maintain a visible crust **(Fill out Category I, “Water” on pp. 37-41 or Category J, “Dust Suppressants other than water” on p. 42)**
- ☐ P ☐ C Cover open storage piles with tarps, plastic, or other material such that wind will not remove the coverings
- ☒ ☐ C Other, NOTE: This option CANNOT be considered a *primary* control measure. _____

Or, explain why this sub-category and its control measures are not applicable _____

Category I. Water

(See Instructions page 13)

For each of the different project phases, indicate how the water is to be stored on or supplied to the project site in the “Supply” column, specifying the quantity and size of the supply method (e.g. (2) 3,000 gallon water towers). Also designate how the water will be applied to control dust-generation throughout the project lifetime in the “Application” column, stating the quantity and size of the application method (e.g. 1 fire hose, (3) 1,000 gal. water trucks). Minimum water availability means water supply in conjunction with the water application system.

Soil Rating: ☐ Severe ☐ Moderate

(See Appendix F of the Maricopa County Air Pollution Control Regulations as well as the Instructions, pages 13 and 15-17)

Soil Texture Rating	Project Phase - Site Clearing/Removal of Vegetation/Debris/Demolition	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	500 - 1,000 gallons per day
	2 - 10 acres	1,000 - 5,000 gallons per day
	10 - 100 acres	5,000 - 50,000 gallons per day
	> 100 acres	> 50, 000 gallons per day
Moderate (all other classifications)	0 - 2 acres	300 - 600 gallons per day
	2 - 10 acres	600 - 3,000 gallons per day
	10 - 100 acres	3,000 - 30,000 gallons per day
	> 100 acres	> 30,000 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Mass Grading (Includes basements)	
	Minimum Water Available (November – February)	Minimum Water Available (March – October)
Severe (clay, silty clay, sandy clay)	5,000 gallons per acre per day	10,000 gallons per acre per day
	and 30 gallons per cubic yard of material moved	and 30 gallons per cubic yard of material moved
Moderate (all other classifications)	5,000 gallons per acre per day	10,000 gallons per acre per day
	and 30 gallons per cubic yard of material moved	and 30 gallons per cubic yard of material moved

Average Daily Disturbance in Acres _____ Number of Gallons per acre per day _____

Daily Minimum Water Availability _____
(Number of Acres Disturbed) × (Number of Gallons per acre per day)

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Underground Utilities	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	500 - 1,000 gallons per day
	2 - 10 acres	1,000 - 5,000 gallons per day
	10 - 100 acres	5,000 - 50,000 gallons per day
	> 100 acres	> 50, 000 gallons per day
Moderate (all other classifications)	0 - 2 acres	300 - 600 gallons per day
	2 - 10 acres	600 - 3,000 gallons per day
	10 - 100 acres	3,000 - 30,000 gallons per day
	> 100 acres	> 30,000 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Unpaved Access Areas/Haul Roads	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	375 - 750 gallons per day
	2 - 10 acres	750 - 3,500 gallons per day
	10 - 100 acres	3,500 - 35,000 gallons per day
	> 100 acres	> 35,000 gallons per day
Moderate (all other classifications)	0 - 2 acres	225 - 400 gallons per day
	2 - 10 acres	400 - 2,250 gallons per day
	10 - 100 acres	2,250 - 22,500 gallons per day
	> 100 acres	> 22,500 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Vertical/Paved (This pertains to Dust Control during the vertical phase of the project)	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	250 - 500 gallons per day
	2 - 10 acres	500 - 2,500 gallons per day
	10 - 100 acres	2,500 - 25,000 gallons per day
	> 100 acres	> 25,000 gallons per day
Moderate (all other classifications)	0 - 2 acres	150 - 300 gallons per day
	2 - 10 acres	300 - 1,500 gallons per day
	10 - 100 acres	1,500 - 15,000 gallons per day
	> 100 acres	> 15,000 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Staging/Parking Areas/Storage Areas Including Landscaping Installation	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	375 - 750 gallons per day
	2 - 10 acres	750 - 3,500 gallons per day
	10 - 100 acres	3,500 - 35,000 gallons per day
	> 100 acres	> 35,000 gallons per day
Moderate (all other classifications)	0 - 2 acres	225 - 400 gallons per day
	2 - 10 acres	400 - 2,250 gallons per day
	10 - 100 acres	2,250 - 22,500 gallons per day
	> 100 acres	> 22,500 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Structure Excavation (Includes stem walls, footings, culverts, abutments, caissons)	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	500 - 1,000 gallons per day
	2 - 10 acres	1,000 - 5,000 gallons per day
	10 - 100 acres	5,000 - 50,000 gallons per day
	> 100 acres	> 50, 000 gallons per day
Moderate (all other classifications)	0 - 2 acres	300 - 600 gallons per day
	2 - 10 acres	600 - 3,000 gallons per day
	10 - 100 acres	3,000 - 30,000 gallons per day
	> 100 acres	> 30,000 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Soil Texture Rating	Project Phase - Fine Grading	
	Total Acres Disturbed	Minimum Water Available
Severe (clay, silty clay, sandy clay)	0 - 2 acres	500 - 1,000 gallons per day
	2 - 10 acres	1,000 - 5,000 gallons per day
	10 - 100 acres	5,000 - 50,000 gallons per day
	> 100 acres	> 50, 000 gallons per day
Moderate (all other classifications)	0 - 2 acres	300 - 600 gallons per day
	2 - 10 acres	600 - 3,000 gallons per day
	10 - 100 acres	3,000 - 30,000 gallons per day
	> 100 acres	> 30,000 gallons per day

Average Daily Disturbance in Acres _____ Number of Gallons per day _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Import/Export Operations

Number of Yards Involved in this Phase _____ Number of Days for Operation _____

Number of Yards Imported/Exported × 30 gallons of water per yard = _____ (Total Gallons required)

Total Gallons required divided by number of days = _____

Supply	Quantity and Size	Application	Quantity and Size
<input type="checkbox"/> Metered Hydrant	_____	<input type="checkbox"/> Hose	_____
<input type="checkbox"/> Water Tower	_____	<input type="checkbox"/> Water Truck	_____
<input type="checkbox"/> Water Pond	_____	<input type="checkbox"/> Water Pull	_____
<input type="checkbox"/> Off-Site	_____	<input type="checkbox"/> Water Buffalo	_____
<input type="checkbox"/> Other _____	_____	<input type="checkbox"/> Other _____	_____

Category J. Dust Suppressants other than water

(See Instructions page 13)

Although water is a dust suppressant, the information required by Table J should not include information on water supply and water application. The information required by Table J is for all other dust suppressants that you use. Fill out the applicable areas in the table below and attach information on environmental impacts and approvals or certifications related to appropriate and safe use for ground application. Also, attach product specification(s) and application sheet(s) or label instructions.

Application Area	Manufacturer Name	Product	Application Frequency *	Intensity**
A Vehicles/Motorized Equipment				
B Disturbed Surface Areas				
C Bulk Material Handling				
D Trackout, Carry-out, Spillage, and Erosion				
E Weed Abatement by Discing or Blading				
F Blasting Operations				
G Demolition Activities				
H Wind Event				

* How often the surface will receive a complete application of dust suppressant (e.g. 3 times a day)

** The amount used over a period of time (e.g. gallons/minute)

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APPENDIX 4-3

OPERATING AGREEMENT

Appendix 4-3, *Operating Agreement*, contains the Operating Agreement committing FHWA, USACE, and ADOT to integrating NEPA and Section 404 of the Clean Water Act into the transportation planning, decision-making, and implementation process of the project. The completion of this operating agreement is required as a component of a coordinated environmental review process to improve inter-agency communications, protect Waters and wetlands, expedite construction of necessary projects, and enable more projects to proceed on budget and schedule.

OPERATING AGREEMENT

**The Integration Process Relative to the
National Environmental Policy Act and
Section 404 of the Clean Water Act**

For projects involving:

**U.S. Army Corps of Engineers - Arizona Area Office
Arizona Division of the Federal Highway Administration
Arizona Department of Transportation**

I. APPLICABILITY

- A. This Operating Agreement (OA) applies to transportation projects that are both a Federal Highway Administration (FHWA) action under the National Environmental Policy Act (NEPA) and require a U.S. Army Corps of Engineers (COE) individual permit under Section 404 of the Clean Water Act (CWA). This OA is limited to issues pertaining to Waters of the United States (Waters), including wetlands.
- B. Participation in this OA does not imply endorsement of all aspects of a transportation plan or project. Nothing in this OA or its Appendix is intended to diminish, modify, or otherwise affect the statutory or regulatory authorities of the participating agencies.
- C. This OA is contingent upon the dedication of an employee located at the U.S. Army Corps of Engineers Arizona Office, funded by either the Federal Highway Administration (FHWA) or the Arizona Department of Transportation (ADOT), and working solely on Arizona transportation projects. In the event that a dedicated employee funded by either the FHWA and/or the ADOT is not located in the COE Office, this OA will become null and void.

II. BACKGROUND

In a May 1, 1992 agreement, the Department of Transportation, the Department of Army (Civil Works), and the Environmental Protection Agency (EPA) adopted as agency policy (1) improved interagency coordination, and (2) integration of NEPA and the CWA Section 404 procedures.

Section 1309 of the Transportation Equity Act for the 21st Century (TEA-21) calls for a coordinated environmental review process to expedite federal highway projects. In July 1999, a National Memorandum of Understanding (MOU) between the Departments of Transportation, Interior, Agriculture, Commerce, Army (Civil Works); the EPA; and the

Operating Agreement
Page 2 of 7

Advisory Council on Historic Preservation, was executed to support this environmental streamlining process. This MOU implements these policies and agreements as they relate to CWA Section 404 Individual Permits.

III. NEPA-SECTION 404 INTEGRATION

The signatories to this OA commit to integrating NEPA and Section 404 of the CWA in the transportation planning, decision-making, and implementation process. The signatories are committed to ensuring the earliest possible consideration of the potential social, economic, and environmental effects of the proposed transportation action as they relate to Waters, including wetlands, and associated endangered, threatened, and sensitive plant and animal species.

Whenever avoidance of Waters, including wetlands is not practicable, minimization of impacts will be achieved, and unavoidable impacts will be mitigated to the extent reasonable and practicable. The signatories will integrate compliance with the Section 404(b)(1) Guidelines, with compliance with NEPA.

IV. ANTICIPATED BENEFITS OF THE PROCESS

The process embodied in this OA will:

1. Improve cooperation and efficiency of inter-agency operations, thereby better serving the public,
2. Protect and enhance the Waters, including wetlands which will benefit the region’s aquatic ecosystems and the public interest,
3. Expedite construction of necessary transportation projects, with benefits to safety, mobility, and the economy at large, and
4. Enable more transportation projects to proceed on budget and on schedule.

V. IMPLEMENTATION PROCEDURES

The implementation procedures are outlined in the attached Appendix.

VI. PARTICIPATION

If any Signatory Agency chooses not to participate in this NEPA – 404 Merger process for a particular project, at any time during the project, they will notify ADOT in writing. This does not mean that they will abdicate their involvement if there are scope changes or other reasons for their involvement at a later date. However, if they chose to participate in later stages during the project, they agree not to revisit earlier stages of the project.

Operating Agreement
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VII. MONITORING / EVALUATING IMPLEMENTATION OF OA

The signatory agencies will monitor the success of this OA process and modify it as necessary to improve it.

VIII. AGENCY ROLES AND RESPONSIBILITIES

The roles of the agencies are outlined in the attached Appendix.

IX. MODIFICATION / TERMINATION

This OA may be modified upon approval of all signatories. One or more signatories may propose modification. Proposals for modification will be circulated to all signatories for a 30-calendar day review. Approval of such proposals will be indicated by written acceptance. A signatory may terminate participation in this agreement upon written notice to all other signatories.

Operating Agreement
Page 4 of 7

The parties hereto have caused this document to be executed by the Chief, Arizona Area Office, U.S. Army Corps of Engineers; the State Engineer, Arizona Department of Transportation; and the Division Administrator, Arizona Division of the Federal Highway Administration on this 8th day of February, 2005.

BY: Cindy Lester Date: 2/8/05
Cindy Lester, Chief, Arizona Area Office
U.S. Army Corps of Engineers

BY: R. E. Hollis Date: 1/19/05
Robert E. Hollis, Division Administrator
Federal Highway Administration

BY: M. J. Ortega Date: 1/13/05
Michael J. Ortega, State Engineer
Arizona Department of Transportation

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OPERATING AGREEMENT

APPENDIX

NEPA – Section 404 Individual Permit Process*

- I. The Environmental & Enhancement Group (EEG) of the Arizona Department of Transportation (ADOT) will contact the employee (hereby known as "Liaison") dedicated to working solely on transportation projects for the Arizona Department of Transportation at the U.S. Army Corps of Engineers Office (COE), and inform the Liaison that a proposed transportation project will require an Individual Permit. This contact may be via phone, email, or written communication.
- II. The EEG will invite the COE Liaison to be a cooperating agency for the proposed transportation project in a written letter with a copy to the Federal Highway Administration (FHWA). The invitation letter will include the scope of the proposed project, project location, project team members, any known information regarding project design and the construction schedule, and any known project team meetings, contact lists or document distribution lists. The COE Liaison will provide a written response accepting or rejecting the invitation. The FHWA will be the lead federal agency with the responsibility to comply with NEPA and other federal legal requirements for all proposed transportation related activities that will utilize Federal aid funds.
- III. The EEG will provide the Liaison with a proposed Jurisdictional Delineation (Delineation) of the project area. The Liaison will review the proposed Delineation, and determine if it is complete. If it is incomplete, the Liaison will inform the EEG of missing and/or incomplete information, and EEG will ensure the missing and/or incomplete information is transmitted to the Liaison. If the delineation is complete, the Liaison will review the proposed delineation, and either revise the Jurisdictional Delineation and approve, or approve as proposed. (See attached document "Requirements for Obtaining a Section 404 Clean Water Act Delineation.") .
- IV. The EEG will provide the Liaison with the proposed transportation project's statement of Purpose and Need. Preparation of the Purpose and Need will be done in coordination with FHWA. The Liaison will review and provide written comments back to the EEG.
- V. The EEG will provide the Liaison with the proposed transportation project's Alternative Analysis, including the No Action alternative. Preparation of the Alternatives Analysis will be done in coordination with FHWA. The Liaison will review the Alternative Analysis for compliance with the 404(b)(1) Guidelines and return comments on the analysis to EEG. The Liaison will provide written approval of the Alternatives Analysis if there are no comments. In the event that the Liaison returns comments to EEG without approval, EEG will work with the Liaison until the Alternatives Analysis is approved by the Liaison.

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- VI. EEG will provide the Liaison with a draft copy of the environmental document being prepared for the proposed project for review and comment. The Liaison’s review will occur concurrently with FHWA’s review. The Liaison will return any comments on the environmental document in writing to EEG.
- VII. In the event that complete avoidance of Section 404 jurisdictional waters is not possible, EEG will provide the Liaison with a Mitigation Proposal to offset the proposed loss of waters of the U.S., including wetlands. The Liaison will review the proposal, and either return comments to EEG, or provide approval. In the event that comments are provided back to EEG without approval, EEG will take into consideration the comments provided by the Liaison, and will work with the Liaison until the proposal is approved by the Liaison.
- VIII. The EEG will provide the Liaison with the Individual Permit package application. The Liaison will determine if the application is complete. If incomplete, the Liaison will inform EEG of missing and/or incomplete information, and EEG will ensure that missing and/or incomplete information is transmitted to the Liaison. If the application is complete, the Liaison will begin processing the application package. Concurrent with the Individual Permit, EEG will provide the Liaison with the COE’s EA 404 (b)(1) Evaluation, in draft form. The Liaison will begin working on the COE EA, and work with EEG on any missing and or incomplete information necessary for the finalization of the draft EA. (See attached “List of Information Required for Complete Application.”)
- IX. The Liaison will issue the COE’s Public Notice after determining the Individual Permit application is complete. In accordance with COE regulations, the Public Notice will last 30 calendar days.
- X. In the event that other agencies or the public submit comments on the Public Notice, the Liaison will collect these comments and transmit these to EEG for review and response. The EEG will provide written response to these comments and return these to the Liaison. The Liaison, in coordination and cooperation with EEG, will resolve and finalize any comments.
- XI. The Liaison will finalize the Mitigation Proposal, if not finalized before this point, and ensure that any agreements reached in the proposal become Special Conditions in the Individual Permit.
- XII. The Liaison will finalize the draft copy of the COE’s EA.
- XIII. The Liaison will transmit two (2) copies of the draft Individual Permit, and one (1) copy of the draft EA to the COE Chief, Arizona Area Office, for review and signature. Once reviewed and signed, the COE Chief, Arizona Area Office will forward the Individual Permit (2 copies) and EA (1 copy) to the COE’s Branch Chief in Los Angeles for review and signature. Once signed, the Branch Chief will send 2 signed draft Individual Permits to the ADOT District responsible for the project for review and signature by the ADOT

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- District Engineer. The ADOT District Engineer will send the signed copies back to the Branch Chief in Los Angeles, where the Branch Chief will finalize the permits via final signature, unless the Branch Chief assigns this task to the Arizona Section Chief. The Branch Chief will send one (1) final Individual Permit to the ADOT District Engineer, and one (1) approved Individual Permit to the COE Chief, Arizona Area Office for the project file.
- XIV. The ADOT District engineer will notify the Liaison seven (7) calendar days before the commencement of construction with the estimated construction period, name of contractor(s), and sign the postcard. Likewise, the ADOT District Engineer will notify the Liaison once construction is complete, via postcard. [See attached “Department of the Army Permit” (Notification of Commencement and Completion of Work).]

** Process is documented in typical order of occurrence. For projects in which atypical situations arise (i.e., change in project scope, change in project design, etc.), order may vary and process will adjust accordingly.*

**REQUIREMENTS FOR OBTAINING
A SECTION 404 CLEAN WATER ACT DELINEATION**



U.S. Army Corps of Engineers
Los Angeles District Regulatory Branch
3636 N. Central Ave., Suite 900
Phoenix, Arizona 85012-1936
Phone (602) 640-5385
FAX: (602) 640-2020

MINIMUM REQUIREMENTS

- _____ Letter requesting delineation of Section 404 Clean Water Act jurisdictional areas (i.e., waters of the United States) sent to the address above
- _____ Vicinity map and/or directions to the site
- _____ Documentation of property ownership
- _____ Two copies of a recent vintage (last two years or following the latest major flood event) good quality aerial photograph on blue line or black line paper, scale of 1":100' (or scale approved by Corps' project manager), overlapping adjacent properties
- _____ Index map if project area covers more than one aerial photograph
- _____ North arrow on aerial photographs
- _____ Scale noted on aerial photographs
- _____ Date of photograph noted on aerial photographs
- _____ Project area boundary noted on aerial photographs
- _____ Identifiable landmarks, prominent roads, watercourses, and other major features labeled on aerial photographs
- _____ Range, Township, Section that describe site location
- _____ Project site sketched on a copy of USGS Quadrangle map (include name of quad map)

ADDITIONAL ITEMS THAT MAY BE REQUIRED

- _____ Proposed wetland delineation performed by a qualified individual in accordance with the criteria identified in the 1987 Corps Wetland Delineation Manual (Y-87-1), as modified by subsequent guidance. Field indicator data forms must be included with any delineation submitted. Manual available on the web at <http://www.wes.army.mil/el/wetlands/pdfs/wlman87.pdf>
- _____ Project plan view including one or two foot contour intervals at same scale as aerial photographs
- _____ On site panoramic ground photographs depicting both upstream and downstream conditions of all project washes showing scour areas, vegetation, and soil conditions with photos referenced to project location
- _____ Report describing the biological resources on the project site, including any hydrophytic (wetlands) vegetation
- _____ Project plan view showing 100-year, 10-year, and 2-year event surface area
- _____ HEC-1 analysis indicating 100-year "Q" for all project washes
- _____ Documentation of tributary connection or adjacency to interstate waters
- _____ Drainage Report
- _____ Table indicating sample points and width of wash at sample points
- _____ Table of physical and biological indicators observed in the field
- _____ Other:

U.S. Army Corps of Engineers – Regulatory Branch – Arizona Section – Updated 1/6/03
This document replaces previous versions.

LIST OF INFORMATION REQUIRED FOR COMPLETE APPLICATION

The following information would assist the Corps of Engineers in reviewing your application for a Department of the Army permit. Not all of the information is necessary or applicable to each project. Please provide the information appropriate to your proposed project. Supplying this information when you file your application could significantly reduce the processing time.

APPLICANT INFORMATION:

Mailing Address
Telephone Number during business hours
Confirmation of property ownership
Signature and statement designating official agent

ACTIVITY INFORMATION:

Complete written description of activity
Location
Scheduling of the activity
Type and quantity of structural material used or removed

PURPOSE:

Purpose for proposed activity/discharge
Need for the proposed activity

DISCHARGE OF DREDGE AND FILL MATERIAL:

Type of material to be dredged or used as fill
Composition of material to be dredged or used as fill
Quantity of material to be dredged or used as fill in cubic yards
Method of dredging if applicable
Plans and location for disposal of the dredged material
Dimensions of the fill area in square yards
Location of the discharge site
Delineation of special aquatic sites
Source of the fill material
Method of discharging material
Method of transportation of dredged material
Dimensions of the adjacent structures
Proposed use of fill area, including specific structures to be erected on fill area or platform

NAMES AND ADDRESSES ADJOINING PROPERTY OWNERS/LESSEES (Please notify Corps of Engineers if more than four and submit these on pre-typed address labels)

1

¹ U.S. Army Corps of Engineers – Regulatory Branch – Arizona Section – Updated 9/23/03
This document replaces previous versions.¹

**STATUS OF ADDITIONAL PERMITS, CERTIFICATION OR DOCUMENTATION
REQUIRED**

Arizona Department of Environmental Quality AND/OR U.S. Environmental Protection Agency - 401 certification
State Historic Preservation Officer - documentation of contact
U.S. Fish and Wildlife Service - documentation of contact

REQUIRED DRAWINGS

General Requirements:

Submit one legible copy of all drawings on 8 ½ x 11-inch white paper with a 1-inch margin around the entire sheet. The title box shall contain the title of proposed activity, name of water body, county, city, date, and sheet number.

Vicinity Map:

Cover an area large enough so the project can be easily located
 Arrow marking project area
 Section, Township, Range
 Identifiable landmarks
 Name or number of roads
 North arrow Scale

Plan View Drawing:

Existing bank lines
Ordinary high water line
Average water depth around the activity dimensions immediately adjacent to the proposed activity
North arrow Scale

Elevation and/or Cross Section Drawing(s):

Water elevation as shown on plan view drawing
Dimensions of the proposed project
Scale

ADDITIONAL PROJECT INFORMATION:

Mitigation plan including: Layout & Mitigation; Description; Schedule of planting; species list; maintenance & monitoring program

Photographs of the project site (aerials if available)

Report describing the biological resources on the project site

Report of focused surveys for endangered species. Contact the Fish & Wildlife Service (602) 640-2720

Report of archeologist/historian at the regional center in your location. Contact Arizona State Parks (602) 542-4174 for all counties within the State of Arizona

Report describing the cultural resources on the project site

Alternatives Analysis for individual permit

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT
CORPS OF ENGINEERS
P.O. BOX 2711
LOS ANGELES, CALIFORNIA 90053-2325
OFFICIAL BUSINESS

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY CARD

FIRST CLASS

PERMIT NO. 12062

WASHINGTON, D.C.

POSTAGE WILL BE PAID BY THE DEPARTMENT OF THE ARMY

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
ATTN: REGULATORY FUNCTIONS BRANCH
P.O. BOX 2711
LOS ANGELES, CA 90053-2325

**DEPARTMENT OF THE ARMY
PERMIT**

(Notification of Commencement and Completion of Work)

PERMIT NO. _____

DATE WORK WILL COMMENCE _____

ESTIMATED CONSTRUCTION PERIOD _____
(IN WEEKS)

NAME OF CONTRACTOR _____
(PHONE)

DATE WORK WAS COMPLETED _____

"I hereby certify that the contractor has read and agreed to comply with the terms and conditions of the permit".

SIGNATURE _____
(PERMITEE OR AGENT)

SPD FORM 1 MAY 80 192-R (REPLACES SPK FORM 394, 1 MAY 79)

APPENDIX 4-4

PROGRAMMATIC AGREEMENT

Appendix 4-4, *Programmatic Agreement*, presents the final Programmatic Agreement that will guide the Section 106 process in the determination of project effects as they become known through the course of the project. Implementation of the Programmatic Agreement assists to ensure resources and their proper treatment are taken into consideration in the planning process.

PROGRAMMATIC AGREEMENT
AMONG
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA STATE HISTORIC PRESERVATION OFFICE
ARIZONA DEPARTMENT OF TRANSPORTATION
ARIZONA STATE LAND DEPARTMENT
ARIZONA STATE MUSUEM
ARMY CORPS OF ENGINEERS
BUREAU OF LAND MANAGEMENT
BUREAU OF RECLAMATION
SALT RIVER PROJECT
MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
FLOOD CONTROL DISTRICT OF MARICOPA COUNTY
ROOSEVELT IRRIGATION DISTRICT
CITY OF AVONDALE
CITY OF CHANDLER
CITY OF GLENDALE
CITY OF PHOENIX
CITY OF TOLLESON
AK-CHIN INDIAN COMMUNITY
CHEMEHUEVI TRIBE
COCOPAH TRIBE
COLORADO RIVER INDIAN TRIBE
FORT MCDOWELL YAVAPAI NATION
FORT MOJAVE TRIBE
FORT YUMA-QUECHAN TRIBE
GILA RIVER INDIAN COMMUNITY
HAVASUPAI TRIBE
HOPI TRIBE
HUALAPAI TRIBE
KAIBAB-PAIUTE TRIBE
NAVAJO NATION
PASCUA YAQUI TRIBE
PUEBLO OF ZUNI
SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY
SAN CARLOS APACHE TRIBE
SAN JUAN SOUTHERN PAIUTE
TOHONO O'ODHAM NATION
TONTON APACHE TRIBE
WHITE MOUNTAIN APACHE TRIBE
YAVAPAI-APACHE NATION

**LOOP 202 – SOUTH MOUNTAIN FREEWAY PROJECT
PROJECT NO. NH-202-D(ADY)
TRACS NO. 202L MA 054 H5764 01L
MARICOPA COUNTY, ARIZONA**

WHEREAS, the Federal Highway Administration (FHWA) proposes to construct a loop highway connecting Interstate 10 (I-10) west of Phoenix with I-10 south of Phoenix (the Loop 202 – South Mountain Freeway Project), a federally-funded project in Maricopa County, Arizona (hereafter referred to as “the Project”); and

WHEREAS, the proposed Project may have an adverse effect upon historic properties, which are defined as “any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places, including artifacts, records, and material remains related to such a property or resource”(National Historic Preservation Act [NHPA] 16 U.S.C. 470w, Title III, Section 301 [5]); and

WHEREAS, all the historic properties that may be affected by this Project have not yet been identified; and

WHEREAS, the proposed project may have an adverse effect upon Traditional Cultural Properties (TCP), which are defined as any place that is “eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community’s history, and (b) are important in maintaining the continuing cultural identity of the community” (National Park Service National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Properties); and

WHEREAS, all the Traditional Cultural Properties that may be affected by this Project have not yet been identified; and

WHEREAS, the Arizona Department of Transportation (ADOT), acting as agent for FHWA, has participated in consultation and has been invited to be a signatory to this Programmatic Agreement (Agreement); and

WHEREAS, the FHWA has consulted with the Arizona State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Army Corps of Engineers (Corps), the Bureau of Reclamation (Reclamation), the Bureau of Indian Affairs, the Arizona State Land Department (ASLD), the Salt River Project (SRP), the City of Avondale (COA), the City of Chandler (COC), the City of Glendale (COG), the City of Phoenix (COP), the City of Tolleson (COT), and the Advisory Council on Historic Preservation (the Council) in accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR §800.6(b)(2)) to resolve the possible adverse effects of the Project on historic properties; and

WHEREAS, the Council has participated in consultation and has been invited to be a signatory to the Agreement; and

WHEREAS, FHWA and the U.S. Army Corps of Engineers (Corps) have agreed that FHWA will assume lead responsibility for compliance under Section 106 of the National Historic Preservation Act for issuance of permits by the Corps for the development of land and waters of the United States under Section 404 of the Clean Water Act, and the Corps has participated in consultation and been invited to concur in this agreement; and

WHEREAS, the Indian Tribes that may attach religious or cultural importance to affected properties have been consulted [pursuant to 36 CFR § 800.2 (c)(2)(ii)(A-F)], and the following tribes have been invited to be Concurring Parties in the Agreement: the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O’Odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe; and

WHEREAS, in their role as lead federal agency, FHWA has consulted with the SHPO pursuant to 36 CFR Part 800, regulations implementing Section 106 of the NHPA (16 U.S.C. 470f) as revised in 2000; and

WHEREAS, SHPO is authorized to enter into this agreement in order to fulfill its role of advising and assisting Federal agencies in carrying out their Section 106 responsibilities under the following federal statutes: Sections 101 and 106 of the NHPA of 1966, as amended, 16 U.S.C. 470f, and pursuant to 36 CFR Part 800, regulations implementing Section 106, at 800.2(c)(1)(i) and 800.6(b); and

WHEREAS, SHPO is authorized to advise and assist federal and state agencies in carrying out their historic preservation responsibilities and cooperate with these agencies under A.R.S. § 41-511.04(D)(4); and

WHEREAS, by their signature all parties agree that the regulations specified in the ADOT document, “ADOT Standard Specifications for Road and Bridge Construction” (Section 104.12, 2000) will account for the cultural resources in potential material sources used in Project construction; and

WHEREAS, an agreement regarding the treatment and disposition of Human Remains, Associated Funerary Objects, and Objects of Cultural Patrimony would be developed by the Arizona State Museum (ASM) for state and private land; and

WHEREAS, in the event that any portion of the Project takes place on Tribal Lands, an agreement regarding the treatment and disposition of Human Remains, Associated Funerary

Objects, and Objects of Cultural Patrimony would be developed by the appropriate Tribal entities; and

WHEREAS, Human Remains and Associated Funerary Objects recovered on Federal or Tribal lands will be treated in accordance with the Native American Graves and Protection Repatriation Act (NAGPRA); and

WHEREAS, any data recovery on State and private land necessitated by the Project must be permitted by the ASM pursuant to A.R.S. § 41-842; and

WHEREAS, any data recovery on Federal lands necessitated by the Project must be permitted under the Archaeological Resource Protection Act (ARPA) in accordance with the Federal land-holding agency; and

WHEREAS, in the event that any data recovery for the Project should take place on Tribal lands, all applicable permits would be obtained; and

NOW, THEREFORE, all parties agree that upon FHWA's decision to proceed with the Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the effects of the Project on historic properties, and that these stipulations shall govern the Project and all of its parts until this Agreement expires or is terminated.

Stipulations

FHWA will ensure that the following measures are carried out.

1. Plans submittal and identification of Area of Potential Effect (APE)

Upon receipt by ADOT, copies of the plans and related documents pertaining to this undertaking including the 30%, 60% and 95% draft construction documents, the Project assessments, design concept reports and cultural resources survey reports will be provided to the consulting parties for review and comment.

2. Identification of historic properties and recommendation of effect

ADOT, on behalf of FHWA, in consultation with all parties to this Agreement, shall ensure that new inventory surveys of the Project APE will include identification of all cultural resources and determinations of eligibility will be made in accordance with 36 CFR § 800.4 for all historic properties.

3. Identification, Evaluation, Documentation, and Mitigation of Impacts to Traditional Cultural Places

FHWA, in consultation with all parties to this Agreement, shall ensure that consultation with the Indian Tribes that may attach religious or cultural importance to affected properties will continue in order to identify, evaluate, document, and mitigate possible

impacts to Traditional Cultural Places according to National Park Service National Register Bulletin Number 38: Guidelines for Evaluating and Documenting Traditional Properties.

4. Development of a Data Recovery Work Plan

The data recovery work plan will be submitted by ADOT, on behalf of FHWA, to all parties to this Agreement for 30 calendar days' review. The data recovery plan will be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37). Unless any signatory or concurring party objects to the data recovery plan within 30 calendar days after receipt of the plan, FHWA shall ensure that it is implemented prior to construction.

5. The Data Recovery Work Plan (the Work Plan) will specify:

- a) The properties or portions of properties where data recovery is to be carried out. Also, it will specify any property or portion of property that would be destroyed or altered without treatment;
- b) The results of previous research relevant to the Project, and the research questions to be addressed through data recovery, with an explanation of their relevance and importance;
- c) The field and laboratory analysis methods to be used, with an explanation of their relevance to the research questions;
- d) The methods to be used in analysis, data management, and dissemination of data to the professional community and the public;
- e) The proposed disposition and curation of recovered materials and records in accordance with 36 CFR 79;
- f) Procedures for monitoring, evaluating and treating discoveries of unexpected or newly identified properties during construction of the Project, including consultation with other parties;
- g) A protocol for the treatment of Human Remains, in the event that such remains are discovered, describing methods and procedures for the recovery, analysis, treatment, and disposition of Human Remains, Associated Funerary Objects, and Objects of Cultural Patrimony. This protocol will reflect concerns and/or conditions identified as a result of consultations among parties to this Agreement;
- h) A proposed schedule for Project tasks, including a schedule for the submission of draft and final reports to consulting parties.

6. Review and comment on the Work Plan

- a) Upon receipt of a draft of the Work Plan , ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the plan.
- b) If revisions to the Work Plan are made all consulting parties have 20 calendar days from receipt to review the revisions and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the plan or report.
- c) Once the Work Plan is determined adequate by all parties (with SHPO concurrence), FHWA shall issue authorization to proceed with the implementation of the Work Plan, subject to obtaining all necessary permits.
- d) Final drafts of the Work Plan will be provided to all consulting parties.

7. Review and Comment on Preliminary Report of Findings

- a) Upon completion of fieldwork, the institution, firm, or consultant responsible for the work will prepare and submit a brief Preliminary Report of Findings.
- b) Upon receipt of a draft of the Preliminary Report, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the Report.
- c) If revisions to the Preliminary Report of Findings are made, all consulting parties have 20 calendar days from receipt to review the revisions and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the report.
- d) Once the Preliminary Report of Findings has been accepted as a final document, ADOT, on behalf of FHWA, will notify appropriate Project participants that construction may proceed.

8. Review and Comment on Data Recovery Report

- a) Upon completion of data recovery, a report will be prepared incorporating all appropriate data analyses and interpretations. The schedule for completion of the report will be developed in accordance with Stipulation 5 (h) above, and in consultation with signatories and concurring parties to this Agreement.

- b) Upon receipt of the data recovery report, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the Report.
- b) If revisions to the data recovery report are made, all consulting parties have 20 calendar days from receipt to review the revisions and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the report.

9. Standards for Monitoring and Data Recovery

All historic preservation work carried out pursuant to this Agreement shall be carried out by or under the supervision of a person, or persons, meeting at a minimum the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-44739).

10. Curation

All materials and records resulting from the data recovery program conducted within the Project area, except as noted below, shall be curated in accordance with standards 36 CFR 79 and guidelines generated by ASM. The repository for materials either will be ASM or one that meets those standards and guidelines in Maricopa County.

All materials and records resulting from data recovery undertaking on land owned by Reclamation shall be curated in accordance with standards 36 CFR 79 and guidelines generated by the Huhugam Heritage Center, Gila River Indian Reservation. The repository for materials recovered from Reclamation land will be the Huhugam Heritage Center.

All materials subject to repatriation under NAGPRA, A.R.S. § 41-844 and A.R.S. § 41-865 shall be maintained in accordance with the burial agreement until any specified analyses, as determined following consultation with the appropriate Indian tribes and individuals, are complete and the materials are returned.

11. Additional Inventory Survey

ADOT, on behalf of FHWA, in consultation with all parties to this agreement shall ensure that new inventory surveys of additional rights-of-way and temporary construction easements will include determinations of eligibility that are made in accordance with 36 CFR § 800.4(c) for all historic properties, including any added staging or use areas. Should any party to this Agreement disagree with FHWA regarding eligibility, the SHPO shall be consulted and resolution sought within 30 calendar days. If the FHWA and SHPO disagree on eligibility, FHWA shall request a formal determination from the Keeper of the National Register.

12. Objection by a Signatory

Should any signatory to this Agreement object within 30 days to any plan or report provided for review or to any aspect of this undertaking related to historic preservation issues, FHWA shall consult with the objecting party to resolve the objection. If an objection by a signatory to this agreement cannot be resolved, FHWA shall request further comments of the Council with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.

13. Discoveries

If potential historic or prehistoric archaeological materials or properties are discovered after construction begins, the person in charge of the construction shall promptly report the discovery to the ADOT Historic Preservation Specialist, representing FHWA. If human remains or funerary objects are discovered, ADOT shall require construction to immediately cease within the area of the discovery, take steps to protect the discovery, and notify and consult with appropriate Native American groups to determine treatment and disposition measures in accordance with the previously implemented burial agreement. The Director of the ASM (the Director) shall also be informed. In consultation with the Director and ADOT, on behalf of FHWA, the person in charge of construction shall immediately take steps to secure and maintain preservation of the discovery. If the discovery appears to involve Human Remains as defined in ASM rules implementing A.R.S. § 41-844 and 41-865, ASM and FHWA shall ensure that the discovery is treated according to the burial agreement. If the discovery is on Federal or Tribal land and appears to involve Human Remains as defined in NAGPRA, ADOT on behalf of FHWA shall ensure that the discovery is treated according to NAGPRA.

If Human Remains are not involved, then the ADOT Historic Preservation Specialist shall evaluate the discovery, and in consultation with FHWA and SHPO, determine if the Plan previously approved in accordance with Stipulation 4 is appropriate to the nature of the discovery. If appropriate, the Plan shall be implemented by ADOT, on behalf of FHWA. If the Plan is not appropriate to the discovery, FHWA shall ensure that an alternate plan for the resolution of adverse effect is developed pursuant to 36 CFR § 800.6 and circulated to the consulting parties, who will have 48-hours to review and comment upon the alternate plan. FHWA shall consider the resulting comments, and shall implement the alternate plan once a project specific permit has been issued.

If potential prehistoric or historic archaeological materials or properties are discovered on Reclamation land after construction has begun, the person in charge of construction shall promptly report the discovery to the Phoenix Area Office of the Bureau of Reclamation as well as the ADOT Historic Preservation Specialist.

14. Amendments

This Agreement may be amended by the signatories pursuant to 36 CFR § 800.6 (c) (7). FHWA shall file any amendments with the Council and provide notice to the concurring parties.

15. Termination

Any signatory may terminate the Agreement by providing 30 day written notification to the other signatories. During this 30-day period, the signatories may consult to seek agreement on amendments or other actions that would avoid termination pursuant to 36 CFR § 800.6 (b). If the parties cannot agree on actions to resolve disagreements, FHWA will comply with 36 CFR § 800.7(a).

16. In the event the FHWA or ADOT cannot carry out the terms of this agreement, the FHWA will comply with 36 CFR § 800.3 through 800.6.

17. There shall be an annual meeting among FHWA, SHPO, and ADOT to review the effectiveness and application of this agreement, to be held on or near the anniversary date of the execution of this agreement.

This agreement shall be null and void if its terms are not carried out within ten (10) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

Execution of this Agreement by the signatories and its subsequent filing with the Council is evidence that the Federal Highway Administration has afforded the Advisory Council on Historic Preservation an opportunity to comment on Loop 202 – South Mountain Freeway Project and its effects on historic properties, and that the Federal Highway Administration has taken into account the effects of the undertaking on historic properties.

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By Steph D. Ho Date 12/20/06
Title Environmental Program Manager

ARIZONA STATE HISTORIC PRESERVATION OFFICER

By James Giaman Date 12/28/06
Title AZSHAPO

INVITED SIGNATORIES

ARIZONA DEPARTMENT OF TRANSPORTATION

By Shor Anderson Date 12-5-06
Title Manager, Environmental Planning Group

CONCURRING PARTIES

ARIZONA STATE LAND DEPARTMENT

By _____ Date _____
Title _____

BUREAU OF RECLAMATION

By _____ Date _____
Title _____

BUREAU OF LAND MANAGEMENT

By _____ Date _____
Title _____

U. S. ARMY CORPS OF ENGINEERS

By _____ Date _____
Title _____

SALT RIVER PROJECT

By Ray Hedrick Date 1/15/07
Title Manager, Siting & Studies

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

By _____ Date _____
Title _____

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

By _____ Date _____
Title _____

BUREAU OF RECLAMATION

By _____ Date _____
Title _____

BUREAU OF LAND MANAGEMENT

By _____
Title _____ Date _____

U. S. ARMY CORPS OF ENGINEERS

By _____ Date _____
Title _____

SALT RIVER PROJECT

By _____ Date _____
Title _____

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

By [Signature] Date 01-16-07
Title Environment Programs Mgr
MDOT Transportation Planning Division

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

By _____ Date _____
Title _____

BUREAU OF RECLAMATION

By _____ Date _____
Title _____

BUREAU OF LAND MANAGEMENT

By _____
Title _____ Date _____

U. S. ARMY CORPS OF ENGINEERS

By _____ Date _____
Title _____

SALT RIVER PROJECT

By _____ Date _____
Title _____

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

By _____ Date _____
Title _____

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

By [Signature] Date 1-30-07
Title Environmental Program Manager

ROOSEVELT IRRIGATION DISTRICT

By _____

Date _____

Title _____

CITY OF AVONDALE

By _____

Date _____

Title _____

CITY OF CHANDLER

By _____

Date _____

Title _____

CITY OF GLENDALE

By _____

Date _____

Title _____

CITY OF PHOENIX

By Barbara Stahl

Date 1-8-07

Title Historic Preservation Officer

CITY OF TOLLESON

By _____

Date _____

Title _____

AK-CHIN INDIAN COMMUNITY

By _____

Date _____

CONCURRING PARTIES

ARIZONA STATE MUSEUM

By Walter H. Romo

Date January 10, 2007

Title DIRECTOR

Addendum
Final Programmatic Agreement
Loop 202 – South Mountain Freeway
December 2006

Title _____

CHEMEHUEVI TRIBE

By _____

Date _____

Title _____

COCOPAH TRIBE

By _____

Date _____

Title _____

COLORADO RIVER INDIAN TRIBE

By _____

Date _____

Title _____

FORT MCDOWELL YAVAPAI NATION

By [Signature]

Date 1-11-07

Title President

FORT MOJAVE TRIBE

By _____

Date _____

Title _____

FORT YUMA-QUECHAN TRIBE

By _____

Date _____

Title _____

GILA RIVER INDIAN COMMUNITY

By _____

Date _____

Title _____

HAVASUPAI TRIBE

By _____

Date _____

Title _____

HOPI TRIBE

By _____

Date _____

Title _____

HUALAPAI TRIBE

By _____

Date _____

Title _____

KAIBAB-PAIUTE TRIBE

By _____

Date _____

Title _____

NAVAJO NATION

By _____

Date _____

Title _____

PASCUA YAQUI TRIBE

By _____

Date _____

Title _____

PUEBLO OF ZUNI

By _____

Date _____

Title _____

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

By _____

Date _____

Title _____

SAN CARLOS APACHE TRIBE

By _____

Date _____

Title _____

SAN JUAN SOUTHERN PAIUTE

By _____

Date _____

Title _____

TOHONO O'ODHAM NATION

By _____

Date _____

Title _____

TONTO APACHE TRIBE

By 

Date 020307

Title _____

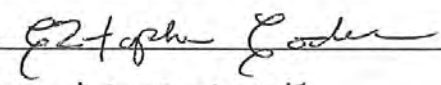
WHITE MOUNTAIN APACHE TRIBE

By _____

Date _____

Title _____

YAVAPAI-APACHE NATION

By 

Date 1/3/07

Title ARCHAEOLOGIST



Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, AZ 85005-6457

OCT 28 2010

OCT 25 2010

Robert E. Hollis, District Administrator
Arizona Department of Transportation
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: Programmatic Agreement for the Federal Highway Administration and Arizona Department of Transportation South Mountain Freeway Project, Mohave County.

Dear Mr. Hollis:

The Western Area Power Administration (Western) has received the Programmatic Agreement (PA) regarding the Environmental Impact Statement (EIS) which was developed for the proposed South Mountain Freeway Project. The signed agreement is enclosed with the letter.

Western supports the Federal Highway Administration and the Arizona Department of Transportation in their section 106 responsibilities related to the project. Western's participation in the PA supports our requirements under the National Historic Preservation Act related to the requirement to move our transmission lines to accommodate the construction of this project.

Western looks forward to participating in future meetings and reviewing related documents for the PA. Thank you for inviting us to sign the PA.

If you have any questions or comments, please do not hesitate to contact Mary Barger at (602) 605-2524 or call me at (602) 605-2592.

Sincerely,

John R. Holt
Environmental Manager

Enclosure

PROGRAMMATIC AGREEMENT

AMONG

**FEDERAL HIGHWAY ADMINISTRATION
ARIZONA STATE HISTORIC PRESERVATION OFFICE
ARIZONA DEPARTMENT OF TRANSPORTATION**

**LOOP 202 – SOUTH MOUNTAIN FREEWAY PROJECT
PROJECT NO. NH-202-D(ADY)
TRACS NO. 202L MA 054 H5764 01L
MARICOPA COUNTY, ARIZONA**

WHEREAS, the Federal Highway Administration (FHWA) proposes to construct a loop highway connecting Interstate 10 (I-10) west of Phoenix with I-10 south of Phoenix (the Loop 202 – South Mountain Freeway Project), a federally-funded project in Maricopa County, Arizona (hereafter referred to as “the Project”); and

WHEREAS, the proposed Project may have an adverse effect upon historic properties, which are defined as “any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places, including artifacts, records, and material remains related to such a property or resource”(National Historic Preservation Act [NHPA] 16 U.S.C. 470w, Title III, Section 301 [5]); and

WHEREAS, all the historic properties that may be affected by this Project have not yet been identified; and

WHEREAS, the proposed project may have an adverse effect upon Traditional Cultural Properties (TCP) which is defined as a place that is “eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community’s history, and (b) are important in maintaining the continuing cultural identity of the community” (National Park Service National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Properties); and

WHEREAS, all the Traditional Cultural Places that may be affected by this Project have not yet been identified; and

WHEREAS, the Arizona Department of Transportation (ADOT), acting as agent for FHWA, has participated in consultation and has been invited to be a signatory to this Programmatic Agreement (Agreement); and

WHEREAS, the FHWA has consulted with the Arizona State Historic Preservation Office (SHPO), the Bureau of Land Management (BLM), the Bureau of Reclamation (Reclamation), the Bureau of Indian Affairs, the Western Area Power Administration (Western), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the City of Avondale (COA), the City of Chandler (COC), the City of Glendale (COG), the City of Phoenix (COP), the City of Tolleson

(COT), and the Advisory Council on Historic Preservation (the Council) in accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR §800.6(b)(2)) to resolve the possible adverse effects of the Project on historic properties; and

WHEREAS, the Council has participated in consultation and has been invited to be a signatory to the Agreement; and

WHEREAS, FHWA and the U.S. Army Corps of Engineers (Corps) have agreed that FHWA will assume lead responsibility for compliance under Section 106 of the National Historic Preservation Act for issuance of permits by the Corps for the development of land and waters of the United States under Section 404 of the Clean Water Act, and the Corps has participated in consultation and been invited to concur in this agreement; and

WHEREAS, the Indian Tribes that may attach religious or cultural importance to affected properties have been consulted [pursuant to 36 CFR § 800.2 (c)(2)(ii)(A-F)], and the following tribes have been invited to be Concurring Parties in the Agreement: the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O’Odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe; and

WHEREAS, in their role as lead federal agency, FHWA has consulted with the SHPO pursuant to 36 CFR Part 800, regulations implementing Section 106 of the NHPA (16 U.S.C. 470f) as revised in 2000; and

WHEREAS, SHPO is authorized to enter into this agreement in order to fulfill its role of advising and assisting Federal agencies in carrying out their Section 106 responsibilities under the following federal statutes: Sections 101 and 106 of the NHPA of 1966, as amended, 16 U.S.C. 470f, and pursuant to 36 CFR Part 800, regulations implementing Section 106, at 800.2(c)(1)(i) and 800.6(b); and

WHEREAS, SHPO is authorized to advise and assist federal and state agencies in carrying out their historic preservation responsibilities and cooperate with these agencies under A.R.S. § 41-511.04(D)(4); and

WHEREAS, by their signature all parties agree that the regulations specified in the ADOT document, “ADOT Standard Specifications for Road and Bridge Construction” (Section 104.12, 2000) will account for the cultural resources in potential material sources used in Project construction; and

WHEREAS, an agreement regarding the treatment and disposition of Human Remains, Associated Funerary Objects, and Objects of Cultural Patrimony would be developed by the Arizona State Museum (ASM) for state and private land; and

WHEREAS, in the event that any portion of the Project takes place on Tribal Lands, an agreement regarding the treatment and disposition of Human Remains, Associated Funerary

Objects, and Objects of Cultural Patrimony would be developed by the appropriate Tribal entities; and

WHEREAS, Human Remains and Associated Funerary Objects recovered on Federal or Traibal lands will be treated in accordance with the Native American Graves and Protection Repatriation Act (NAGPRA); and

WHEREAS, any data recovery on State and private land necessitated by the Project must be permitted by the ASM pursuant to A.R.S. § 41-842; and

WHEREAS, any data recovery on Federal lands necessitated by the Project must be permitted under the Archaeological Resource Protection Act (ARPA) in accordance with the Federal land-holding agency; and

WHEREAS, in the event that any data recovery for the Project should take place on Tribal lands, all applicable permits would be obtained; and

NOW, THEREFORE, all parties agree that upon FHWA’s decision to proceed with the Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the effects of the Project on historic properties, and that these stipulations shall govern the Project and all of its parts until this Agreement expires or is terminated.

Stipulations

FHWA will ensure that the following measures are carried out.

1. Plans submittal and identification of Area of Potential Effect (APE)
- Upon receipt by ADOT, copies of the plans and related documents pertaining to this undertaking including the 30%, 60% and 95% draft construction documents, the Project assessments, design concept reports and cultural resources survey reports will be provided to the consulting parties for review and comment.
2. Identification of historic properties and recommendation of effect
- ADOT, on behalf of FHWA, in consultation with all parties to this Agreement, shall ensure that new inventory surveys of the Project APE will include identification of all cultural resources and determinations of eligibility that are made in accordance with 36 CFR § 800.4 for all historic properties.
3. Identification, Evaluation, Documentation, and Mitigation of Impacts to Traditional Cultural Places

FHWA in consultation with all parties to this Agreement, shall ensure that consultation with the Indian Tribes that may attach religious or cultural importance to affected properties will continue in order to identify, evaluate, document, and mitigate possible impacts to Traditional Cultural Places according to National Park Service National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Properties.

4. Development of a Data Recovery Work Plan

The data recovery work plan will be submitted by ADOT, on behalf of FHWA, to all parties to this Agreement for 30 calendar days' review. The data recovery plan will be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37). Unless any signatory or concurring party objects to the data recovery plan within 30 calendar days after receipt of the plan, FHWA shall ensure that it is implemented prior to construction.

5. The Data Recovery Work Plan (the Work Plan) will specify:

- a) The properties or portions of properties where data recovery is to be carried out. Also, it will specify any property or portion of property that would be destroyed or altered without treatment;
- b) The results of previous research relevant to the Project, and the research questions to be addressed through data recovery, with an explanation of their relevance and importance;
- c) The field and laboratory analysis methods to be used, with an explanation of their relevance to the research questions;
- d) The methods to be used in analysis, data management, and dissemination of data to the professional community and the public;
- e) The proposed disposition and curation of recovered materials and records in accordance with 36 CFR 79;
- f) Procedures for monitoring, evaluating and treating discoveries of unexpected or newly identified properties during construction of the Project, including consultation with other parties;
- g) A protocol for the treatment of Human Remains, in the event that such remains are discovered, describing methods and procedures for the recovery, analysis, treatment, and disposition of Human Remains, Associated Funerary Objects, and Objects of Cultural Patrimony. This protocol will reflect concerns and/or conditions identified as a result of consultations among parties to this Agreement;
- h) A proposed schedule for Project tasks, including a schedule for the submission of draft and final reports to consulting parties.

6. Review and comment on the Work Plan

- a) Upon receipt of a draft of the Work Plan, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide comments to ADOT. All comments shall be in writing with copies provided to the other consulting parties. Lack of response within this review period will be taken as concurrence with the plan.
- b) If revisions to the Work Plan are made all consulting parties have 20 calendar days from receipt to review the revisions and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the plan or report.
- c) Once the Work Plan is determined adequate by all parties (with SHPO concurrence), FHWA shall issue authorization to proceed with the implementation of the Work Plan, subject to obtaining all necessary permits.
- d) Final drafts of the Work Plan will be provided to all consulting parties.

7. Review and Comment on Preliminary Report of Findings

- a) Upon completion of fieldwork, the institution, firm, or consultant responsible for the work will prepare and submit a brief Preliminary Report of Findings.
- b) Upon receipt of a draft of the Preliminary Report, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the Report.
- c) If revisions to the Preliminary Report of Findings are made, all consulting parties have 20 calendar days from receipt to review the revisions and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the report.
- d) Once the Preliminary Report of Findings has been accepted as a final document, ADOT, on behalf of FHWA, will notify appropriate Project participants that construction may proceed.

8. Review and Comment on Data Recovery Report

- a) Upon completion of data recovery, a report will be prepared incorporating all appropriate data analyses and interpretations. The schedule for completion of the

report will be developed in accordance with Stipulation 5 (h) above, and in consultation with signatories and concurring parties to this Agreement.

- b) Upon receipt of the data recovery report, ADOT, on behalf of FHWA, will review and subsequently submit such documents concurrently to all consulting parties for review. All consulting parties will have 30 calendar days from receipt to review and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the Report.
- c) If revisions to the data recovery report are made, all consulting parties have 20 calendar days from receipt to review the revisions and provide written comments to ADOT. Lack of response within this review period will be taken as concurrence with the report.

9. Standards for Monitoring and Data Recovery

All historic preservation work carried out pursuant to this Agreement shall be carried out by or under the supervision of a person, or persons, meeting at a minimum the Secretary of the Interior’s Professional Qualifications Standards (48 FR 44738-44739).

10. Curation

All materials and records resulting from the data recovery program conducted within the Project area, except as noted below, shall be curated in accordance with standards 36 CFR 79 and guidelines generated by ASM. The repository for materials either will be ASM or one that meets those standards and guidelines in Maricopa County.

All materials and records resulting from data recovery undertaking on land owned by Reclamation shall be curated in accordance with standards 36 CFR 79 and guidelines generated by the Huhugam Heritage Center, Gila River Indian Reservation. The repository for materials recovered from Reclamation land will be the Huhugam Heritage Center.

All materials subject to repatriation under NAGPRA, A.R.S. § 41-844 and A.R.S. § 41-865 shall be maintained in accordance with the burial agreement until any specified analyses, as determined following consultation with the appropriate Indian tribes and individuals, are complete and the materials are returned.

11. Additional Inventory Survey

ADOT, on behalf of FHWA, in consultation with all parties to this agreement shall ensure that new inventory surveys of additional rights-of-way and temporary construction easements will include determinations of eligibility that are made in accordance with 36 CFR § 800.4(c) for all historic properties, including any added staging or use areas. Should any party to this Agreement disagree with FHWA regarding eligibility, the SHPO shall be consulted and resolution sought within 30 calendar days. If the FHWA and SHPO disagree

on eligibility, FHWA shall request a formal determination from the Keeper of the National Register.

12. Objection by a Signatory or Concurring Party

Should any signatory to this Agreement object within 30 days to any plan or report provided for review or to any aspect of this undertaking related to historic preservation issues, FHWA shall consult with the objecting party to resolve the objection. If an objection by a signatory to this agreement cannot be resolved, FHWA shall request further comments of the Council with reference only to the subject of the dispute; the FHWA’s responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.

13. Discoveries

If potential historic or prehistoric archaeological materials or properties are discovered after construction begins, the person in charge of the construction shall promptly report the discovery to the ADOT Historic Preservation Specialist, representing FHWA. If human remains or funerary objects are discovered, ADOT shall require construction to immediately cease within the area of the discovery, take steps to protect the discovery, and notify and consult with appropriate Native American groups to determine treatment and disposition measures in accordance with the previously implemented burial agreement. The Director of the ASM (the Director) shall also be informed. In consultation with the Director and ADOT, on behalf of FHWA, the person in charge of construction shall immediately take steps to secure and maintain preservation of the discovery. If the discovery appears to involve Human Remains as defined in ASM rules implementing A.R.S. § 41-844 and 41-865, ASM and FHWA shall ensure that the discovery is treated according to the burial agreement. If the discovery is on Federal or Tribal land and appears to involve Human Remains as defined in NAGPRA, ADOT on behalf of FHWA shall ensure that the discovery is treated according to NAGPRA.

If Human Remains are not involved, then the ADOT Historic Preservation Specialist shall evaluate the discovery, and in consultation with FHWA and SHPO, determine if the Plan previously approved in accordance with Stipulation 4 is appropriate to the nature of the discovery. If appropriate, the Plan shall be implemented by ADOT, on behalf of FHWA. If the Plan is not appropriate to the discovery, FHWA shall ensure that an alternate plan for the resolution of adverse effect is developed pursuant to 36 CFR § 800.6 and circulated to the consulting parties, who will have 48 hours to review and comment upon the alternate plan. FHWA shall consider the resulting comments, and shall implement the alternate plan once a project specific permit has been issued.

If potential prehistoric or historic archaeological materials or properties are discovered on Reclamation land after construction has begun, the person in charge of construction shall promptly report the discovery to the Phoenix Area Office of the Bureau of Reclamation as well as the ADOT Historic Preservation Specialist.

14. Amendments

This Agreement may be amended by the signatories pursuant to 36 CFR § 800.6 (c) (7). FHWA shall file any amendments with the Council and provide notice to the concurring parties.

15. Termination

Any signatory may terminate the Agreement by providing 30 day written notification to the other signatories. During this 30-day period, the signatories may consult to seek agreement on amendments or other actions that would avoid termination pursuant to 36 CFR § 800.6 (b). If the parties cannot agree on actions to resolve disagreements, FHWA will comply with 36 CFR § 800.7(a).

16. In the event the FHWA or ADOT cannot carry out the terms of this agreement, the FHWA will comply with 36 CFR § 800.3 through 800.6.

17. There shall be an annual meeting among FHWA, SHPO, and ADOT to review the effectiveness and application of this agreement, to be held on or near the anniversary date of the execution of this agreement.

This agreement shall be null and void if its terms are not carried out within ten (10) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

Execution of this Agreement by the signatories and its subsequent filing with the Council is evidence that the Federal Highway Administration has afforded the Advisory Council on Historic Preservation an opportunity to comment on Loop 202 – South Mountain Freeway Project and its effects on historic properties, and that the Federal Highway Administration has taken into account the effects of the undertaking on historic properties.

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By Mary E. Faye
Title Environmental Program Manager

Date 9/16/2010

ARIZONA STATE HISTORIC PRESERVATION OFFICER

By _____

Date _____

Title _____

INVITED SIGNATORIES

ARIZONA DEPARTMENT OF TRANSPORTATION

By Shir Anderson
Title Manager, Environmental Planning Group

Date 9/15/10

CONCURRING PARTIES

ARIZONA STATE LAND DEPARTMENT

By _____

Date _____

Title _____

BUREAU OF RECLAMATION

By _____ Date _____
Title _____

BUREAU OF LAND MANAGEMENT

By _____ Date _____
Title _____

U.S ARMY CORPS OF ENGINEERS

By _____ Date _____
Title _____

SALT RIVER PROJECT

By _____ Date _____
Title _____

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

By _____ Date _____
Title _____

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

By _____ Date _____
Title _____

ROOSEVELT IRRIGATION DISTRICT

By _____ Date _____
Title _____

CITY OF AVONDALE

By _____ Date _____
Title _____

CITY OF CHANDLER

By _____ Date _____
Title _____

CITY OF GLENDALE

By _____ Date _____
Title _____

CITY OF PHOENIX

By _____ Date _____
Title _____

CITY OF TOLLESON

By _____ Date _____
Title _____

AK-CHIN INDIAN COMMUNITY

By _____ Date _____

Title _____

CHEMEHUEVI TRIBE

By _____ Date _____

Title _____

COCOPAH TRIBE

By _____ Date _____

Title _____

COLORADO RIVER INDIAN TRIBE

By _____ Date _____

Title _____

FORT MCDOWELL YAVAPAI NATION

By _____ Date _____

Title _____

FORT MOJAVE TRIBE

By _____ Date _____

Title _____

FORT YUMA-QUECHAN TRIBE

By _____ Date _____

Title _____

GILA RIVER INDIAN COMMUNITY

By _____ Date _____

Title _____

HAVASUPAI TRIBE

By _____ Date _____

Title _____

HOPI TRIBE

By _____ Date _____

Title _____

HUALAPAI TRIBE

By _____ Date _____

Title _____

KAIBAB-PAIUTE TRIBE

By _____ Date _____

Title _____

NAVAJO NATION

By _____ Date _____

Title _____

PASCUA YAQUI TRIBE

By _____ Date _____

Title _____

PUEBLO OF ZUNI

By _____ Date _____

Title _____

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

By _____ Date _____

Title _____

SAN CARLOS APACHE TRIBE

By _____ Date _____

Title _____

SAN JUAN SOUTHERN PAIUTE

By _____ Date _____

Title _____

TOHONO O'ODHAM NATION

By _____ Date _____

Title _____

TONTO APACHE TRIBE

By _____ Date _____

Title _____

WHITE MOUNTAIN APACHE TRIBE

By _____ Date _____

Title _____

YAVAPAI-APACHE NATION

By _____ Date _____

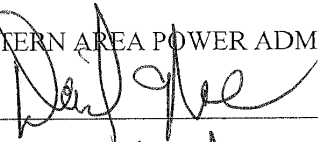
Title _____

ARIZONA STATE MUSEUM

By _____

Title _____ Date _____

WESTERN AREA POWER ADMINISTRATION

By  _____

Title Regional Manager, ASW Date 10/18/2010

APPENDIX 4-5

FARMLAND CONVERSION

Appendix 4-5, *Farmland Conversion*, contains the US Department of Agriculture Natural Resources Conservation Services Farmland Conversion Impact Rating form (form NRCS-CPA-106) for Corridor Type Projects. The Farmland Protection Policy Act (FPPA) was established to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses. This impact rating is being completed to ensure compliance with FPPA.

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

NRCS-CPA-106
(Rev. 1-91)

PART I (To be completed by Federal Agency)

1. Name of Project
South Mountain Transportation Corridor

2. Type of Project
EIS/LDCR

3. Date of Land Evaluation Request
8/3/12

5. Federal Agency Involved
Federal Highway Administration

6. County and State
Maricopa County, Arizona

4. Sheet 1 of 3

PART II (To be completed by NRCS)

3. Does the corridor contain prime, unique statewide or local important farmland?
(If no, the FPPA does not apply - Do not complete additional parts of this form).
YES ☒ NO ☐

5. Major Crop(s)
alfalfa, cotton, grains

8. Name Of Land Evaluation System Used
N/A

6. Farmable Land in Government Jurisdiction
Acres: 267,295 % 3.2

9. Name of Local Site Assessment System
N/A

2. Person Completing Form
Leslie Glover

4. Acres Irrigated | Average Farm Size
267,295 | 302

7. Amount of Farmland As Defined in FPPA
Acres: 190,182 % 3.2

10. Date Land Evaluation Returned by NRCS
8/10/12

PART III (To be completed by Federal Agency)

A. Total Acres To Be Converted Directly

B. Total Acres To Be Converted Indirectly, Or To Receive Services

C. Total Acres In Corridor

Alternative Corridor For Segment - Western Section

W59

W71

W101WFR

W101CPR

588

583

827

841

PART IV (To be completed by NRCS) Land Evaluation Information

A. Total Acres Prime And Unique Farmland

B. Total Acres Statewide And Local Important Farmland

C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted

D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value

45

583

0

25

827

841

0

22

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)

86

86

87

82

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))

1. Area in Nonurban Use

2. Perimeter in Nonurban Use

3. Percent Of Corridor Being Farmed

4. Protection Provided By State And Local Government

5. Size of Present Farm Unit Compared To Average

6. Creation Of Nonfarmable Farmland

7. Availability Of Farm Support Services

8. On-Farm Investments

9. Effects Of Conversion On Farm Support Services

10. Compatibility With Existing Agricultural Use

TOTAL CORRIDOR ASSESSMENT POINTS

Maximum Points

15

10

20

20

10

25

5

20

25

10

160

10

7

12

0

5

10

3

15

8

4

74

10

7

12

0

5

10

3

15

8

4

74

PART VII (To be completed by Federal Agency)

Relative Value Of Farmland (From Part V)

Total Corridor Assessment (From Part VI above or a local site assessment)

TOTAL POINTS (Total of above 2 lines)

100

160

260

86

74

160

86

74

160

87

74

161

82

74

156

1. Corridor Selected:

2. Total Acres of Farmlands to be Converted by Project:

3. Date Of Selection:

4. Was A Local Site Assessment Used?

YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 4/15/11		4. Sheet 2 of 3	
1. Name of Project South Mountain Transportation Corridor		5. Federal Agency Involved Federal Highway Administration			
2. Type of Project EIS/LDCR		6. County and State Maricopa County, Arizona			
PART II (To be completed by NRCS)		1. Date Request Received by NRCS		2. Person Completing Form Leslie Glover II	
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form).		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated 302	
5. Major Crop(s) alfalfa, cotton, grains		6. Farmable Land in Government Jurisdiction Acres: 267,295 % 3.2		7. Amount of Farmland As Defined in FPPA Acres: 190,182 % 3.2	
8. Name Of Land Evaluation System Used N/A		9. Name of Local Site Assessment System N/A		10. Date Land Evaluation Returned by NRCS 4/28/11	
PART III (To be completed by Federal Agency)		Alternative Corridor For Segment - Western Section			
		W101EPR		W101WPR	
A. Total Acres To Be Converted Directly		863		851	
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor		863		851	
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		863		851	
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		0		0	
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value		22		25	
PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)		88		86	
PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))		Maximum Points			
1. Area in Nonurban Use		15		10	
2. Perimeter in Nonurban Use		10		7	
3. Percent Of Corridor Being Farmed		20		12	
4. Protection Provided By State And Local Government		20		0	
5. Size of Present Farm Unit Compared To Average		10		5	
6. Creation Of Nonfarmable Farmland		25		10	
7. Availability Of Farm Support Services		5		3	
8. On-Farm Investments		20		15	
9. Effects Of Conversion On Farm Support Services		25		8	
10. Compatibility With Existing Agricultural Use		10		4	
TOTAL CORRIDOR ASSESSMENT POINTS		160		74	
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100		88	
Total Corridor Assessment (From Part VI above or a local site assessment)		160		74	
TOTAL POINTS (Total of above 2 lines)		260		162	
1. Corridor Selected:		2. Total Acres of Farmlands to be Converted by Project:		3. Date Of Selection:	
				4. Was A Local Site Assessment Used?	
				YES <input type="checkbox"/> NO <input type="checkbox"/>	
5. Reason For Selection:					
Signature of Person Completing this Part: DATE					
NOTE: Complete a form for each segment with more than one Alternate Corridor					

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

- (1)

How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points
- (2)

How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points
- (3)

How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points
- (4)

Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points
- (5)

Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?
(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points
- (6)

If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points
- (7)

Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points
- (8)

Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points
- (9)

Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points
- (10)

Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

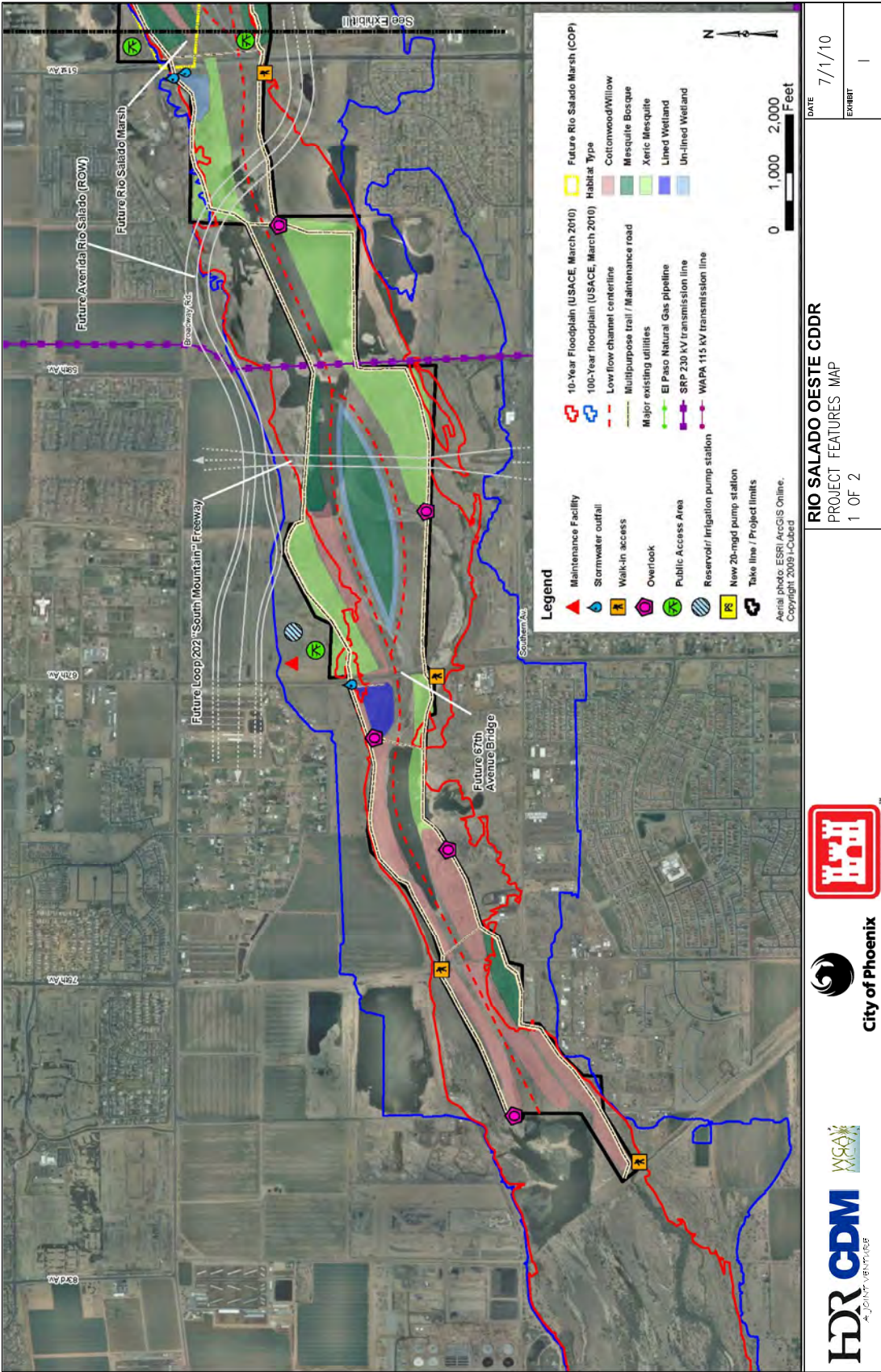
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

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APPENDIX 4-6

RIO SALADO OESTE

Appendix 4-6, *Rio Salado Oeste*, The Rio Salado Oeste study area is located in Maricopa County, Arizona, and is entirely within the city of Phoenix encompassing 8 miles of the Salt River from 19th to 83rd avenues. The recommended plan would restore approximately 1,500 acres of riverine habitat to a more natural state by grading and terracing the river channel. The site map shows how the proposed restoration features have been coordinated with the proposed South Mountain Freeway, which will cross the river corridor.



APPENDIX 5-1

PROPERTIES EXCLUDED FROM SECTION 4(F) CONSIDERATION

Appendix 5-1, *Properties Excluded from Section 4(f) Consideration*, details the properties initially considered, but determined as not qualifying for protection under Section 4(f). A brief description of each property is provided, followed by reasons for the determinations.

Potential Section 4(f) Properties Excluded from Consideration

Rio Salado Oeste

Description

The planned Rio Salado Oeste (RSO) project is an approximately eight square mile (3,315 acres) habitat restoration, flood control, and recreation project. RSO is located within the 100-year floodplain of the Salt River between 19th and 83rd avenues (Figure A-1) in the City of Phoenix, Arizona. When completed, RSO would connect two similar types of projects; Rio Salado at 19th Avenue and Tres Rios at 83rd Avenue. Together, the three projects would support the restoration of approximately 20 miles of riverbed.

Currently, the United States Army Corps of Engineers (USACE) and the City of Phoenix are preparing a Draft Environmental Impact Statement (EIS) to support the RSO feasibility study. This study will investigate feasibility alternatives to examine native riparian habitat restoration in conjunction with flood control, water quality, and passive recreation in the form of multi-use trails (Federal Register, 2001; United State House of Representatives, 2003). The draft was released in May 2006. Construction of RSO is anticipated to begin in 2010, but this will depend on the procurement of funding for construction (S. Estergard, pers comm, 16 May 2005).

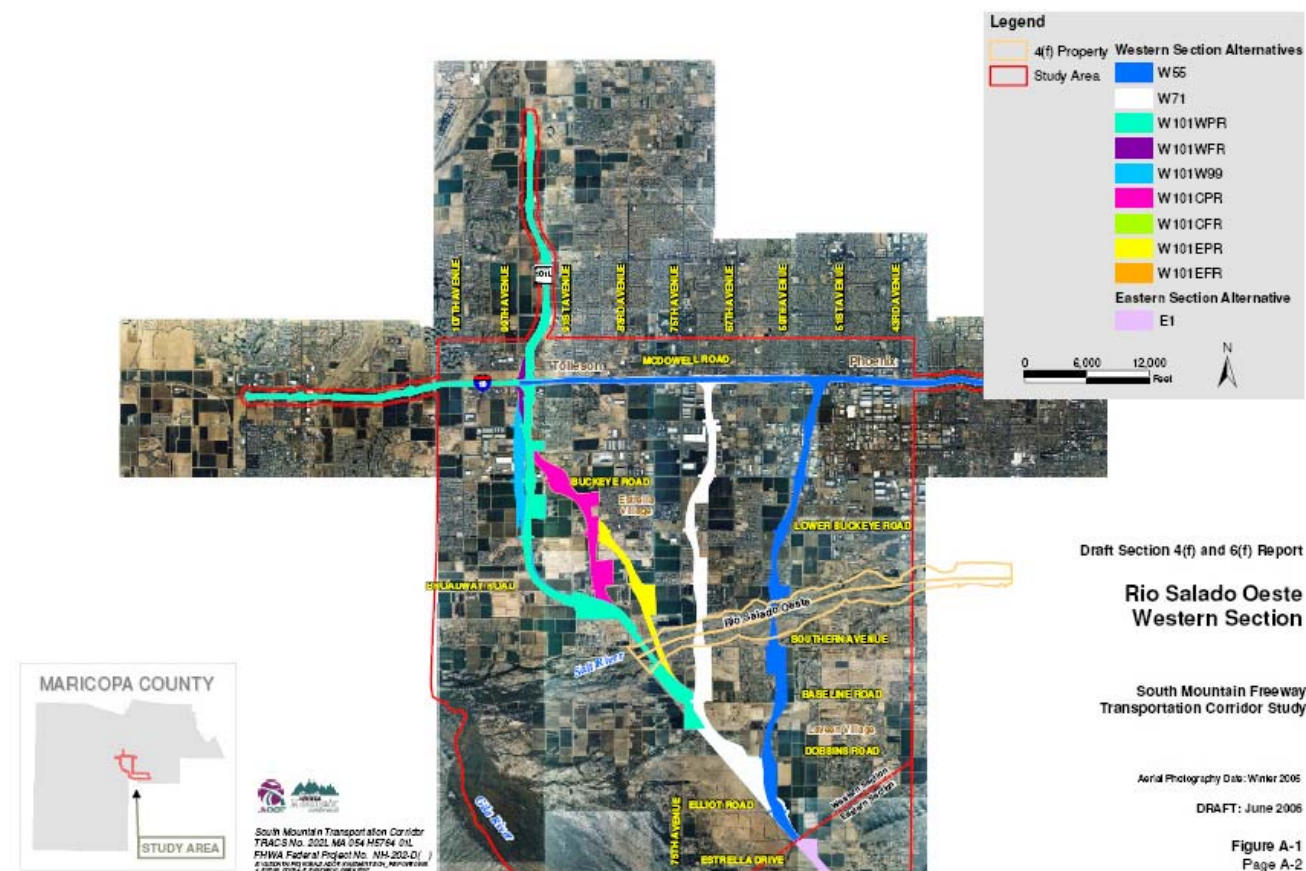
Impacts

All Western Section action alternatives would cross the Salt River and would directly affect the planned RSO project. The E1 Alternative does not affect RSO. USACE and the City of Phoenix have anticipated a freeway crossing the RSO and view it as an opportunity to direct stormwater runoff from the freeway to support irrigation of the river habitat. USACE indicated that any footprint impacts due to footings could be addressed further in the design process of the SMTC (S. Estergard, pers comm, 16 May 2005).

Section 4(f) Eligibility

Section 4(f) of the Department of Transportation Act of 1966 protects three basic types of resources: publicly owned parks and recreation areas, publicly owned wildlife and waterfowl refuges, and historic sites. Upon detailed review, it was determined that RSO should not be considered a Section 4(f) property under these designations for reasons explained below.

Although plans for RSO include a recreation element, this is neither the sole nor the primary use of the project and therefore, would exclude RSO as a resource afforded protection under Section 4(f). According to USACE, “the Feasibility Study for Rio Salado Oeste is to determine if environmental restoration and flood damage reduction with incidental recreation in this reach of the Salt River in Phoenix, Arizona meets Federal Objectives” (Estergard, 2005). Further, USACE policy mandates that, “Recreation development at an ecosystem restoration project should be totally ancillary” (USACE, 1998 & 1999). USACE has instituted a Ten Percent Limit Rule stating that the level of financial participation in recreation development by the USACE may not increase the federal cost to the ecosystem restoration by more than ten percent without prior approval (USACE, 1998 & 1999). RSO



will follow the Ten Percent Rule (Estergard, 2005). RSO's primary purpose is habitat restoration, not recreation; therefore, it is not eligible for Section 4(f) consideration under this criterion.

Publicly owned wildlife and waterfowl refuges are also eligible for consideration under Section 4(f); however, RSO has not been officially designated as such by a federal, state, or local agency and therefore, is not eligible for Section 4(f) consideration under this criterion (U.S Fish and Wildlife Service, 2005).

Recreation and Public Purposes Act Parcel

Description

On May 18, 2004, the City of Phoenix received a Recreation and Public Purposes Act (RPPA) Lease from the Bureau of Land Management (BLM) for a 159.32-acre parcel of land located in the Salt River channel between 67th and 59th avenues (Figure A-2). The legal location of this parcel is N½, SE¼, NE¼, SW¼, and Lot 3 of Section 30 of Township 1 North, Range 2 East (BLM, 2004d). The RPPA parcel was leased to the City of Phoenix as an addition to the Rio Salado Habitat Restoration Project (BLM 2004a & 2004b).

According to the Environmental Assessment undertaken by the BLM for the lease, the City of Phoenix would use the land for restoring native vegetation, environmental education, and recreation. The City would improve and manage the land in accordance with the plan of development and management submitted by the City titled, Proposed Rio Salado Oeste Habitat Restoration Project (BLM, EA 2004c).

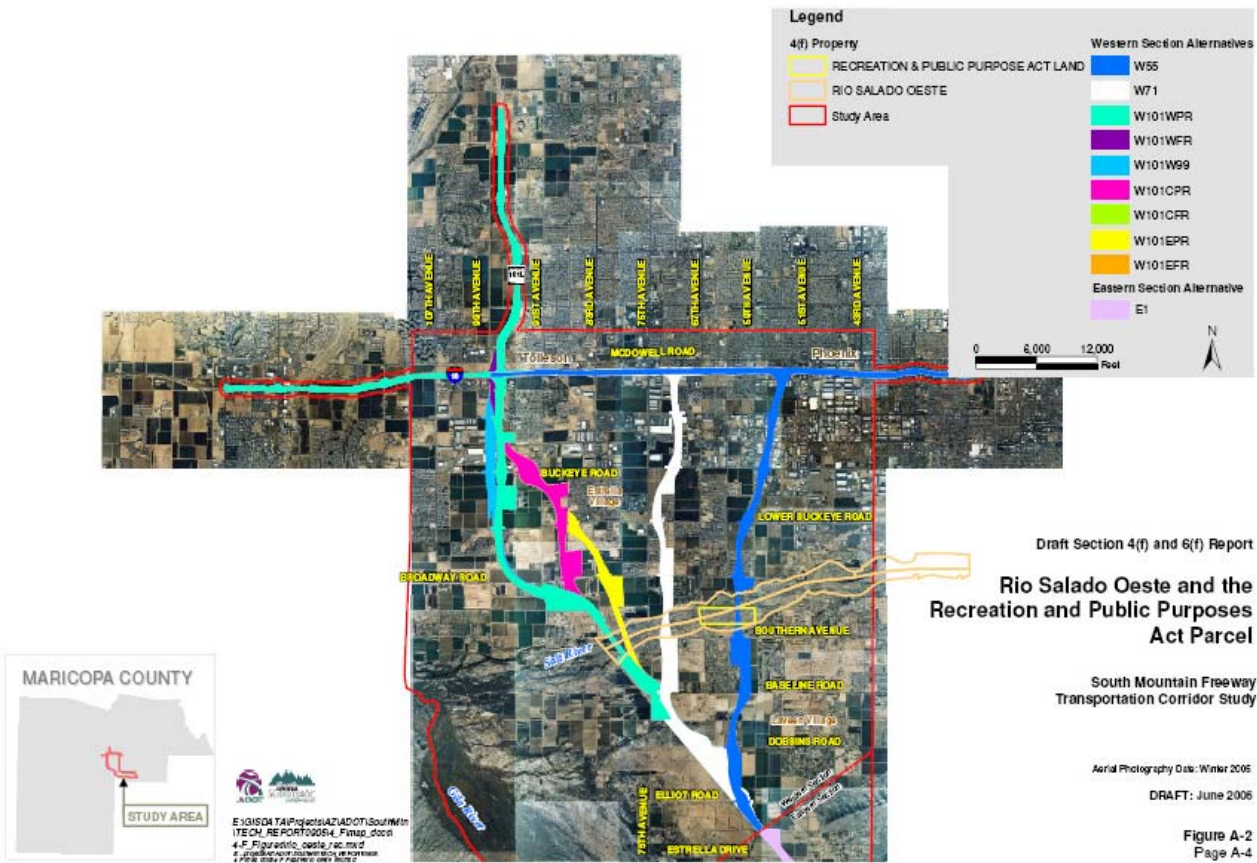
Impacts

The W55 Alternative would cross the Salt River and would thus directly affect the RPPA parcel.

Section 4(f) Eligibility

Upon review, the RPPA parcel, as a part of RSO, should not be considered a Section 4(f) property under either designation for reasons explained below.

The EA indicates that RSO would include multi-use trails, scenic overlooks, wildlife viewing blinds, interpretive signage, environmental education facility with outdoor classrooms, water wells and reservoirs, irrigation system, park maintenance facility, intermittent stream, native riparian habitat and erosion control structures. Since the RPPA parcel would include multiple uses within the context of the RSO, the USACE Ten Percent Rule would apply and recreation, as defined by Section 4(f), would not be the sole or primary use of the property. Therefore, RPPA parcel as part of RSO would not be afforded Section 4(f) consideration. The RPPA parcel has not been designated as a wildlife and waterfowl refuge by a federal, state, or local agency and therefore, is not eligible for Section 4(f) consideration under this criterion (U.S Fish and Wildlife Service, 2005).



The RPPA of 1954, as amended (43 U.S.C. 869, et seq.) authorizes the sale or lease of public lands for recreational or public purposes to state and local governments or qualifying non-profit organizations. Examples of typical uses under the RPPA are historic monument sites, campgrounds, schools, fire stations, municipal facilities, landfills, hospitals, and parks (BLM, 2004d). Roads, unless within a State Park, are not an authorized public purpose under the RPPA (43 U.S.C Title 23, §2741.7), therefore, none of the SMTC alternatives and options would be an acceptable use under the RPPA.

Salt River Project 99th Avenue Lateral

Description

The Salt River Project (SRP) 99th Avenue lateral is a segment of open, unlined SRP canal that extends from Lower Buckeye Road for 0.5 miles along the east side of 99th Avenue (Figure A-3). The SRP system is recognized as NRHP-eligible under Criterion A for its important association with the development of irrigation agriculture in the Salt River Valley. Earthen canals such as the 99th Avenue lateral, were once common irrigation features throughout the Salt River Valley, but are becoming increasingly rare as they have been lined and piped underground to accommodate urban development (Brodbeck and Touchin, 2005).

Impacts

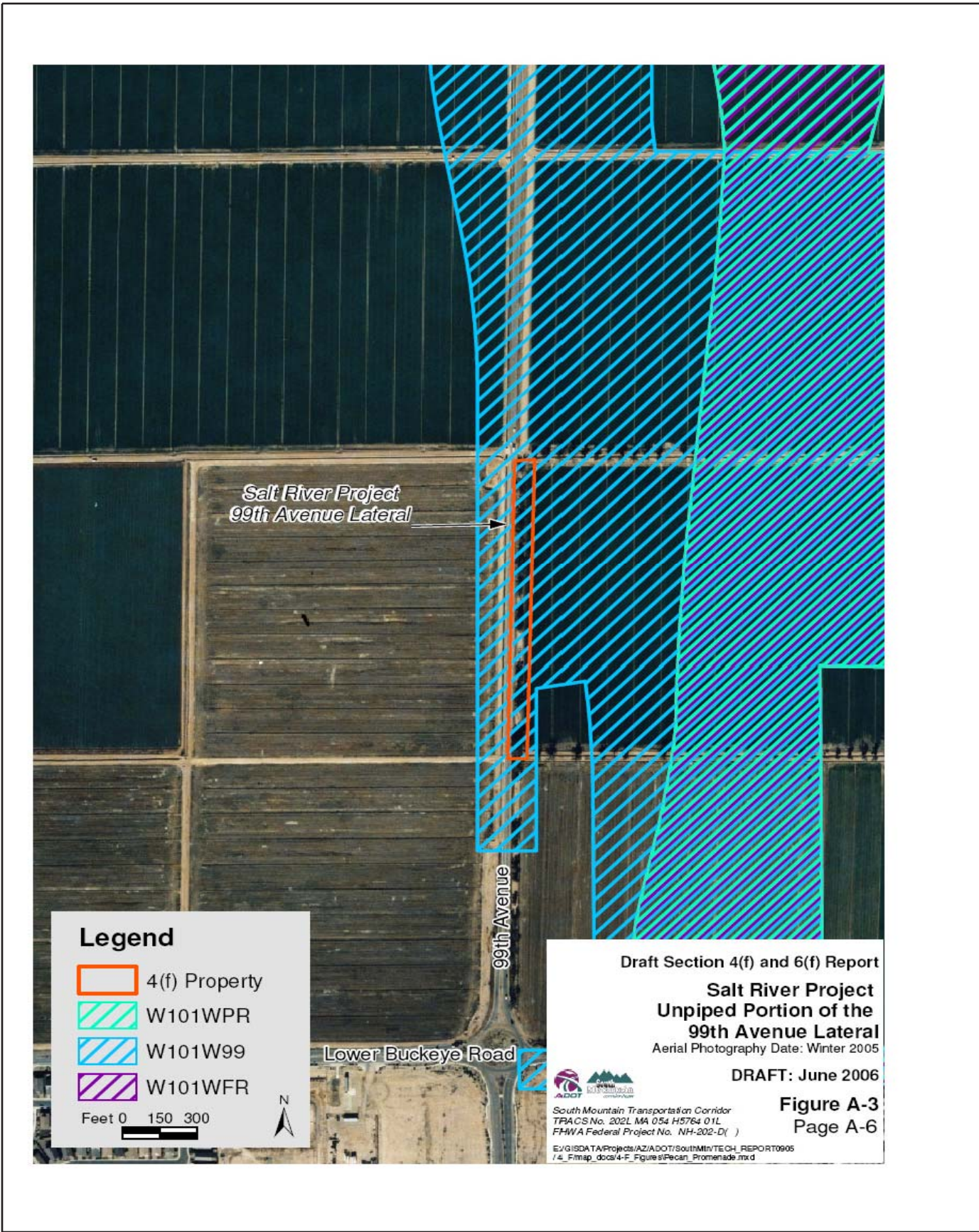
The W101WPR, W101WFR, and W101W99 options would result in an actual use of the SRP 99th Avenue lateral (Figure A-3).

Section 4(f) Eligibility

The SRP 99th Avenue lateral is eligible for consideration as an historic property. However, the SRP 99th Avenue lateral should not be considered a Section 4(f) property for reasons explained below.

The SRP 99th Avenue lateral is being converted to an underground pipe in response to urban development. The south half of the canal is in the process of being piped underground as part of the Pecan Promenade development project on the northeast corner of 99th Avenue and Lower Buckeye Road. The north half is slated to be piped underground as part of the City of Phoenix’s Estrella District Park (see Property Number 28 - Estrella District Park, Western Section). Estrella District Park’s completion date is dependent upon the results of the March 2006 Bond Election (J. Anderson, pers. comm., 28 March 2005). The bonds passed in March 2006; however, there is currently no information as to timing and dispersal of funds. To date, the City of Phoenix has not requested SRP pipe the northern portion of the 99th Avenue lateral (B. Sampson, pers comm., 16 Sept. 2005).

The SRP 99th Avenue lateral is being converted to an underground pipe in response to urban development. The south half of the canal is in the process of being piped as part of the Pecan Promenade development project on the northeast corner of 99th Avenue and Lower Buckeye Road. The north half is slated to be piped underground as part of the City of Phoenix’s Estrella District Park (see Property No.15 Estrella Park). SRP and the Bureau of Reclamation (BOR) are currently in the process of preparing a report for the canal



documenting its history and engineering as a form of mitigation. Upon completion of these projects, the 99th Avenue lateral will no longer be considered a contributing component of the overall eligibility of the SRP irrigation network. The timing of the piping of the north portion of the 99th Avenue lateral is dependent upon the March 2006 Bond Election. To date, the timing and dispersal of funding has not been determined.

It is anticipated that the 99th Avenue lateral will not be eligible for Section 4(f) protection for the following reasons: 1) The piping is planned as part of Estrella District Park; once piped the lateral will no longer be NRHP-eligible; and 2) SRP and the BOR are in the process of mitigating the canal.

City of Phoenix Trails System

Description

The City of Phoenix General Plan 2001 shows an extensive network of existing and planned trails throughout the city (Figure A-4). According to the General Plan, “the trail alternatives and crossing locations are conceptual and must remain flexible to accommodate future development” (City of Phoenix, 2005).

Impacts

The Eastern and Western Section action alternatives and options would result in a direct use of several City of Phoenix trails.

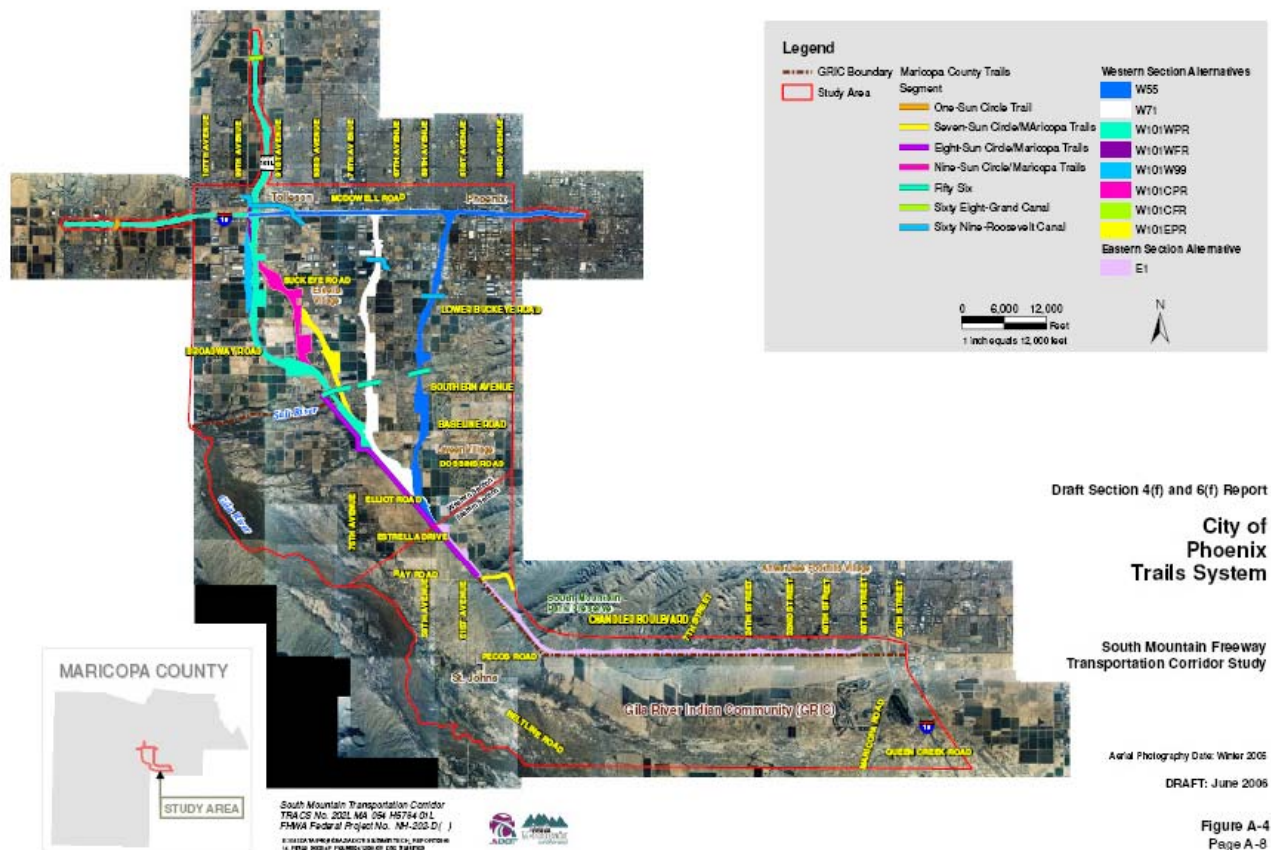
Section 4(f) Eligibility

The City of Phoenix Trails would be eligible for consideration as recreation areas. However, these trails should not be considered Section 4(f) resources for reasons explained below.

According to Goal 4 in the Circulation Element of the General Plan, “Since approximately 40 percent of all trips are less than two miles in length, bicycling and walking can help relieve roadway congestion. Bicycling and walking can be practical for all types of trips, such as to the grocery store, the video rental store and school. These trips can be made either on roads or off roads on separate paths” (Phoenix, 2005c). This statement in the General Plan indicates that pedestrian trails maintained by the City of Phoenix are used for transportation and thus are not primarily recreational.

The Recreation Element of the General Plan further indicates that the City, in cooperation with private developers is working to provide trails. If trails are built on private land and maintained by the developers, the trails would not be subject to Section 4(f) protection. Ownership information is currently unavailable from the City of Phoenix.

The City of Phoenix has received Transportation Enhancement Activities (TEA) Funds for development/improvement of their trails. TEA funds are not available for trails that are solely recreational; therefore these trails would not be considered Section 4(f).



City of Phoenix Trails are not considered Section 4(f) properties, however, the City has requested that regardless of the selected alternative, the existing and proposed trails be accommodated by providing wider bridges, pedestrian-equestrian tunnels, and other accommodations to preserve proposed and established trails network (City of Phoenix, 2005). These requests are not addressed under Section 4(f).

Schools Excluded from Section 4(F) Consideration

Public schools whose recreation areas are accessible to the public for walk-on activity are considered Section 4(f) resources under the Department of Transportation Act of 1966. Schools determined not to provide walk-on activity to the public are not provided protection under Section 4(f).

Properties Excluded From Section 6(F) Consideration

Section 6(f) of the Land and Water Conservation Fund Act (LWCFA) prohibits the conversion of property acquired or developed with grants from the LWCF to a non-recreational purpose without approval from the National Park Service (NPS) and the Interagency Committee for Outdoor Recreation (IAC).

In 1966, Maricopa County received a LWCF grant to install signs along the Sun Circle Trail. These signs have sustained irreparable damage or are missing. Since the original signs funded by LWCF monies are no longer in existence, protection under Section 6(f) is no longer applicable (S. Thomas, pers comm., 3 March 2005).

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- Bureau of Land Management Phoenix Field Office. 2004c. Environmental Assessment AZ-020-2004-43 For City of Phoenix's Recreation and Public Purposes Act Lease Application A-3192. February 2004.
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United States House of Representatives. July 15, 2003. Press Release. \$23 million for Rio Salado and Valley area water projects approved by House panel. Available Online at <http://www.house.gov/pastor/pr030715.htm>

Winfrey, B. Letter to Audrey Under. June 24, 2005.

PERSONAL COMMUNICATIONS

Scott Estergard, USACE Water Resource Planner, May 16, 2005.

Byron Sampson, Carter Burgess Unit Leader Urban Design and Planning of Estrella Park, September 16, 2005.

Steve Thomas, Federal Highway Administration, March 3, 2005.

Boyd Winfrey, City of Phoenix Parks and Recreation Department, May 16, 2005.

Traditional Cultural Properties Excluded from Section 4(f) Consideration

Villa Buena Traditional Cultural Property

Description

Villa Buena is the remains of an approximately 537-acre prehistoric Hohokam village. The majority of Villa Buena is located on Gila River Indian Community (Community) land; however, the site extends outside the Community onto private land. The Community, Akimel O’odham, and Pee Posh tribes consider Villa Buena an important site that plays a role in their culture, identity, history, and oral traditions. Because of its importance in the Native American community’s history and cultural identity, Villa Buena is considered a traditional cultural property (TCP) and is National Register of Historic Places (NRHP)-eligible under Criterion A. The portion of Villa Buena off Community land in the Study Area was leveled by agricultural development in the early 1900s. The remainder of the site was largely undeveloped land used for livestock. Despite the agricultural development and land use over the decades, it is likely that cultural features and deposits are preserved below the plow zones.

Impacts

The W101 and W71 Alternatives would cross the off-tribal land portion of Villa Buena. It should be noted that the size and boundaries of Villa Buena are based on the archeological site boundaries and the TCP does not have defined boundaries. Using the archeological limits, 112 of approximately 537 acres would be converted to a transportation use. To mitigate the impacts, the Community has prepared a conceptual mitigation plan (described further in the *Cultural Resources* section of Chapter 4 of the Draft Environmental Impact Statement) to implement measures that would document the cultural attributes associated with the site’s TCP status. The off-tribal land portion of the TCP has been subject to disturbance through development, and it is reasonably foreseeable that regardless of the proposed action, further development as planned for will substantially alter the physical attributes of the land associated with the TCP. Because it is possible the TCP would be affected by the proposed action, the mitigation plan, as agreed upon by the Arizona Department of Transportation (ADOT), Federal Highway Administration (FHWA), State Historic Preservation Office (SHPO), and the Community, will help preserve the traditional cultures, practices, and oral histories associated with the TCP.

Section 4(f) Eligibility

Upon review, the nontribal land portion of the Villa Buena TCP should not be considered a Section 4(f) property. Although eligible under Criterion A of Section 106 of the National Historic Preservation Act (NHPA), stakeholders concur the attributes of the TCP are importantly associated with oral history and not from an association with physical attributes of the land. Therefore, the attributes of the traditions will be protected through the mitigation plan and the attributes will be preserved despite any development plans for the area (including any involving the proposed action). For this reason, the nontribal land portion of the Villa Buena TCP is not considered a Section 4(f) property.

Pueblo del Alamo Traditional Cultural Property

Description

Pueblo del Alamo was a Hohokam village site from the Colonial to Classic period. It is located north of the Salt River, north and south of Lower Buckeye Road, and extends east and west of 59th Avenue. Pueblo del Alamo also has been subject to several archaeological excavations as well as substantial disturbance through agricultural development, road construction, house and power line construction, trash dumping, and erosion. The Community, Akimel O’odham, and Pee Posh tribes consider Pueblo del Alamo an important site that plays a role in their culture, identity, history, and oral traditions. Because of its importance in the Native American community’s history and cultural identity, Villa Buena is considered an off-tribal-land TCP and is NRHP-eligible under Criterion A.

Impacts

The W59 Alternative would likely cross Pueblo del Alamo. It should be noted that the size and boundaries of Pueblo del Alamo are based on the archeological site boundaries and the TCP does not have defined boundaries. To mitigate the impacts, the Community has prepared a conceptual mitigation plan (described further in the *Cultural Resources* section of Chapter 4 of the Draft Environmental Impact Statement) to implement measures that would document the cultural attributes associated with the site’s TCP status. The off-tribal land portion of the TCP has been subject to disturbance through development and it is reasonably foreseeable that regardless of the proposed action, further development as planned for will substantially alter the physical attributes of the land associated with the TCP. Because it is possible the TCP would be affected by the proposed action, the mitigation plan, as agreed upon by ADOT, FHWA, SHPO, and the Community, will help preserve the traditional cultures, practices, and oral histories associated with the TCP.

Section 4(f) Eligibility

Upon review, the Pueblo del Alamo TCP should not be considered a Section 4(f) property. Although eligible under Criterion A of Section 106 of the NHPA, stakeholders concur the attributes of the TCP are importantly associated with oral history and not from an association with physical attributes of the land. Therefore, the attributes of the traditions will be protected through the mitigation plan and the attributes will be preserved despite any development plans for the area (including any involving the proposed action). For this reason, the nontribal land portion of the Villa Buena TCP is not considered a Section 4(f) property.

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APPENDIX 5-2

SECTION 4(F) CORRESPONDENCE AND DOCUMENTS

Appendix 5-2, Section 4(f) Correspondence and Documents, includes a right-of-way easement document from the City of Phoenix (June 20, 1977) and letters from the United States Department of the Interior Bureau of Land Management (April 20, 1989), and ADOT Highways Division (June 20, 1989) that provide insight on treatment of the South Mountain Park in relation to Section 4(f). The letters also address the applicability of the Recreation and Public Purposes Act and Historic Preservation Zoning, respectively. Correspondence and documents regarding the Hudson Farm are also included in this appendix. The reader is referred to Chapter 5, Section 4(f) Evaluation, and Appendices 2-1 and 2-2 for more information pertaining to communications associated with the Section 4(f) evaluation.

Return to: Minnesota Title Company, Trustee
3003 N. Central Avenue
Phoenix, Arizona 85012
Trust No. 1646 - Benny Gonzalez

Please record at the request of the City of Phoenix.
235273

REV. 3/77
110,288 AMT
When recorded return to:
Right of Way Division
Salt River Project
P. O. Box 1980
Phoenix, Arizona 85001

DET 12375P61128
RIGHT OF WAY EASEMENT

R/W # _____ ACT. VDA
COUNTY Maricopa
PARCEL # 300-4-1

CITY OF PHOENIX, ARIZONA, a municipal corporation.

EASEMENT (ES)
DISCLOSURE

herein called the Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration paid by the MINNESOTA TITLE COMPANY, as Trustee under Trust # 1646, for the SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND TOWER DISTRICT, a political Subdivision of the State of Arizona, as Project Manager and authorized Agent for certain Beneficiaries named on Exhibit "A" attached hereto and by reference made a part hereof, herein called the Grantee, the receipt of which is hereby acknowledged, do hereby grant and convey unto the Grantee, its successors and assigns, a right of way easement 200 feet in width, in, upon, over, under and across the lands hereinafter described, to erect, construct, reconstruct, replace, repair, maintain and use for itself and others, a line or lines of poles or steel towers and wires of cables suspended thereon and supported thereby, and underground conduits, cables, vaults and manholes for the transmission and distribution of electricity, and for all other purposes connected therewith, and for telephone, signal and communication purposes, including guys, anchorage, crossarms, braces and all other appliances and fixtures for use in connection therewith, at such locations and elevations, upon, along, over and under the hereinafter described right of way as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress thereto and egress therefrom, to and along said right of way, Grantee is hereby authorized to permit the attachment of wires, cables and facilities of others to the poles, towers or structures maintained by it pursuant to this easement.
The lands through and across which this right of way easement is granted are situated in the County of Maricopa State of Arizona, and are particularly described as:

DESCRIPTION
5-10-77 02

All that portion of Lots 4, 7 and 8 of Section 27, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, lying within a strip of land 200 feet wide, parallel with and measured at right angles and adjoining the Northeasterly boundary of the Gila River Indian Community.

Reserving unto the Grantor herein the right to use the above described right of way strip for horse, bicycle and hiking trails, not withstanding other language in this easement to the contrary.

It being understood that this easement conveys an aerial right of way only and no poles or other structures are to be placed on said property by virtue of the rights herein granted, and that the transmission line will not be lower than 30 feet from the surface of the land.

APPROVED AND FORWARDED
Robert M. Vanegas
ATTEST:
Robert M. Vanegas
ACTING CITY CLERK

Grantor shall not erect, construct or permit to be erected or constructed any building or other structure, plant any trees, drill any well, park or store vehicles, store materials of any kind, or alter ground level by cut or fill, within the limits of said right of way.
Provided however that Grantor may with the prior written consent and in the sole discretion of the Grantee use the easement area for such purposes as: agriculture, roads, alleys, culverts, cross fences, grazing, irrigation ditches, pipelines, and crossings for trails, driveways and public utilities.
Grantee shall have the right to erect, maintain and use gates in all fences which now cross or shall hereafter cross said right of way and to trim, cut and clear away trees or brush whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights hereby granted.
In the event the Grantee permanently abandons said right of way, all Grantee's rights hereunder shall cease, except for the right to remove any and all property placed upon said right of way within a reasonable time subsequent to such abandonment.
The provisions hereof shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, CITY OF PHOENIX, ARIZONA, a municipal corporation,
has caused its corporate name to be signed and its corporate seal to be affixed by the undersigned officers thereunto duly authorized, this 20th day of June 19 77.
MARVIN A. ANDREWS, City Manager
By: Robert M. Vanegas
Real Estate Administrator
ATTEST:
STATE OF Arizona
County of Maricopa
On this the 20th day of June, 19 77, before me Deborah Paolin the undersigned officer, personally appeared Fred L. Perke and Robert M. Vanegas who acknowledged themselves to be the Real Estate Administrator and Acting City Clerk respectively of the City of Phoenix and that they as such officers respectively being authorized so to do, executed the same for the purpose therein contained by signing the name of said corporation by themselves as such officers respectively.
In witness whereof I have hereunto set my hand and official seal.
My Commission expires March 21, 1978
Deborah Paolin
Notary Public

EXHIBIT "A" BX11237561129

THE FOLLOWING IS/ARE THE BENEFICIARY/BENEFICIARIES IN MINNESOTA TITLE COMPANY TRUST #1646:

ARIZONA PUBLIC SERVICE COMPANY, an Arizona corporation
P. O. Box 21666
Phoenix, AZ 85036

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, a political subdivision of the State of Arizona
P. O. Box 1980
Phoenix, AZ 85001

PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation
P. O. Box 2267
Albuquerque, NM 87103

EL PASO ELECTRIC COMPANY, a Texas corporation
P. O. Box 982
El Paso, TX 79999

STATE OF ARIZONA } ss
County of Maricopa }
I hereby certify that the within instrument was filed and recorded at request of
Minnesota Title Company
AUG 15 1977 - 2 45
in Book 123756
on page 1128-1129
Witness my hand and official seal this 15th day of August, 1977.
Tom Swann
County Recorder
By [Signature]
Deputy Recorder

100



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7TH STREET
P.O. BOX 16563
PHOENIX, ARIZONA 85011



IN REPLY REFER TO:
2740 (931)

April 20, 1989

Mr. John L. Louis, P.E.
Urban Highway Section
Arizona Department of Transportation
Highways Division
206 South Seventeenth Avenue
Phoenix, Arizona 85007

Dear Mr. Louis:

We have received your request for permission of the Secretary of the Interior to authorize construction of the South Mountain Freeway through the Phoenix South Mountain Park. The South Mountain Park lands were conveyed to the City of Phoenix by a grant under the provisions of the Recreation and Public Purposes Act (R&PP) on September 29, 1927. The grant specified that the lands were to be "used for municipal, park, recreation, playground or public convenience purposes".

The Bureau procedure, in response to such requests as yours, is to make a determination that the proposed third party facility is appropriate. Upon a written determination by the authorized officer that the third party facility is appropriate, the patentee may then authorize the facility. The Bureau has no further role in authorizing the facility.

We have evaluated your proposal and find it consistent with the purposes for which the lands were conveyed and that the facility is in furtherance of a public purpose. Our determination is that the proposed facility is appropriate. This determination does not relieve the patentee of any responsibility for proper use and control of the lands or the risks involved in improper use.

If I can be of further assistance, please feel free to contact me.

Sincerely,

Lynn Engdahl
Associate State Director

cc: Phoenix City Council



ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

June 20, 1989

THOMAS A. BRYANT, II
State Engineer

City of Phoenix Historic Preservation Commission
C/O City Planning Department
125 E. Washington, Third Floor
Phoenix AZ 85004

ATTENTION: Ms. Vicki Vanhoy

SUBJECT: South Mountain Park
Historic Preservation Zoning

Dear Ms. Vanhoy:

The Arizona Department of Transportation (ADOT) has adopted an alignment for the South Mountain Freeway. A portion of this alignment passes through the southwest end of South Mountain Park (see attached drawing).

This alignment has gone through a Location and Preliminary Design Public Hearing and has had a Final Environmental Assessment prepared. The alignment was approved by the Phoenix City Council on February 3, 1987 and adopted by ADOT in August 1987.

The Bureau of Land Management has determined that the South Mountain Freeway is consistent with the purposes for which the land was conveyed to the City of Phoenix and that the facility is in furtherance of a public purpose. ADOT has initiated the acquisition process for the area within South Mountain Park (see attached letters).

Rezoning Application Number 39-89-8 indicates that the portion of South Mountain Park which is required for the South Mountain Freeway is within the limits of the proposed Historic District.



VICKI VANHOY
June 20, 1989
Page 2

ADOT respectfully requests that the limits of the proposed Historic District be revised in this area to exclude the area of the park needed for construction of the South Mountain Freeway. This area is shown in detail on the attached drawing.

Thank you for your consideration. Please contact me or George Wallace at 255-7545 if we can assist in any way.

Sincerely,

C. DENNIS GRIGG
Urban Highway Engineer
Urban Highway Section

CDG:GW:vlb

cc: John L. Louis

Attachment



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

February 11, 2005

Michael J. Ortega
State Engineer

Ms. Valdez
Principal
Alta E. Butler Elementary School
3843 West Roosevelt Street
Phoenix, AZ 85009

Re: Project Name: So Mountain Freeway
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Ms. Valdez:

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment and includes portions of the cities of Phoenix, Tolleson, the communities of Laveen and Ahwatukee, and the Gila River Indian Community (Figure 1 and Figure 2). As part of the EIS, an analysis of Section 4(f) properties must be completed. Section 4(f) properties are any publicly owned parks and recreation areas, waterfowl and wildlife refuges and historic sites considered to have national, state, or local significance.

To ascertain if the schools within the study area are considered Section 4(f) recreational areas, we would appreciate a response to the following questions:

- What recreational amenities are available at the school?
- What groups, other than your students, have access to the school grounds and for what recreational activities? (i.e. Little League, business tournaments, exercise classes, etc.) What is the approximate frequency and duration of these activities? Approximately how many users/visitors use these facilities?
- How are recreational amenities accessed? For instance, what streets provide access? Do people have to cross a parking lot to access the recreational amenity?
- Are the school grounds locked after hours? Do after hours activities have to be scheduled in advance?

This information is necessary to complete the environmental studies. Comments should be addressed to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018; by email at Audrey.Unger@hdrinc.com; or by telephone at 602-522-4323. A response received by March 11, 2005 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,

Maria Deeb-Roberge
Environmental Planner III
Environmental & Enhancement Group



The previous letter was also sent to:

Mr. Steve Ybarra, Principal, Carl Hayden High School
Ms. Cynthia Burson, Principal, Esperanza Elementary School
Ms. Kathy Kadderlick, Principal, Fowler Elementary School
Mr. John Fernandez, Assistant Principal, Isaac Middle School
Ms. Noreen Didonna, Principal, Isaac Preschool
Ms. Mary-Lou Cavez, Principal, J.B. Sutton School
Ms. Sharon Wilcox, Principal, Kyrene de la Estrella Elementary School
Mr. Jim Strogon, Principal, Kyrene de los Lagos Elementary School
Mr. Alfonso Alva, Principal, Morris K. Udall school
Ms. Carmen Gulley, Dean, Omega Academy Charter School
Ms. Brenda Martin, Principal, Pendergast Elementary School
Mr. Jim Paxinos, Principal, Porfirio H. Gonzales Elementary School
Mr. Jack Beck, Principal, Santa Maria Middle School
Ms. Belinda Quezada, Principal, Sunridge Elementary School
Mr. Harold Crenshaw, Principal, Tolleson Union High School
Mr. Justin Greene, Principal, Union Elementary School



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

May 19, 2005

John A. Bogert
Chief of Staff

Mr. L.B. Scacewater
Director of Parks and Recreation
City of Phoenix Parks and Recreation Department
Phoenix City Hall
200 W. Washington Street, 16th Floor
Phoenix, AZ 85003

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 054 H5764 01L
Project No.: RAM-202-C-200

Dear Mr. Scacewater:

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Transportation Corridor alignment. The proposed alignments go through portions of the cities of Phoenix and Tolleson, the communities of Laveen and Ahwatukee, and the Gila River Indian Community. As part of the EIS, an analysis of Section 4(f) properties will be completed. Section 4(f) properties are any publicly owned parks and recreation areas, waterfowl and wildlife refuges and historic sites considered to have national, state, or local significance.

HDR Engineering, Inc is assisting FHWA and ADOT with the EIS and has been in communication with the City of Phoenix Parks and Recreation Department since February 2, 2005. Because specific Section 4(f) resource coordinates/locations are needed, a request for using the Parks and Recreation Department's GIS system was made on February 2, 2005. Mr. Boyd Winfrey denied our request for use of the GIS for bikeways, trails, and parks since the information is incomplete and /or not been formally adopted. Mr. Winfred indicated that we would have to use the City of Phoenix General Plan. The graphics and text in the General Plan are not detailed enough to allow for accurate digitizing and analysis.

While using the City of Phoenix General Plan for information, in it the Bicycling Element describes bicycling as a "popular and efficient method of transportation...." Could you please indicate whether all the City's bikeways are primarily for transportation? If not, please indicate which portions of the bikeways are *primarily* for recreation.

In our meeting on April 6, 2005, we discussed the City of Phoenix's trails system and it was explained that trails within the City of Phoenix were primarily recreational and not located within the



2001 Award Recipient

Mr. Scacewater
May 19, 2005
Page 2

City of Phoenix's roadway right-of-way. If this is not the case, please indicate trails that are *primarily* recreational and those that are *solely* recreational.

This information is necessary to complete the environmental studies. Comments should be addressed to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018; or by email at Audrey.Unger@hdrinc.com. Please feel free to call me at 602-522-4323 should you have any questions. **A written response received by May 30, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely,

Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

cc: Marsha Wallace, Deputy City Manager
Boyd Winfrey, Parks Development



2001 Award Recipient



Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

June 13, 2005

David P. Jankofsky
Deputy Director

Ms. Terri Raml
Phoenix Field Office Manager
Bureau of Land Management
21605 N. 7th Avenue
Phoenix, Arizona 85027

Attn: Jim Andersen

Re: Request to participate in a coordination meeting to address issues related to the South Mountain Freeway Environmental Impact Statement

Dear Ms. Raml:

The Federal Highway Administration and the Arizona Department of Transportation, as joint lead agencies, are preparing a Location/Design Concept Report (L/DCR) and Environmental Impact Statement (EIS) regarding the proposed South Mountain Freeway located between I-10 west of Phoenix and I-10 southeast of Phoenix, in Maricopa County, Arizona. The L/DCR will identify and the EIS will evaluate a range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the environment.

Background information:

The South Mountain Freeway is an integral element of the Maricopa Association of Governments' Regional Transportation Plan, and is included in the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register in 2001. During the data-gathering phase of this effort, it was identified that property owned by the Bureau of Land Management (BLM) has been leased to the City of Phoenix under the regulations set forth in the Recreation and Public Purposes Act. The property is located between 59th and 67th Avenues north of Southern Avenue within the City of Phoenix. One of the proposed project alternatives, the W55 Alternative, under detailed study in the EIS would pass through this property also known as the Rio Salado Oeste. Through the lease, the City plans to use the property as part of the Rio Salado Oeste, a planned linear project for the purposes of wildlife habitat, recreational trails, and flood conveyance.



Ms. Terri Raml
June 13, 2005
Page 2


Request:

I request that FHWA, the Army Corp of Engineers (COE), ADOT, BLM and the City of Phoenix meet to resolving the following issues:

- Is Rio Salado Oeste afforded protection under Section 4(f)?
- Is there a way for the patented BLM parcel to be returned to BLM and reacquired by the City of Phoenix or ADOT under some other method? If so, would this remove the need to protect under 4(f)?

Your participation in this meeting is important, and I request that you or a member of your staff set time aside for this coordination meeting. Please let me know your availability during the week of July 18-22, 2005. Give 3 choices of dates and times you are available for this meeting. Please contact me by phone and/or email or you can notify my office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on this essential project. If you have any questions, please feel free to contact me.

Sincerely,


Maria A. Deeb-Roberge, PE, MEP.
Valley Environmental Team Leader
Environmental & Enhancement Group, ADOT
(602)-712-8641 phone
(602)-712-3352 direct fax
(602)-712-3066 main office fax
MDeeb-Roberge@azdot.gov

- c. Ralph Ellis, ADOT EEG
Mike Bruder, ADOT VPM
Project File



The previous letter was also sent to:

Ms. Cindy Lester, Department of Army, Los Angeles District Corps of Engineers, Arizona-Nevada Area Office

Mr. Steve Thomas, FHWA, Arizona Division

Mr. Bill Vachon, FHWA, Arizona Division

Mr. Jim Burke, Phoenix Parks and Recreation Department, City of Phoenix

Ms. Karen Williams, Planning Department, City of Phoenix

Mr. Jack Allen, HDR Engineering, Inc.

Ms. Amy Edwards, HDR Engineering, Inc.

Ms. Audrey Unger, HDR Engineering, Inc.



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Elters
State Engineer

January 19, 2006

Mr. Chris Coover
Maricopa Trail Manager
Maricopa County Parks and Recreation Department
411 N. Central Ave., Suite 470
Phoenix, AZ 85004

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Mr. Coover

On September 6, 2005, a meeting was held with your agency and our consultant, HDR Engineering Inc., to discuss potential impacts on Maricopa County trails as a result of the various South Mountain Transportation Corridor (SMTTC) alternatives. At that time, the Maricopa County Trails Commission requested participation in the planning/design of the preferred SMTTC alternative as it relates to impacts on trails.

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) welcome your participation, and anticipate that through this cooperative effort the potential SMTTC will not adversely affect the activities, features, or attributes of Maricopa County Trails. When reaching this conclusion, we would request that the official(s) with jurisdiction over the trails agree in writing that the trails will not be adversely affected, in order to support the National Environmental Policy Act (NEPA) process.

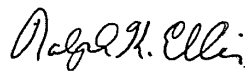
The following bullets represent portions of the meeting minutes emailed to you on September 8, 2005. These items could serve as a starting point for planning trail mitigation.

- Designated access points to the trails are currently not known. A trailhead study has not yet been completed. It is likely that trailheads will be located at the juncture of two or more trails in order to make the most efficient use of infrastructure such as parking, restrooms, etc.
- The Maricopa County Trails Commission has indicated that their primary concern is the development of a continuous trail from South Mountain to the Salt River. Their preference is Segment Eight on the north side of proposed alternatives versus having the trail cross the freeway and proceed under the lattice towers on the south side. The preference is for the trail (Segment Seven and Eight) to cross from City of Phoenix-owned land to SRP-owned land, and not to cross private property.
- Currently Segment Seven starts at the South Mountain Park/Preserve boundary and does not connect to the National Trail. The National Trail crosses through South Mountain Park/Preserve. The Maricopa County Trails Commission has entered into an Intergovernmental Agreement (IGA) to connect Segment Seven to the National Trail.

Mr. Chris Coover
Page 2
January 19, 2006

Comments should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 6, 2006 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,



Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

April 5, 2005

In Reply Refer To: HOP-AZ
STP 202-D(ADY)
TRACS No. 202MA 054 H5764 01L
South Mountain Freeway

Mr. LB Scacewater, Director
Phoenix Parks, Recreation, and Library Department
Phoenix City Hall
200 W. Washington Street, 16th Floor
Phoenix, Arizona 85003

Dear Mr. Scacewater:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are serving as lead agencies in the project development for the South Mountain Freeway. As part of project development, an Environmental Impact Statement studying potential human and natural environmental impacts due to the proposed action will be prepared concurrently with the preparation of a Design Concept Report.

As currently proposed, the South Mountain Freeway would connect with I-10 at the existing I-10/Santan Freeway traffic interchange and would extend westward around the southern side of South Mountain Park/Preserve and connect with I-10 somewhere between 51st Avenue and the I-10/Agua Fria Freeway traffic interchange. A map is attached depicting the alternatives under study. As shown on the map, all alternatives have a common alignment along the Pecos Road alignment in the eastern portion of the study area and all alternatives would pass through the southern portion of the South Mountain Park/Preserve. Section 4(f) of the U.S. Department of Transportation Act of 1966 states that the FHWA "may approve a transportation program or project requiring publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if there is no prudent or feasible alternative to using that land and the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use" (49 U.S.C. 303).

A 'use' of a Section 4(f) resource, as defined in 23 CFR 771.135 (p), occurs:

1. when land is permanently incorporated into a transportation facility,
2. when there is a temporary occupancy of land that is adverse in terms of the statute's preservationist purposes, or
3. when there is a constructive use of land.



A constructive use of a Section 4(f) resource occurs when the transportation project does not incorporate land from the Section 4(f) resource, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. For example, a constructive use can occur when:

- The projected increase in noise level attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 4(f);
- The proximity of the proposed project substantially impairs aesthetic features or attributes or a resource protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the resource. An example of such an effect would be locating a proposed transportation facility in such proximity that it obstructs or eliminates the primary views of an architecturally significant historical building, or substantially detracts from the setting of a park or historic site which derives its value in substantial part due to its setting; and/or
- The project results in a restriction on access that substantially diminishes the utility of a significant publicly-owned park, recreation area, or historic site.

This issue requires a coordinated effort with the City of Phoenix to come to terms as to the degree of impact that would occur on the park and if necessary, what types of measures could be undertaken to reduce those impacts. We are requesting a meeting with you and other City officials you deem appropriate be held to initiate the coordination for this effort. At that meeting, we can present to you our current understanding of how the freeway would affect the park and also present a list of concept-level measures we have identified to reduce the potential impacts.

We would like to schedule this meeting as soon as possible. A representative of ADOT will be contacting you directly. If you have any questions in the meantime, please contact Steve Thomas at 602-379-3645, x-117.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc.

SThomas ,BVachon, Deeb-Roberge (619E),Ellis (614E), Bruder (609E), Amy Edwards (HDR),
Jack Allen (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Rick Conrad
Superintendent for Finance
Cartwright Elementary School District
3401 North 67th Avenue
Phoenix, Arizona 85033

Dear Mr. Conrad:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have not identified any existing or planned Cartwright Elementary District within ¼ mile of the proposed South Mountain Transportation corridor alignments:

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

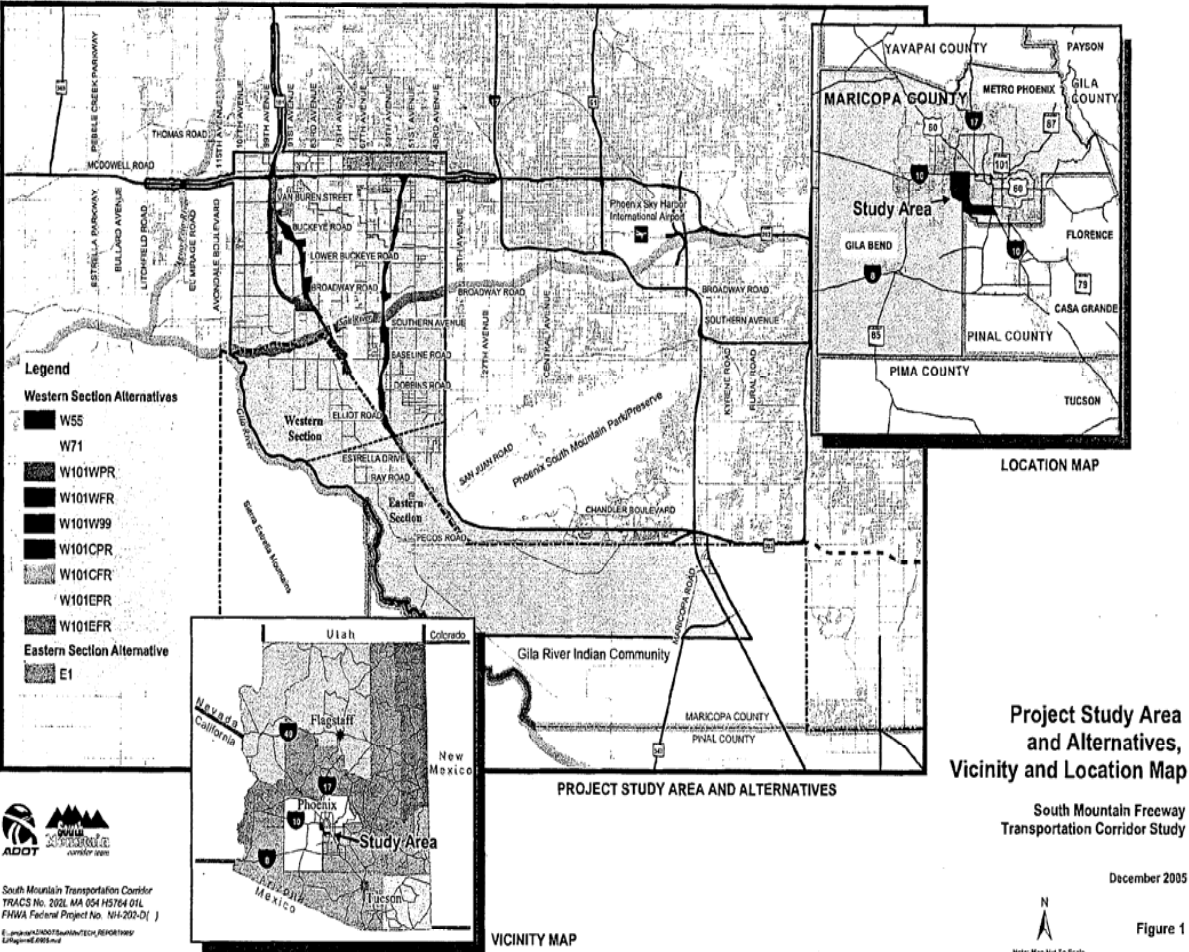
STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
BVachon
REllis (619E)
AUnger (HDR)
SDThomas:cdm





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Dr. Randy Blecha, Superintendent
Fowler Elementary School District
1617 South 67th Avenue
Phoenix, Arizona 85043

Dear Dr. Blecha:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Fowler Elementary District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Santa Maria Middle School
- Sunridge Elementary School

During previous conversations, the following planned schools were identified; however, these schools are not currently within ¼ mile of any of the proposed alignments:

- Western Valley Middle and Elementary Schools (Same Site)
- Sun Canyon Elementary School
- Tuscano Elementary School (County Assessor Parcel Number 104-49-001B)
- 71st Avenue and Elwood (County Assessor Parcel Number 104-49-001B)
- 79th Avenue and Elwood (County Assessor Parcel Number 104-53-001B)
- 71st Avenue and Durango (County Assessor Parcel Number 104-36-001A)

Based on earlier conversations and correspondence, school grounds are available for individuals during off-school hours; however, groups must register and fill out a facilities use agreement.

To ensure that the above information is correct please indicate whether the information is still current or if there are changes. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US



Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by January 14, 2005 or sooner would be greatly appreciated. Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
BVachon
R Ellis (619E)
AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Mark Busch
Executive Director of Support Services
Issac School District
3348 West McDowell Road
Phoenix, Arizona 85009

Dear Mr. Busch:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Issac District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Moya Elementary School
- Udall School
- Esperanza Elementary and Preschools
- Sutton Elementary School
- Zito Elementary School
- Mitchell Elementary School
- Issac Middle School
- Carl T. Smith Middle School

Based on earlier conversations, schools within the Issac School District are fenced and locked and prior arrangements need to be made to use these facilities during non-school hours. No other schools planned or otherwise have been identified.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail



at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
BVachon
R Ellis (619E)
AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Ms. Bonni Pomush, Assistant Director
Auxiliary Student Services
Kyrene School District
8700 South Kyrene Road
Tempe, Arizona 85284-2197

Dear Ms. Pomush:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Kyrene District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Kyrene Akimel A-all Middle School
- Kyrene de los Lagos Elementary School
- Kyrene de la Estrella Elementary School

Based on earlier conversations and correspondence, school grounds are locked after hours and on-site security will redirect individuals who have not received approved use of the facilities. Kyrene Schools Districts is not currently planning any new schools.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure
cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Dr. Bill Johnson, Assistant Superintendent
Laveen Elementary School District
P. O. Box 29
9401 South 51st Avenue
Laveen, Arizona 85339

Dear Dr. Johnson:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Laveen District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Laveen Farms Future School
- Laveen Meadows Future School

Based on earlier conversations, these schools were originally planned to be fenced and locked after school hours and were not yet owned by the school district. Due to funding limitations these plans have changed and the schools will not be fenced and the intent is to now permit pedestrian access to recreational areas during off-school hours.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure
cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Gene Gardner, Business Manager
Littleton Elementary School District
P.O. Box 280
Cashion, Arizona 85329

Dear Mr.: Gardner

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if the recreational facilities are available for walk-on public use during off-school hours. We have identified the following Littleton Elementary District schools/planned schools within ¼-mile of the proposed South Mountain Transportation corridor alignments:

- Trend site: Cocopah Street and 118th Avenue; South of Buckeye between El Mirage and Avondale Blvd.
- Farmington Glen: South of Broadway between 99th Ave and 95th Ave.
- Roy's Place: North of Buckeye between Avondale and 107th Ave (property not yet purchased)

The following schools have been set aside by the developer for schools, however the District and developer have not entered into the one-year opting period. During the opting period the District can reject a property unsuitable as a school site.

- Pylman Dairy: South of Lower Buckeye between El Mirage and Avondale Blvd.
- Evergreen: South of Broadway and 111th Ave
- Lakin Cattle Ranch: 2 properties South of Broadway between Avondale Blvd and Dysart Road
- Del Rio Vista: North of Lower Buckeye East of El Mirage

Based on earlier conversations, school grounds are fenced and locked during non-school hours and pre-arrangement of after hour's activities is necessary. This policy will also apply to future schools.



To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 13, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
BVachon
R Ellis (619E)
AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Dr. Ron Richards, Superintendent
Pendergast School District
3802 North 91st Avenue
Phoenix, Arizona 85037

Dear Dr. Richards:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Pendergast School District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Pendergast Elementary School

Based on earlier conversations and correspondence with Carolyn Buechler at the District and David Morales at Facilities, the schools in the Pendergast District are fenced and locked during non-school hours. School facilities are available to the community provided arrangements are made in advance. No planned schools were identified.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Dr. Gregory Cooper
Assistant Superintendent for Information and Technology Services
Phoenix Union High School District
4502 North Central Avenue
Phoenix, Arizona 85012

Dear Dr. Cooper:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Phoenix Union High Schools District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Carl Hayden High School
- Comprehensive High School (Future School)

Based on earlier conversations with several individuals, including the Carl Hayden High School Athletic Director, and Patrick Prince, the Division Manager of Construction and Facilities, Carl Hayden High School is fenced and locked and arrangements must be made to use the recreational facilities during non-school hours. It is currently unknown whether Comprehensive High School will be fenced or locked. No other planned schools were identified.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Jack Bliss, Superintendent
Riverside Elementary School District
1414 South 51st Avenue
Tempe, Arizona 85284-2197

Dear Mr. Bliss:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Riverside Elementary School District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Riverside Elementary School
- Kings Ridge School
- Future school site, still in developer ownership and no active school planning yet.

Based on earlier conversations school grounds are fenced and locked during non-school hours and use of recreational facilities need to be arranged in advance. This policy will apply to future schools as well.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 13, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Joe McDonald, Superintendent
Tempe Union High School District
500 West Guadalupe Road
Tempe, Arizona 85283-3599

Dear Mr. McDonald:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified Desert Vista High School within ¼ mile of the proposed South Mountain Transportation corridor alignments.

Previous conversations with high school staff and the District Business office indicate that the school is fenced and locked and a security guard will direct those who are not authorized to be on campus off the school grounds. Although the District owns land in the study area, there are no schools actively being planned.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: SThomas, BVachon, RELLIS (619E), AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Bill Christensen
Administrator for Business Services
Tolleson Elementary School District
9261 West Van Buren Street
Phoenix, Arizona 85353

Dear Mr. Christensen:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Tolleson Elementary Schools District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Porfirio H. Gonzales Elementary School
- Sheely Farms Elementary School
- 8803 West McDowell Road (Future School)
- Arizona Desert Elementary School (Future School)

Based on our earlier conversations, schools within the Tolleson Elementary School District are fenced and locked after hours and prior arrangements need to be made to access recreational facilities. This policy will also apply to future schools.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly assistance appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure
cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Tim O'Brien, Director of Operations
Tolleson Union School District
9419 West Van Buren Street
Tolleson, Arizona 85353

Dear Mr. O'Brien:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified Tolleson Union High School as being within ¼ mile of the proposed South Mountain Transportation corridor alignments. Tolleson Union High School District has not indicated that there are any planned schools within ¼ mile of the proposed alignments.

Previous conversation with the District has indicated that recreational amenities west of the school building and football stadium are open for public use during non-school hours; this includes the tennis, basketball and handball courts and the ball fields. Prior arrangements need to be made to use all other recreational facilities.

To ensure that the above information is correct please indicate whether the information is still current or if there are changes. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm



Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

December 15, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Justin Greene, Superintendent
Union Elementary School District
3834 South 91st Avenue
Phoenix, Arizona 85353

Dear Mr. Greene:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Union Elementary District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Union Elementary School
- Hurly Ranch Elementary School (Future School)
- 87th Avenue and Durango (Future School)

Based on earlier conversations the school grounds are fenced and locked during non-school hours and pre-arrangement of after hours activities is necessary. This same policy applies to Hurly Ranch Elementary and the future school at 87th Avenue and Durango.

To ensure that the above information is correct please indicate whether the information is still current or if there are changes. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by January 14, 2005 or sooner would be greatly appreciated.** Thank you for your continued assistance.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm





Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

January 3, 2006

In Reply Refer To: NH-202-D(ADY)
TRACS No.: 202L: MA 054 H5764 01L
South Mountain Transportation Corridor

Mr. Jack Bliss, Superintendent
Riverside Elementary School District
1414 South 51st Avenue
Phoenix, Arizona 85043

Dear Mr. Bliss:

The Arizona Department of Transportation (ADOT), in coordination with the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for a proposed South Mountain Freeway alignment (Figure 1). We are in the process of finalizing information on Section 4(f) properties gathered from your school district to date.

Section 4(f) properties are publicly owned parks and recreation areas, waterfowl and wildlife refuges, and historic sites considered to have national, state, or local significance. Schools within the study area may be considered Section 4(f) recreational areas if they are available for walk-on public use during off-school hours. We have identified the following Riverside Elementary School District schools/planned schools within ¼ mile of the proposed South Mountain Transportation corridor alignments:

- Riverside Elementary School
- Kings Ridge School
- Future school site, still in developer ownership and no active school planning yet.

Based on earlier conversations school grounds are fenced and locked during non-school hours and use of recreational facilities need to be arranged in advance. This policy will apply to future schools as well.

To ensure that the above information is correct please indicate whether the information is still current or if there are change. Please respond in writing to Audrey Unger, HDR Engineering, Inc. via US Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by February 3, 2006 or sooner would be greatly appreciated.** Thank you for your continued assistance.

– Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure
cc: SThomas, BVachon, R Ellis (619E), AUnger (HDR)
SDThomas:cdm



Kyrene de los Lagos Elementary School

17001 S. 34th Way, Phoenix, AZ 85048 (480) 783-1400 Fax (480) 759-5560

ADMINISTRATION

Mr. Jim Stroger, Principal
Mrs. Pam Nephew, Assistant Principal



February 23, 2005

HDR Engineering, Inc.
3200 East Camelback Road, Suite 350
Phoenix, AZ 85018

Re: Project Name: So. Mountain Freeway

Dear Ms. Unger,

This letter is being written in response to questions concerning the proposed South Mountain Freeway alignment and it's impact.

During the school year, we have approximately 570 students using the playground facilities and grounds each week day. We currently have after school activities every day of the week when school is in session. Lagos has two different after school programs (City of Phoenix Parks and Recreation & Kyrene Kids Club) that meet until 6:00 PM with over 120 children attending the programs. Scouts meet five to six times a week sometimes until approximately 8:00 PM with as many as 75 students present after school. ASU holds a class here every week until 7:30 PM with approximately 25 students. The Ahwatukee Little League holds practices and games after school until 7:30 PM and on Saturdays until 4:30 from mid Feb. through June with approximately one hundred people participating. During the summer, one of the City of Phoenix Summer Program sites is Lagos with approximately 150 students attending daily from 6:00 AM until 6:00 PM.

Activities at the school and on our grounds are accessed by either using Lakewood Parkway or 34th Way and the two parking lots that are adjacent to both streets.

After school activities do have to be scheduled in advance and the school itself is locked after hours but the fields are not.

Our primary play area is directly adjacent to the south property line along Pecos Road. The portables that house some of our after school programs are within 14 feet of the fence line. Our school building is 85 feet from the property line. If any more information is needed, please feel free to contact me at (480) 783-1481.

Sincerely,

Jim Stroger
Principal



Kyrene School District

Mission Statement

We are committed to the achievement of individual academic excellence through high quality teaching, learning, and community involvement which results in students being well prepared to meet future educational challenges and to contribute to society.

March 8, 2005

Governing Board

Rae Waters
President

John Doney
Vice President

Mitzi Epstein
Member

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Member

Rich Zawlocki
Member

Administration

Maria L. Menconi, Ed.D.
Superintendent

Victoria Taylor, Ph.D.
Assistant Superintendent
Human Resource Services

Terry Tatterfield
Assistant Superintendent
Support Services

David Schauer, Ed.D.
Assistant Superintendent
Instructional Services

Christie Winkelmann
Executive Director
Student Services

Audrey,

Following is the information you requested.

Groups that have access to these school facilities include any outside organization (e.g., athletic leagues, churches, home owner's associations, universities, recreational programs) that requests and is granted the use of the facilities. Each organization's use of the facility varies in frequency and duration. Estrella's use is approximately 7000 hours per year; Lagos's use is approximately 3100 hours per year. In each hour of use, I would estimate there are 100 people present.

Amenities at each school are accessed by parking and walking on to campus (both interior and exterior facilities). Lagos' parking lots are accessed off of 34th Way or Lakewood Parkway. Estrella's parking lots are accessed from Liberty Lane. Both schools have on-site security that monitor the locking of perimeter doors and redirect organizations who have not received approved use of the facility (not individuals) off campus. Both schools have available for use library, ramada, multipurpose room, outdoor fields and courts, and multiple classrooms.

'Organized' after-hours activities must be scheduled in advance by requesting use of the facility on district-provided forms (which are submitted to the school at least 10 days in advance of the requested use). You may want to read the details of the reservation process at www.kyrene.org/facilitiesuse.

If I can be of further assistance, please reach me at bpomus@kyrene.org.

Bonni Pomush
Assistant Director
Auxiliary Student Services

HDR
RECEIVED
AUG 28 2008
PROF: _____
FILE: _____
DIST: _____



Kyrene School District

Mission Statement

We are committed to the achievement of individual academic excellence through high quality teaching, learning, and community involvement which results in students being well prepared to meet future educational challenges and to contribute to society.

March 8, 2005

Governing Board

Rae Waters
President

John Doney
Vice President

Mitzi Epstein
Member

Sue Knudson
Member

Rich Zawlocki
Member

Administration

Maria L. Menconi, Ed.D.
Superintendent

Victoria Taylor, Ph.D.
Assistant Superintendent
Human Resource Services

Terry Tatterfield
Assistant Superintendent
Support Services

David Schauer, Ed.D.
Assistant Superintendent
Instructional Services

Christie Winkelmann
Executive Director
Student Services

Audrey,

Following is the information you requested.

Groups that have access to these school facilities include any outside organization (e.g., athletic leagues, churches, home owner's associations, universities, recreational programs) that requests and is granted the use of the facilities. Each organization's use of the facility varies in frequency and duration. Estrella's use is approximately 7000 hours per year; Lagos's use is approximately 3100 hours per year. In each hour of use, I would estimate there are 100 people present.

Amenities at each school are accessed by parking and walking on to campus (both interior and exterior facilities). Lagos' parking lots are accessed off of 34th Way or Lakewood Parkway. Estrella's parking lots are accessed from Liberty Lane. **School grounds remain locked after hours. Both schools have on-site security that monitor the locking of perimeter doors and redirect individuals (who have not received approved use of the facility) off campus.** Both schools have available for use library, ramada, multipurpose room, outdoor fields and courts, and multiple classrooms.

After-hours activities must be scheduled in advance by requesting use of the facility on district-provided forms (which are submitted to the school at least 10 days in advance of the requested use). You may want to read the details of the reservation process at www.kyrene.org/facilitiesuse.

If I can be of further assistance, please reach me at bpomus@kyrene.org.


Bonni Pomush
Assistant Director
Auxiliary Student Services





June 22, 2005

Audrey Unger
HDR Engineering, Inc.
3200 East Camelback Road, Suite 350
Phoenix, AZ 85018

Dear Ms. Unger:

Re: South Mountain Transportation Corridor, ADOT Tracs No.: 202 MA 054
H5764 OIL, Project No.: RAM-202-C-200

A functional network of urban trails is planned throughout the city that is multipurpose, easily accessible, and convenient, connects parks, major open spaces, and village cores.

Multipurpose recreational trails are intended to serve equestrians, pedestrians, and bicyclists. The City, in cooperation with private developers, is working to create or construct multi-use trails. These natural-surface recreational trails are intended to accommodate a variety of nonmotorized uses.

These trails are primarily used for recreation and are located in pedestrian easements adjacent to public rights-of-way, and in privately owned open spaces. They are vital nonmotorized links within the community.

Regardless of which transportation corridor is selected by ADOT, the existing and proposed trails should be accommodated by providing wider bridges, pedestrian equestrian tunnels, and other accommodations to preserve the proposed and established trails network.

Sincerely,

A handwritten signature in black ink, appearing to read "Boyd C. Winfrey".

Boyd C. Winfrey
Landscape Architect II

cjp/S:\2005 Carolyn Files\Boyd\Audrey Unger 062205.doc

c: Ralph Ellis, ADOT
James Burke, PRD



ADMINISTRATIVE CENTER
9419 West Van Buren Street
Tolleson, Arizona 85353
623.478.4001
FAX 623.936.5048
WEB www.tuhsd.org

GOVERNING BOARD OF EDUCATION
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SUPERINTENDENT
Kino V. Flores, Ed. D.

February 24, 2005

Ms. Maria Deeb-Roberge
Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue
Phoenix, Arizona 85007-3213

Dear Ms. Deeb-Roberge:

The Tolleson Union High School District #214 established a community and school partnership with the City of Tolleson dating back to FY1983. The partnership makes all facilities and playing fields available to all community members before and after school hours, weekends and holidays and most of the summer months. These facilities include, but are not limited to, the school's indoor gymnasiums, tennis and racquetball courts, baseball and softball fields and both game and practice football fields.

The groups that have access to these facilities include Pop Warner Football leagues, Little League Associations that range from minor leagues to Babe Ruth, men and women softball leagues, girls youth softball leagues, church leagues, basketball leagues, adult and youth tournaments, annual City of Tolleson events that may include carnivals and games, as well as, all athletic tournaments.

Recreational amenities can be accessed through the City of Tolleson Complex during non-school hours or Tolleson Union High School during school hours. An Intergovernmental Agreement (IGA) by the city and school district was created in 1985 and is approved on an annual basis to work collaboratively to provide constituents with parking lots for both entities. A telephone call is normally all that is necessary to make streets and parking lots available to school and city sponsored events.

All school grounds are locked and secured by school personnel. School staff clean and maintain the facilities and fields and the City of Tolleson pays for lights and water for the facilities. The district requests that all after school activities be scheduled one week in advance.

If you need additional information, please call me at 623-478-4001.

Respectfully,

A handwritten signature in black ink, appearing to read "Kino V. Flores".

Kino V. Flores, Ed.D.,
Superintendent

KVF/lcl

cc: Mr. Ralph Velez, City Manager
City of Tolleson

Mr. Harold Crenshaw, Principal
Tolleson Union High School



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Eilers
State Engineer

August 31, 2005

Dr. David Jacobs
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses ten variations of five alternative alignments for the proposed South Mountain Freeway, which would extend around the south side of South Mountain from Interstate 10 (I-10) in west Chandler and to I-10 in west Phoenix. As this project would employ federal funds, it is considered a federal undertaking subject to Section 106 review.

Land jurisdiction for the alternative alignments includes private land (5,160.7 acres) and lands administered by the Arizona State Land Department (101.4 acres), the Bureau of Land Management (35.1 acres), and the City of Phoenix Parks and Recreation (62.32 acres).

Potential consulting parties for this project include FHWA, ADOT, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), the Bureau of Land Management (BLM), the Bureau of Indian Affairs (BIA), the Bureau of Reclamation (Reclamation), the Arizona State Land Department (ASLD), the Salt River Project (SRP), the Roosevelt Irrigation District (RID), the Flood Control District of Maricopa County, the Maricopa County Department of Transportation, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pasqua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Tribe, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

Jacobs
August 31, 2005
Page 2 of 12

The Area of Potential Effect (APE) is comprised of ten alternative (overlapping) freeway corridors (E1, W55, W71, W101WPR, W101WFR, W101W99, W101CPR, W101CFR, W101EPR, and W101EFR) that extend from I-10 west of Phoenix to I-10 in west Chandler, south of the greater Phoenix metropolitan area. Alternative corridors are 1000-ft (304.8-m) wide and range from 21.5 miles (34.6 km) to 23.6 miles (38.0 km) in length.

The cultural resources component of the EIS includes four technical studies:

- A Class I overview of the overall study area: *"A Class I Overview of the South Mountain Corridor Study Area, Maricopa County, Arizona"* (Burden 2002). Previous consultation regarding adequacy of the report resulted in concurrences/responses from SHPO (Jacobs, September 19, 2003); BLM (Stone, September 22, 2003); City of Phoenix (Stocklin, September 8, 2003 and Bostwick, September 17, 2003); the Hopi Tribe (Kuwanwisiwma, September 10, 2003); Yavapai Prescott (Jones, September 10, 2003); Reclamation (Heathington, September 11, 2003); SRP (Anduze, November 10, 2003); and BIA (October 27, 2003).
- A Class III survey of the proposed alternative alignments: *"A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona"* (Darling 2005). Consultation regarding adequacy of the report is on going. To date, concurrence responses have been received from SHPO (Jacobs, July 11, 2005), Bureau of Reclamation (Ellis, July 12, 2005), Bureau of Land Management (Stone, July 26, 2005), City of Phoenix (Bostwick, July 18, 2005), Pueblo of Zuni (Quewakia, July 12, 2005), Yavapai-Prescott Indian Tribe (Kwiatkowski, July 22, 2005).
- An addendum Class I overview and addendum Class III survey to address the expansion of the overall study area to include portions of the I-10 and State Route 101L freeway corridors and shifts in the alternative alignments (late 2004 and early 2005). The addendum Class I report is titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. The Class III report is titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*. Both reports are enclosed for consultation and discussed below.

Addendum Class I Overview Results

The addendum Class I overview, titled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005), identified 27 previously recorded prehistoric and historic archaeological sites, five historical-period linear sites, and 129 historic building properties (see attached Table A). In addition, historical maps indicate that several prehistoric canal alignments pass through the study area. For the archaeological sites, five are considered eligible to the National Register of Historic Places (NRHP) under Criterion D, five sites are not eligible, nine sites have not been evaluated for eligibility, and the eligibility status of eight sites is unknown due to a lack of available information. Historically



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documented prehistoric canals in the area are viewed as potentially eligible resources that should be investigated if encountered.

The Class I study revealed five historical-period linear sites in the study area. The linear sites are considered eligible overall under Criterion A with contributing and non-contributing segments.

Of the 129 historic building properties, 25 have been previously recommended as eligible to the NRHP under Criteria A and/or C, 37 have been recommended as not eligible, and 67 have not been evaluated. Seventy-one historic building properties are in the Capital Redevelopment Area in Phoenix, an unnominated residential area with an abundance of historic building properties. Eighteen of the historic building properties are in the Villa Verde Historic District, which is listed on the Phoenix Register of Historic Places. Although the Villa Verde properties were previously recommended as not eligible to the NRHP, they should be re-evaluated within the context of an early Phoenix suburban neighborhood.

The vast majority of cultural resources identified in the addendum Class I study area will not be affected by any of the proposed alternative alignments. Cultural resources in the W55 and W71 alignments include AZ T:11:26 (ASM), AZ T:12:4 (MNA), AZ T:12:5 (MNA), AZ T:12:10 (ASM) (Los Colinas), AZ T:12:38 (ASM), and AZ T:12:178 (ASM) (Los Aumentos). Cultural resources in the W101 alignments include AZ T:7:167 (ASM) (Grand Canal), AZ T:10:83 (ASM) (Roosevelt Canal), AZ T:11:26 (ASM), AZ T:12:4 (MNA), and AZ T:12:178 (Los Aumentos).

Addendum Class III Survey Results

An addendum survey of shifted alternative alignments, defined in December 2004, and agricultural fields that had been plowed in early 2005 since the time of the initial Class III survey conducted by the GRIC (Darling 2004), was conducted by HDR Engineering, Inc. (HDR). In addition, the addendum Class III survey included documentation of 21 historic sites not included in the initial Class III survey (Darling 2004). The results are reported in a report titled *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005), which is enclosed for your review and comment. One archaeological site and 21 historic sites were identified in the proposed alternative alignments (see attached Table B). The archaeological site is recommended as eligible to the NRHP under Criterion D. Two historic sites are recommended as eligible under Criterion A. Three historic sites are recommended as eligible under Criterion C. One historic site is recommended as eligible under Criteria A and B. One historic site is recommended as eligible under Criteria A and C. One historic site is recommended as eligible under Criteria A and D. One historic site is recommended as eligible under Criterion A but non-contributing within the proposed alternative alignments. Twelve historic sites are recommended as not eligible.

Archaeological Sites

- AZ T:12:221 (ASM) is a prehistoric Hohokam artifact scatter. The site is recommended as eligible to the NRHP under Criterion D for its potential to provide important information on prehistoric settlement and land use in the lower Salt River Valley near the confluence of Gila and Salt rivers.



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Canals

- The SRP 99th Avenue Lateral, located on the east side of South 99th Avenue and north of Lower Buckeye Road, is recommended as eligible to the NRHP under Criterion A as a rare irrigation feature that was once common in the agricultural landscape of the Salt River Valley. The lateral is being converted to an underground pipe in response to the Pecan Promenade and City of Phoenix development projects. SRP and Reclamation are currently in the process of preparing a report for the canal that documents its history and engineering, as a form of mitigation. Upon completion of these projects, the 99th Avenue Lateral will no longer be considered a contributing component of the overall SRP irrigation network.

Commercial Properties

- Mother's Restaurant at 5760 West Buckeye Road is recommended as not eligible to the NRHP due to a lack historical significance and integrity. The original gas station is heavily modified as a result of its conversion to a restaurant in the 1970s. It no longer retains integrity of workmanship and design. Historically, the gas station was in a rural agricultural setting along a two-lane highway. Today, the property has lost its integrity of setting and feeling, as it is in a modern industrial zone with old US 80 (West Buckeye Road) widened to a five-lane urban thoroughfare.
- The Jarvis Marine Repair Shop at 5800 West Buckeye Road is recommended as not eligible to the NRHP due its age and lack of architectural significance.

Farms

- The Hudson Farm located at 9300 South 59th Avenue is recommended as eligible to the NRHP under Criterion A as an exceptional example of a historic farmstead in Laveen. It retains a complete suite of agricultural buildings and structures from the period of significance that are in good condition and well preserved. In addition, the farmstead does not have any intrusive modern buildings or structures that would detract from its historic setting and feeling (other than a large satellite dish which could be easily removed). The farmstead's combination and overall layout of older buildings and structures, along with other contributing elements such as the mature landscaping, palm tree-lined driveways and entrance gates, provides an inclusive picture of what a working farmstead was like in Laveen during the agricultural era period of significance. The property retains integrity of location, workmanship, materials, design, and association. Furthermore, the surrounding agricultural field provides the contextual framework within which the property conveys its historic character as a farmstead. Thus, the agricultural field is an important contributing component that defines and preserves the farmstead's integrity of setting and feeling. It is recommended that the entire 38-acre parcel is eligible for the NRHP under Criterion A as an exceptional example of a historic-period Laveen farmstead. Additionally, the pair of stave silos are recognized as individually eligible to the NRHP under Criterion C, as rare examples of a once common architectural form that was a fundamental component of Laveen's historic agricultural landscape.



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Farmsteads

- The Anderson Farm Tenant Residences at 9901 and 9903 West Van Buren Road are recommended as not eligible to the NRHP due to a lack of historical and architectural significance.
- The Carter Farmstead at 7201 and 7215 West Broadway Road is recommended as not eligible to the NRHP. The farmstead has lost too many of its primary elements to convey a good sense of its historic character. While it provides a picturesque rural setting, it does not provide an accurate portrayal of its historic composition.
- The Cecil and Mary Colvin Farmstead located at 5139 West Estrella Road is recommended as not eligible to the NRHP because it has lost too many of its period elements to convey its historic character. The farmhouse is the only primary element remaining from the historic period; however, it lacks integrity and architectural distinction.
- The Dad Farmstead at 6102 West Dobbins Road is recommended as not eligible for the NRHP due to a lack of historical significance, architectural merit, and integrity. Individually, the farmhouse and barn have been modified and lack architectural distinction. Overall, the property fails to convey its original historic character as a working farmstead.
- The Dean Farmstead at 9445 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials. The farmhouse is heavily modified through additions and is in a general state of disrepair.
- The Maddux House at 9115 West Broadway Road is recommended as not eligible for the NRHP due to a lack of historical and architectural significance.
- The Parker Farmstead at 3606 South 83rd Avenue is recommended as not eligible due to a lack of historical and architectural significance. None of the farmstead's historic period buildings and structures remain, except for the farmhouse built in 1950, which is heavily modified with additions and generally lacks integrity of design, workmanship, and materials.
- The Pitrat Farmstead at 5901 West Elliot Road is recommended as not eligible for the NRHP due to a lack of architectural integrity and historical significance. The historical layout of the farmstead has been lost as a result of property subdivisions and new construction. The house is heavily modified from its original form through multiple additions. Although the property is consistent with a rural agricultural landscape, in its current condition, it no longer conveys an accurate representation of its historical period character.



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- The Quinonez House at 9131 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials.
- The Sachs-Webster Farmhouse at 7515 West Baseline Road was previously recommended as eligible for the NRHP under Criterion C as an outstanding example of the Pyramid Cottage or Neo-Classical bungalow style house. Not only is the house a rare example of a once common Territorial-period architectural style, it is also exceptional in that few homes built in Phoenix in the Pyramid Cottage style possess as many of the hallmark attributes as does the Sachs-Webster House.

Farmsteads with Dairy Components

- The Colvin-Tyson Farmstead/Barnes Dairy located at 6159 West Dobbins Road is recommended as not eligible to the NRHP as a whole because of a lack of integrity and historical significance. However, the dairy "head-to-toe" barn is recommended as individually eligible under Criterion C as a rare example of a once common architectural form that was a characteristic feature in Laveen's historic landscape and an integral component of its local economy. It is one of the few standing family-operated dairy barns in Laveen. It is also recognized as important within the broader context of the Salt River Valley's dairy industry as a surviving example of a dairy head-to-toe barn used during the height of its agricultural era.
- The Hackin Farmstead/Dairy at 10048 South 59th Avenue is recommended as not eligible to the NRHP because of a lack of integrity and historical significance. However, the dairy "flat" barn, is recommended as individually eligible under Criterion C as a rare example of a once common form that was a characteristic feature in Laveen's historic landscape and an integral component of its local economy. It is one of the few remaining family-operated dairy barns in Laveen. It is also important within the broader context of the Salt River Valley's dairy industry as a surviving example of a dairy flat barn used during the height of its agricultural era.

Feedlots

- The C.O. Pitrat & Sons Feedlot in the 6100 Block of West Elliot Road is recommended as not eligible for the NRHP because of a lack of historical and architecture significance. The feedlot is 50 years old; however, most of its operation occurred in modern times. The structures and buildings are poorly preserved and generally lack integrity.

Highways

- US 80 (AZ FF:9:17 [ASM]) is considered eligible to the NRHP under Criterion A at the national level as one of the first designated transcontinental routes and for its association with the development of the U.S. interstate transportation network. The segment within the study area has been widened and modernized and no longer retains integrity of design, workmanship, and materials. Furthermore, its integrity of setting and feeling are lost with most of the surrounding landscape.



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- The Quinonez House at 9131 West Broadway Road is recommended as not eligible to the NRHP due to a lack of historical and architectural significance and diminished integrity of workmanship, design, and materials
- The Sachs-Webster Farmhouse at 7515 West Baseline Road was previously recommended as eligible for the NRHP under Criterion C as an outstanding example of the Pyramid Cottage or Neo-Classical bungalow style house. Not only is the house a rare example of a once common Territorial-period architectural style, it is also exceptional in that few homes built in Phoenix in the Pyramid Cottage style possess as many of the hallmark attributes as does the Sachs-Webster House.

Farmsteads with Dairy Components

- The Colvin-Tyson Farmstead/Barnes Dairy located at 6159 West Dobbins Road is recommended as not eligible to the NRHP as a whole because of a lack of integrity and historical significance. However, the dairy “head-to-toe” barn is recommended as individually eligible under Criterion C as a rare example of a once common architectural form that was a characteristic feature in Laveen’s historic landscape and an integral component of its local economy. It is one of the few standing family-operated dairy barns in Laveen. It is also recognized as important within the broader context of the Salt River Valley’s dairy industry as a surviving example of a dairy head-to-toe barn used during the height of its agricultural era.
- The Hackin Farmstead/Dairy at 10048 South 59th Avenue is recommended as not eligible to the NRHP because of a lack of integrity and historical significance. However, the dairy “flat” barn, is recommended as individually eligible under Criterion C as a rare example of a once common form that was a characteristic feature in Laveen’s historic landscape and an integral component of its local economy. It is one of the few remaining family-operated dairy barns in Laveen. It is also important within the broader context of the Salt River Valley’s dairy industry as a surviving example of a dairy flat barn used during the height of its agricultural era.

Feedlots

- The C.O. Pitrat & Sons Feedlot in the 6100 Block of West Elliot Road is recommended as not eligible for the NRHP because of a lack of historical and architecture significance. The feedlot is 50 years old; however, most of its operation occurred in modern times. The structures and buildings are poorly preserved and generally lack integrity.

Highways

- US 80 (AZ FF:9:17 [ASM]) is considered eligible to the NRHP under Criterion A at the national level as one of the first designated transcontinental routes and for its association with the development of the U.S. interstate transportation network. The segment within the study area has been widened and modernized and no longer retains integrity of design, workmanship, and materials. Furthermore, its integrity of setting and feeling are lost with most of the surrounding landscape



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transformed from rural agricultural to urban commercial/industrial. It is recommended that the segment in the study area is not eligible to the NRHP as a non-contributing component of US 80.

Historic Townsites

- The historic Santa Marie Townsite, located at the southwest corner of Lower Buckeye Road and 83rd Avenue, is recommended as eligible to the NRHP under Criteria A and B. The unincorporated townsite is a living example of an historic, rural Hispanic agricultural community in the Salt River Valley. Communities such as Santa Maria had an important role in the development and operation of the Valley’s agricultural industry throughout the 20th century. In addition, the townsite has an association with Khattar Joseph Nackard, an Arizona businessman who had an influential role developing and shaping the State’s economic and commercial future. As such, it is recommended that the Santa Marie Townsite is eligible for the NRHP under Criteria A and B.

Railroads

- The Southern Pacific Railroad Wellton-Phoenix-Eloy Main Line (AZ T:10:84 [ASM]) is recommended as eligible to the NRHP for its association with the development of Arizona’s railroad network. The railroad has been maintained and upgraded over the years and remains an important component of Arizona’s transportation network.

Streetscapes

- The 6100 Block West Dobbins Road Streetscape is recommended as eligible to the NRHP under Criteria A and D as an example and reflection of the lower Salt River Valley’s agricultural past. In contrast to a more common, barren rural streetscape defined by a two-lane road passing between broad, open agricultural fields, the 6100 Block contains a suite of rural agricultural elements that convey a strong sense of what rural life was like in Arizona in the early to mid 1900s; (i.e., it captures more of the human element). Rural streetscapes are becoming increasingly rare in the lower Salt River Valley, as agricultural communities are replaced by urban development. It is recommended that the 6100 Block West Dobbins Road Streetscape is eligible to the NRHP under Criteria A and D, not only for its association with Arizona’s early agricultural development, but more so for its information potential to provide future Arizonans with an idea of what rural agricultural life was like in the lower Salt River Valley during the early years of statehood.

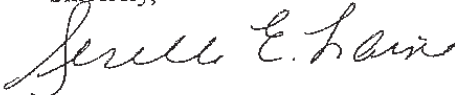
All sites are located on private land, except for the Sachs-Webster Farmhouse (7515 West Baseline Road) – Flood Control District Maricopa County; SRP 99th Avenue Lateral – Bureau of Reclamation/Salt River Project; US 80/ AZ FF:9:17 (ASM) – City of Phoenix, and the 6100 Block West Dobbins Road Streetscape – City of Phoenix. FHWA/ADOT is concurrently consulting with these agencies regarding the eligibility of these sites located on their land.



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As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. Please review the enclosed Class I overview and Class III survey report and information provided in this letter. If you find the reports adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. The final Programmatic Agreement is being completed and will be submitted for signature in September 2005. If you have any questions or concerns, please feel free to contact Ruth Greenspan at 602-712-6266 or e-mail RGreenspan@azdot.gov.

Sincerely,



Serelle E. Laine, Coordinator
Historic Preservation Team
Environmental & Enhancement Group
205 South 17th Avenue Rm. 213E Mail Drop 619E
Phoenix, Arizona 85007-3213

Enclosures

Signature for SHPO Concurrence

Date

cc: SThomas (FHWA); WVachon (FHWA)



Table A. Addendum Class I Overview Report Eligibility and Management Summary.

Alignments	Site	Type	Location	Jurisdiction	NRHP Eligibility (Criterion)	Management Recommendation
W55/W71	AZ T:11:26 (ASM)	Hohokam Artifact Scatter	T1N, R1E, S4	ADOT	Not Eligible	None
	AZ T:12:4 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S6	ADOT, Private	Not Eligible	None
	AZ T:12:5 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S5	ADOT, Private	Not Eligible	None
	AZ T:12:10 (ASM) Las Colinas	Hohokam Village	T2N, R2E, S36; T1N, R2E, S1, 2, 11	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:12:38 (ASM)	Hohokam Village	T1N, R2E, S3	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:12:178 (ASM) Los Aumentos	Hohokam Village	T1N, R1E, S2	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects
	AZ T:7:167 (ASM) Grand Canal	Canal	T2N,R1E, S9, 16	Reclamation	Eligible (A, C)	Avoid, or else mitigate adverse effects
W101 Alignments ¹	AZ T:10:83 (ASM) Roosevelt Canal	Canal	T1N, R1E, S3, 4	Private	Eligible (A, C)	Avoid, or else mitigate adverse effects
	AZ T:11:26 (ASM)	Hohokam Artifact Scatter	T1N, R1E, S4	ADOT,	Not Eligible	None
	AZ T:12:4 (MNA)	Hohokam Artifact Scatter	T1N, R2E, S6	ADOT, Private	Not Eligible	None
	AZ T:12:178 (ASM) Los Aumentos	Hohokam Village	T1N, R1E, S2	ADOT, Private	Eligible (D)	Avoid, or else mitigate adverse effects

¹ = Includes alignments W101WFR, W101WPR, W101W99, W101CPR, W101CFR, W101EPR, W101EFR

Table B. Addendum Class III Survey Report Eligibility and Management Summary.

Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
AZ T:12-221 (ASM)	n/a	Prehistoric Scatter	N	W55	Fowler	T1N, R2E, S31	Private	Eligible (D)	Avoid, or else mitigate
6100 Block West Dobbins Road Streetscape	6100 Block W. Dobbins Rd.	Rural Streetscape	N	W55	Laveen	T1S, R2E, S6,7	Private, Phoenix	Eligible (A,D)	Avoid, or else mitigate
Anderson Farm Tenant Residences	9901 and 9903 W. Van Buren Rd.	Tenant Residents	N	W101 (all)	Tolleson	T1N, R1E, S8	Private	Not Eligible	None
C. O. Pitrat & Sons Feedlot	6100 Block W. Elliot Rd.	Feedlot	N	W71, W101 (all)	Laveen	T1S, R2E, S18	Private	Not Eligible	None
Carter Farmstead	7201 and 7215 W. Broadway Rd.	Farmstead	N	W71	Fowler	T1N, R1E, S25	Private	Not Eligible	None
Cecil and Mary Colvin Farmstead	5139 W. Estrella Rd.	Farmstead	N	None ¹	Laveen	T1S, R2E, S20	Private	Not Eligible	None
Colvin-Tyson Farmstead/Dairy	6159 W. Dobbins Rd.	Farmstead/Dairy	N	W55	Laveen	T1S, R2E, S7	Private	Farmstead: Not Eligible; Dairy Barn: Eligible (C); contributing elements to 6100 Block Streetscape	Avoid dairy barn, or else mitigate; avoid portion within 6100 Block Streetscape boundaries, or else mitigate



2001 Award Recipient

Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
Dad Farmstead	6102 W. Dobbins Rd.	Farmstead	N	W55	Laveen	T1S, R2E, S6	Private	Farmstead: Not Eligible; contributing element to 6100 Block Streetscape	Avoid portion within 6100 Block Streetscape boundaries, or else mitigate impacts to streetscape
Dean Farmstead	9445 W. Broadway Rd.	Farmstead	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	Avoid
Hackin Farmstead/Dairy	100048 S. 59 th Ave.	Farmstead/Dairy	N	None ²	Laveen	T1N, R1E, S7	Private	Farmstead: Not Eligible; Dairy Barn: Eligible (C)	Avoid dairy barn, or else mitigate
Hudson Farm	9300 S. 59 th Ave.	Farm	N	W55	Laveen	T1S, R1E, S7	Private	Farm: Eligible (A); Silos: Eligible (C)	Avoid, or else mitigate
Jarvis Marine Repair Shop	5800 W. Buckeye Rd.	Commercial Building	N	W55	Fowler	T1N, R2E, S8	Private	Not Eligible	None
Maddux House	9115 W. Broadway Rd.	Farmhouse	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	None
Mother's Restaurant	5760 W. Buckeye Road	Commercial Building	N	W55	Fowler	T1N, R2E, S8	Private	Not Eligible	None
Parker Farmstead	3606 S. 83 rd Ave.	Farmstead	N	W101EPR, W101EFR	Fowler	T1N, R1E, S22	Private	Not Eligible	None
Pitrat Farmstead	5901 W. Elliot Rd.	Farmstead	N	None ³	Fowler	T1S, R2E, S18	Private	Not Eligible	None

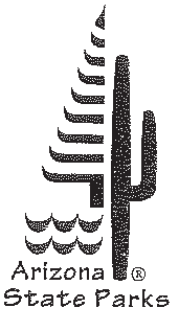


2001 Award Recipient

Name	Address	Type	Newly (N)/Previously (P) Recorded	Alignment	USGS 7.5' Map	Township, Range, Section	Ownership	NRHP Eligibility Recommendation	Management Recommendation
Quinonez House	9131 W. Broadway Rd.	Farmhouse	N	W101 (all)	Tolleson	T1N, R1E, S28	Private	Not Eligible	None
Sachis-Webster Farmhouse	7515 W. Baseline Rd.	Farmhouse	P	W101 (all)	Tolleson	T1S, R1E, Ss	FCDMC	Eligible (C)	Avoid, or else mitigate
Santa Marie Townsite	Lower Buckeye Rd. and S 83 rd Ave.	Townsite	N	W71	Fowler	T1N, R1E, S24	Private	Eligible (A,B)	Avoid, or else mitigate
SPRR Wellton- Phoenix-Eloy Main Line	UPRR R/W	Railroad	P	All	Fowler, Tolleson	T1N, R1E, S8,9,12; T1N, R2E, S8	UPRR	Eligible (A)	Avoid, or else mitigate
SRP 99 th Avenue Lateral	99 th Ave. and Lower Buckeye Rd.	Irrigation Canal	P	W101W99	Tolleson	T1N, R1E, S16	SRP/ Reclamation	Eligible (A)	Avoid, or else mitigate
US 80 (AZ FF-9:17 [ASMJ])	West Buckeye Road	Highway	P	All	Fowler, Tolleson	T1N, R1E, S8,9,12,13,16,17; T1N, R2E, S8, 17	Phoenix	Eligible (A) (non-contributing)	None

Table Notes:

- 1) all the alignments cross the property parcel but do not intersect the farmstead.
2) W55 crosses the property parcel but misses the farmstead and dairy barn;
3) All the alternative alignment pass within about 100 m of the farmstead but do not directly impact it.



"Managing and conserving natural, cultural, and recreational resources"

September 19, 2005

Dr. Ruth Greenspan
Historic Preservation Specialist
Environmental & Enhancement Group
Arizona Department of Transportation
205 South 17th Avenue Room 213E
Phoenix, AZ 85007-3212

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA H5764 01E
South Mountain Transportation Corridor
Continuing Section 106 Consultation
SHPO-2003-1890 (25323)

Janet Napolitano
Governor

State Parks
Board Members

Chair
Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
Phoenix

John U. Hays
Yarnell

Mark Winkleman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Dear Dr. Greenspan:

Thank you for consulting with the State Historic Preservation Office (SHPO) pursuant to Section 106 of the National Historic Preservation Act regarding plans for the South Mountain Freeway connecting Interstate 10 in west Chandler to I-10 in west Phoenix, Maricopa County, Arizona, and submitting cultural resources reports and recommendations for review and comment. Dr. Bill Collins, Deputy SHPO/Historian, and I have reviewed the submitted materials and offer the following comments.

The submitted cultural resources reports [*An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* and *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*] are adequate. Before responding to the eligibility recommendations, some clarification is needed:

- 1) Page two of the cover letter states that the Class 1 identified 27 previously recorded prehistoric and historic archaeological sites; the breakdown of the eligibility status of these sites (i.e., 5 eligible, 7 not eligible, 7 not evaluated and 8 unknown) in the report differs from the characterization in the cover letter (i.e., 5 eligible, 5 not eligible, 9 not evaluated, and 8 unknown).
- 2) The text of the cover letter neglects to mention that the eligible Barnes Dairy Barn and the ineligible Dad Farmstead are part of the eligible 6100 West Dobbins Road Streetscape (although this is part of the listing in Table B to the cover letter). Dr. Collins also commented that the reasoning behind the suggested D eligibility of the 6100 West Dobbins Road Streetscape is actually more appropriate to A eligibility, so he disagrees with the recommendation that it is "more" eligible for D than A (see page 7 of cover letter). He agrees that it is A eligible, and did not see D eligibility properly evaluated at all.

We appreciate your cooperation with this office in considering the potential impacts of development on cultural resources situated in Arizona. If you have any questions or comments, please contact me at (602) 542-7140 or electronically at djacobs@pr.state.az.us.

Sincerely,



David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Sam Eilers
State Engineer

September 29, 2005

RECEIVED

SEP 29 2005

Dr. David Jacobs
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

RE: Project No. NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
Continuing Section 106 Consultation
Addendum Class I and Class III Survey Reports
Eligibility Recommendations

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are conducting technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. As part of this effort, our office submitted two cultural resources reports on August 26, 2005. The reports were entitled *An Addendum Cultural Resources Class I Overview Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck and Touchin 2005) and *An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2005). In your response letter dated September 19, 2005, you found the report adequate and provided several comments requesting clarification on the following eligibility recommendations:

- The first comment noted inconsistencies between the eligibility summary in the consultation letter and the Class I report. We have confirmed that a total of 27 previously recorded historic and prehistoric archeological sites were identified in the Class I report. Five of the sites were previously determined eligible, 7 were considered not eligible, 7 had not been previously evaluated, and the eligibility status of 8 sites is unknown.
- The second comment noted that the consultation letter neglected to mention that the Barnes Dairy and the Dad Farmstead are part of the 6100 West Dobbins Road Streetscape. We would like to confirm that the Barnes Dairy is recommended as eligible both individually and as a contributing component of the Dobbins Streetscape. In contrast, while the Dad Farmstead is recommended as not eligible as an individual property, it is recommended eligible as a contributing component of the Dobbins Streetscape.
- Third, Dr. Collins commented that the 6100 West Dobbins Road Streetscape is more appropriately eligible under Criterion A than Criterion D. We concur that the Dobbins Streetscape is eligible under A, rather than D.

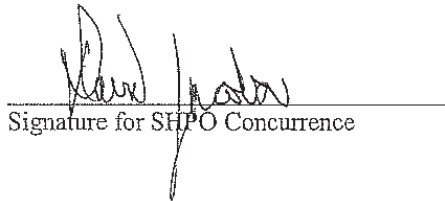
Jacobs
 TRACS No. 202L MA 054 H5764 01L
 September 29, 2005
 Page 2 of 2

As more information becomes available regarding the South Mountain Freeway project, it will be provided to your agency through continued Section 106 consultation. If you find the reports adequate and agree with the eligibility recommendations, please indicate your concurrence by signing below. We also look forward to continuing consultation with your office. If you have any questions or concerns, please feel free to contact me at 602-712-6266 or e-mail rgreenspan@azdot.gov.

Sincerely,



Ruth L. Greenspan
 Historic Preservation Specialist
 Environmental & Enhancement Group
 205 South 17th Avenue Rm. 213E Mail Drop 619E
 Phoenix, Arizona 85007-3213



Signature for SHPO Concurrence

30 Oct 05
 Date

cc:
 SThomas (FHWA)
 WVachon (FHWA)



ARIZONA DIVISION

4000 North Central Avenue
 Suite 1500
 Phoenix, Arizona 85012-3500
 (602) 379-3646
 Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

May 8, 2012

In Reply Refer To:
 NH-202-D(ADY)
 HOP-AZ

NH-202-D(ADY)
 TRACS No. 202L MA 054 H5764 01L
 South Mountain Freeway (Loop 202)
 Section 4(f) Consultation
 "temporary occupancy of trails"

Mr. Chris Coover, Regional Trail Coordinator
 Maricopa County Parks and Recreation Department
 234 North Central Avenue, Suite 6400
 Phoenix, Arizona 85004

Dear Mr. Coover:

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for the proposed South Mountain Freeway. The alternatives under study would pass through the cities of Phoenix and Tolleson, and the communities of Laveen and Ahwatukee. As part of the EIS, an analysis of properties eligible for protection under Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 U.S.C. 303) must be completed. Section 4(f) properties are any publicly owned parks and recreation areas (including trails), waterfowl and wildlife refuges and historic sites considered to have national, state, or local significance. A number of Maricopa County trails that are eligible for Section 4(f) protection have been identified in the South Mountain Study Area (see attached figure).

If the South Mountain Freeway were built, there would be no permanent impacts to the Maricopa County Trails System as a result of the project. All proposed build alternatives would span existing and proposed trails to avoid impacts. However, during construction (if a build alternative were selected), trails that would be spanned or would be near potential freeway construction would be closed for limited periods of time due to safety reasons. Closures would necessitate that trail users detour around construction sites to rejoin trails further along their length.

Under 23 C.F.R. 774.13 the various exceptions to the requirements of Section 4(f) are identified. Subsection (d) details that "temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f)" would be an exception if the following conditions are met:

- (1) temporary duration and no change in ownership of the land;
- (2) scope of work must be minor;

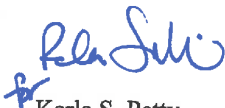
- (3) there are no anticipated permanent adverse physical impacts, nor interference with the protected activities of the property;
- (4) the land being used must be fully restored; and
- (5) there must be documented agreement of the official with jurisdiction over the Section 4(f) resource.

FHWA believes that potential impacts to the trails constitute a temporary occupancy of this resource and therefore qualifies under the Section 4(f) exception because:

- Although the exact duration has not yet been defined, the duration of closures would be short - less than the duration of freeway construction
- There would be no change in land ownership
- There would be no permanent changes to the trails.
- There would be no anticipated permanent adverse physical impacts, nor would there be interference with the activities or purpose of the trails
- Although no physical disturbance of the trails is anticipated, should this occur, trails would be returned to pre-construction conditions

If you agree with FHWA’s determination that temporary closure of portions of the trails would constitute temporary occupancy and qualify for the exception under Section 4(f), please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Rebecca Swiecki at 602-382-8979 or e-mail Rebecca.Swiecki@dot.gov or Ralph Ellis with ADOT at 602-712-7973 or e-mail rellis@azdot.gov.

Sincerely yours,



Karla S. Petty
Division Administrator

MAY 21 2012



Signature for Maricopa County Parks and Recreation
Department Concurrence
NH-202-D(ADY)

5/10/12
Date

Enclosure

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APPENDIX 6-1

NOTICE OF INTENT

Appendix 6-1, *Notice of Intent*, Contains the Notice of Intent that was published in the Federal Register on APRIL 20, 2001 (Vol. 66, No. 77). this document notifies the public that FHWA, in cooperation with the Arizona Department of Transportation, is preparing an environmental impact statement (EIS) to evaluate the potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, endangered species, jurisdictional waters of the U.S., air and noise quality, and hazardous waste in the proposed South Mountain corridor.

facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.

Jacklyn J. Stephenson,
Senior Manager, Enterprise Operations Information Services.
[FR Doc. 01–9817 Filed 4–19–01; 8:45 am]
BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement;
Maricopa County, Arizona

AGENCY: Federal Highway Administration (FHWA), DOT.
ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR FURTHER INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379–3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I–10 west of Phoenix to I–10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time,

a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studies are required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.

A series of public meetings will be held in the communities within the proposed study area. In addition, a public hearing will be held. Public notice will be given advising of the time and place of the meetings and hearing. A formal scoping meeting is planned between Federal, State, city and Tribal stakeholders.

To insure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Kenneth H. Davis,
District Engineer, Phoenix.
[FR Doc. 01–9782 Filed 4–19–01; 8:45 am]
BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety
Administration

[Docket No. FMCSA–97–2341]

Parts and Accessories Necessary for
Safe Operation; Manufactured Home
Tires

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of intent to deny petitions for rulemaking; request for comments.

SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI’s petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI’s data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational’s petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002.

DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable.

ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590–0001, FAX (202) 493–2251, on-line at <http://dmses.dot.gov/submit>. You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC–PSV, (202) 366–4009, Federal Motor Carrier Safety Administration, 400 Seventh

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APPENDIX 6-2

NEWSLETTERS AND ADVERTISEMENTS

Appendix 6-2, *Newsletters and Advertisements*, includes the project newsletters and public meeting advertisements. These documents were published and distributed to inform the public of the project, meeting times, and locations and to inform the public on ways to comment or otherwise participate in the process.

A R I Z O N A D E P A R T M E N T O F
T R A N S P O R T A T I O N



South Mountain Corridor Study

Fall/Winter 2001-2002

Issue 1



Overview

A South Mountain Freeway was included in the Regional Freeway System plan that was approved by Maricopa County voters in 1985. A conceptual design and state-level Environmental Assessment were completed in 1988. As presented in the Environmental Assessment, the freeway would connect Interstate 10 south of Phoenix with Interstate 10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to Interstate 10 between 55th and 63rd avenues.

The north-south leg of the freeway would pass near the community of Laveen and through agricultural lands within the city of Phoenix. After it passed South Mountain Park and turned to the east, the freeway would pass through the Ahwatukee/Foothills community, following an alignment along Pecos Road.

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration are conducting a new engineering and environmental study known as an Environmental Impact Statement that will examine a full range of alternatives to the concept presented in the 1988 Environmental Assessment. The potential social, economic and environmental impacts of each reasonable alternative will be studied, along with ways to lessen those impacts.

Study Process

The South Mountain Corridor Study and Environmental Impact Statement (EIS) will take approximately three years to complete. The process, which began in July 2001, will include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them.

The first thing to be decided is whether there is a need for a major transportation improvement in the corridor. If so, the need must be carefully weighed against an analysis of potential transportation problems that might occur if nothing is done. If a need is found to exist, the study will move on to an evaluation of a broad range of alternatives.

A key component of the study process is an extensive public involvement program, which will provide ample opportunity for

Por favor vea este documento en español en las páginas 5-7.

Please see pages 5-7 for this document in Spanish.

citizens to express their opinions and concerns. Every effort will be made to involve local residents, community leaders, government agencies and elected officials in the decision-making process.

The goal of the process is to achieve a broad consensus on a recommendation that will meet the region's existing and future transportation needs.

Chronology

A brief history of the South Mountain Corridor, from its inception to the present.

- 1983** The Maricopa Association of Government (MAG) prepares planning studies for the Phoenix metropolitan area that identify corridors for an integrated freeway network. The South Mountain Freeway corridor is defined as a roughly two-mile wide corridor from I-10 near 51st Avenue, around South Mountain, to I-10 near Chandler Boulevard.
- 1985** Maricopa County voters approve a half-cent sales tax to fund construction of the MAG Regional Freeway System, including a 22-mile freeway connecting I-10 in Chandler with I-10 in west Phoenix.
- 1988** A state-level Location/Design Concept Report and an Environmental Assessment are completed for the South Mountain Freeway, designating an alignment along Pecos Road and the Gila River Indian Community border and north to I-10 between 55th and 63rd avenues. This refined corridor is adopted by the State Transportation Board.
- 1994** Due to a funding shortfall, ADOT identifies 76 miles of planned freeways as "unfunded segments" and later drops some of those segments from the system. The South Mountain Corridor is designated for potential development as a toll road.
- 1996** A consortium of private companies proposes to build the South Mountain Freeway as a toll road. The consortium would

For South Mountain Corridor Study information updates, or to send your comments...

Project Information: 602-712-7006

Website: www.dot.state.az.us

Email: SouthMountain@dot.state.az.us

South Mountain Corridor Team
HDR Engineering, Inc.
2141 E. Highland Ave., Ste. 250
Phoenix, AZ 85016

- later withdraw its proposal, saying the project was not financially feasible. The South Mountain Corridor remains a part of the MAG regional Freeway System, but is designated as "unfunded."
- 1999 ADOT announces plans to accelerate completion of the entire Regional Freeway System by seven years to 2007. The acceleration plan includes an unspecified portion of the South Mountain Corridor, which remains largely unfunded.
 - 2000 In anticipation of initial construction of the South Mountain Freeway, the city of Phoenix conducts a local study of Ahwatukee/ Foothills area transportation needs that includes an assessment of freeway options.
 - 2001 ADOT begins preparation of a new Location/Design Concept Report and Environmental Impact Statement to examine a broad range of alternatives to the 1988 South Mountain Freeway concept.

Issues

The purpose and need evaluation will consider three fundamental questions posed by the U.S. Environmental Protection Agency:

1. Why? What is the basic problem or deficiency with the existing situation and why is this a problem?
2. Why here? Why is this problem or deficiency occurring here and why is it important?
3. Why now? Why does the problem need to be addressed now? What could happen if the problem were not addressed now?

If a need is found to exist for a major transportation improvement in this corridor, the study then will move forward to consider all reasonable solutions, including the original freeway concept from the 1988 Environmental Assessment.

Questions and Answers

The South Mountain Corridor Team has attempted to anticipate and answer as many questions as possible regarding this study and the future of the corridor. Some questions cannot be fully answered until later in the study process. This document will be updated as new questions are asked and new information becomes available.

Has an alignment along Pecos Road already been decided?

No. Although an alignment along Pecos Road was identified as a result of the 1988 Environmental Assessment, this study will start from the beginning and will consider all reasonable alternatives.

Why is ADOT conducting a second environmental study?

Much has changed in this area since the 1988 Environmental Assessment was completed. The new study is being conducted in light of new development in the area as well as changes in design standards and environment regulations and to qualify for federal funds.

If the Pecos Road alignment is not a foregone conclusion, then why has ADOT purchased right-of-way along that alignment?

ADOT began purchasing right-of-way in the corridor at a time when a specific alignment along Pecos Road had been identified and adopted. ADOT began acquiring right-of-way to preserve the result of this study. ADOT can dispose of the land that has been viability of the corridor and to minimize future relocation of homes and businesses. Should another alternative be adopted as a

acquired but is no longer needed.

Will the fact that ADOT already owns right-of-way in this corridor influence the final decision?

FHWA regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the adoption of an alternative.

Will an alignment on the Gila River Indian Community be considered?

Yes. The Gila River Indian Community is an active participant in this process. As long as the Community is receptive to alignments that might cross Indian lands, those alignments will be considered. However, if it were clearly indicated that the Community does not want and will not accept an alignment across its lands, consideration of such an alternative would no longer be considered viable or productive.

What factors will be considered in choosing an alternative?

Many factors will be studied, including whether there is a need for a major transportation improvement in this area and the degree to which the original freeway concept or any alternatives would address that need. Other factors that will be considered include social, economic and environmental impacts, environmental regulations, relocating of existing homes and businesses, traffic projections, safety, constructability, cost and public concerns and preferences.

What about truck traffic that might be generated by a new highway?

One of the factors that will be considered in this study is the amount of truck traffic that would be generated and its potential impact on the surrounding community.

Will the public have a voice in choosing an alternative?

Yes. An extensive effort has been developed to keep the public informed of the progress of the study and to elicit public comment. Problems, concerns and preferences expressed by citizens will be factors in the ultimate decision whether to build or not to build a new facility, what should be built and where it should be located.

Will anything other than a freeway be considered?

Yes, other alternatives will be considered. Among other things, the study will consider improving existing facilities, improving or expanding other travel modes and strategies to reduce travel demand. This study will examine not only the potential impacts of improvements, but also the consequences of building nothing.

Is it possible that nothing will be built?

Yes. That is one of the options that will be studied.

Would air, noise and visual quality be impacted by construction of a new road or freeway?

A major purpose of this study is to determine the potential impacts on air, noise and visual quality and to look for ways to lessen those impacts.

How might South Mountain Park be affected?

Any impact on South Mountain Park would be subject to restrictions in federal law, which essentially says that no parkland can be used unless it can be shown that there are no feasible or prudent alternatives.

When is something likely to be built?

It is conceivable that construction could begin as early as a year after conclusion of the study. The actual timing of construction is dependent on the availability of funding and the priority assignment to the corridor by local, regional and state officials once the Environmental Impact Statement has been completed.

Why was the toll road proposal dropped?

The toll road proposal was dropped for several reasons, including public opposition to the toll road concept and questions concerning the financial feasibility of the proposal.

Where would the corridor join I-10 to the west of Phoenix?

The corridor would likely join I-10 somewhere between 43rd Avenue and 107th Avenue. A major purpose of this study is to look at other potential locations.

Is it likely that construction of a new road or freeway would require the acquisition of existing homes or businesses?

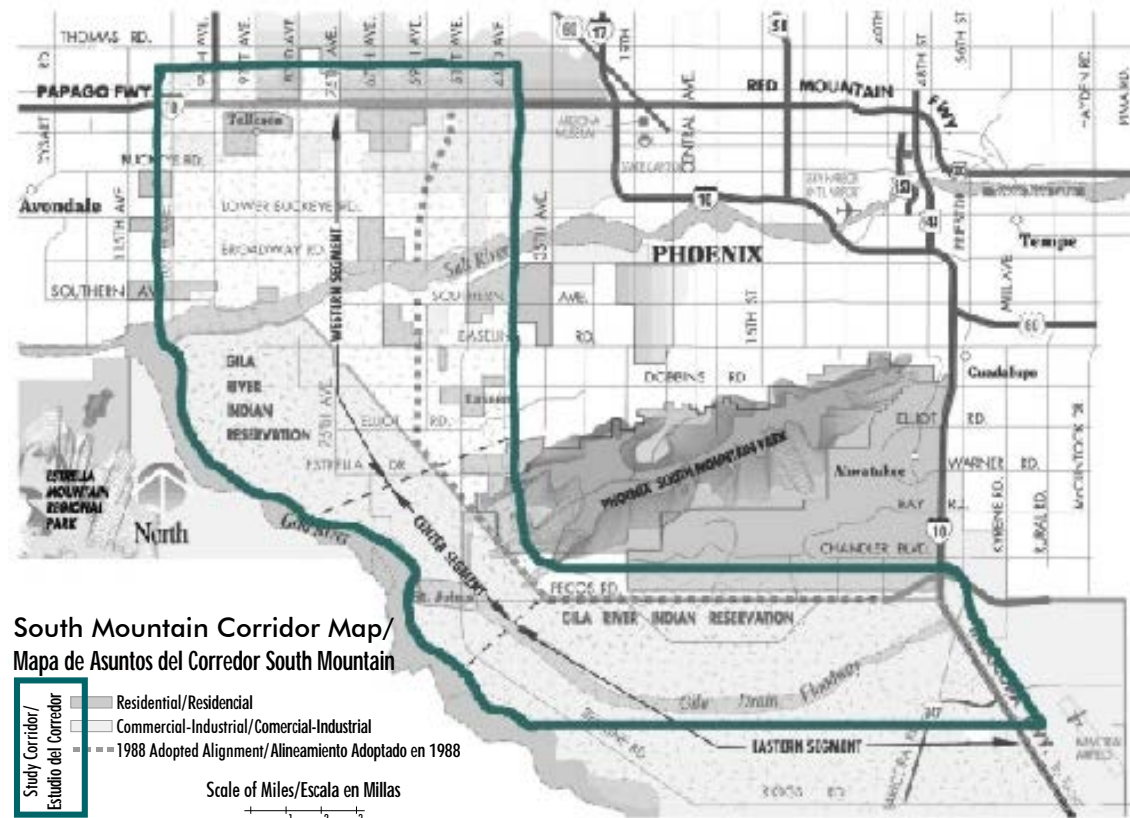
It is highly unlikely that a major transportation improvement could be completed in this area without acquiring some existing homes and/or businesses. One purpose of this study is to determine the extent of new right-of-way that would be needed for each possible alternative.

Isn't the real purpose of a South Mountain Freeway simply to act as a bypass to divert trucks from downtown Phoenix?

The Phoenix Regional Freeway System was conceived to improve mobility in the region by increasing capacity and providing alternatives to allow traffic, including truck traffic, to bypass already congested routes.

How is an Environmental Impact Statement different from the Environmental Assessment that was conducted in 1988?

The 1988 Environmental Assessment was prepared in order to satisfy state requirements only. In order to make any resulting project eligible for federal funding, the new study will satisfy federal requirements and will have to comply with the National Environmental Policy Act. Under this act, an Environmental Impact Statement is required for this project due to the potential of substantial impacts on the environment and surrounding communities. This Environmental Impact Statement is different from the 1988 Environmental Assessment in that it will address in detail all feasible alternatives to satisfy the transportation needs in the corridor.



South Mountain Corridor Map/
Mapa de Asuntos del Corridor South Mountain

Study Corridor/
Estudio del Corridor

Residential/Residencial
Commercial-Industrial/Comercial-Industrial
1988 Adopted Alignment/Alineamiento Adoptado en 1988

Scale of Miles/Escala en Millas

What Do You Think?/¿Qué Piensa Usted?

1. Do you believe that there is a purpose and need for some kind of connection between I-10 west of Phoenix to the segment of I-10 east and south of Phoenix? Please explain./¿Cree usted que hay un propósito y una necesidad para algún tipo de conexión entre el autopista I-10 al oeste de Phoenix y el segmento de la misma autopista I-10 al este y sur de Phoenix? Por favor explique.

2. Are there other options that you believe should be explored? Please explain./¿Hay otras opciones que usted cree que deberían ser exploradas? Por favor explique.

3. Additional comments/Comentarios adicionales:

Please return the completed form to/
Por favor regrese la forma completa a:

South Mountain Corridor Team
HDR Engineering, Inc.
2141 E. Highland Ave., Ste. 250
Phoenix, Arizona 85016

Optional/Opcional

Name/Nombre: _____:

Address/Domicilio: _____

City/Ciudad: _____ State/Estado: _____ ZIP/Código Postal: _____

ARIZONA DEPARTMENT OF TRANSPORTATION



Estudio del Corridor de South Mountain

Otoño/Invierno de 2002-2003

Edición 2



Panorama

Desde julio de 2001, un amplio corredor al suroeste de la montaña South Mountain se ha encontrado bajo estudio para determinar si una autopista previamente planeada debería construirse, y dónde debería ubicarse. El área de estudio incluye una región oeste, desde 43rd Avenue hasta 107th Avenue y de la autopista I-10 al río Gila River, y una región sur, desde la autopista I-10 hasta el río Gila River y de Pecos Road a Ocotillo Road.

¿Por Qué Estudiar Esta Área?

En 1985, los electores del Condado Maricopa aprobaron el plan de un Sistema Regional de Autopistas, el cual incluyó a la Autopista South Mountain. El diseño conceptual y la Evaluación Medioambiental (EA) a nivel estatal para dicha autopista fueron completados en 1988. Como fue concebida, la Autopista South Mountain conectaría con la autopista I-10 al sur de Phoenix en Pecos Road, seguiría a Pecos Road, pasaría por la punta oeste del parque South Mountain Park, y daría vuelta hacia el norte para conectarse con la autopista I-10 entre 55th Avenue y 63rd Avenue. Sin embargo, debido en parte a un déficit en el financiamiento, el Departamento de Transporte de Arizona (ADOT) eliminó de su itinerario original aproximadamente 76 millas del Sistema Regional de Autopistas, incluyendo su segmento en South Mountain.

En 1999, ADOT anunció planes de acelerar siete años la terminación del Sistema Regional de Autopistas, al año 2007. En dicho plan se incluyó el Estudio del Corridor de Transporte de South Mountain.

Please see pages 1-6 for this document in English.

Por favor vea este documento en inglés en las páginas 1-6.

En los años que han pasado desde que se completó la evaluación EA a nivel estatal de 1988, mucho ha cambiado el área del estudio. Por lo tanto, ADOT y la Administración Federal de Carreteras están llevando a cabo un nuevo estudio medioambiental conocido como una Declaración del Impacto al Medio Ambiente, así como un Reporte de la Ubicación/el Concepto del Diseño.



Otoño/Invierno de 2002-2003

Estudio del Corridor de South Mountain

Declaración del Impacto al Medio Ambiente

Una Declaración del Impacto al Medio Ambiente (EIS) sigue un proceso paso a paso, y se requiere para todos los proyectos importantes federales (o aquellos usando dinero federal) que pudiesen tener un efecto substancial en el medio ambiente. La declaración EIS incluirá información sobre cómo pueden afectar las alternativas del proyecto tanto al medio ambiente natural (calidad del aire, vida silvestre y su hábitat, y recursos de agua), como al ambiente social/de la construcción (gente, tierras de labranza, arqueología, ruido, parques y recreación, comunidades y estética).

El estudio para la declaración EIS de South Mountain comenzó en julio de 2001 con un análisis de las necesidades de transporte en el corredor y de todas las formas razonables para satisfacerlas. El primer paso, fue determinar si en el futuro existiría la necesidad de instalaciones grandes de transporte en el corredor. Basándose en estudios de tráfico, proyecciones de población, y comentarios del público recibidos desde julio de 2001, se ha determinado que existe un propósito y una necesidad para que el estudio EIS continúe.

Propósito y Necesidad

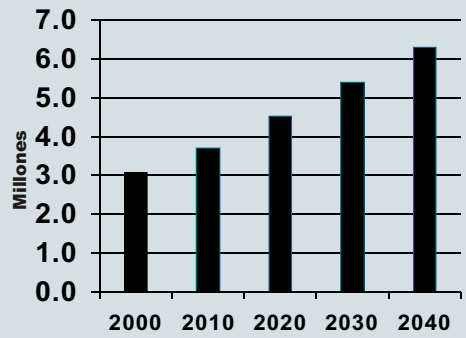
El Equipo del Proyecto se propuso contestar tres preguntas clave:

1. ¿Por qué? ¿Existe un problema básico o una deficiencia en la red regional de transporte?
2. ¿Por qué aquí? ¿Ayudaría a corregir el problema o la deficiencia la construcción de una autopista u otro importante mejoramiento al transporte en el Corredor South Mountain?
3. ¿Por qué ahora? ¿Por qué se necesita resolver el problema ahora? ¿Qué pasaría si el problema no fuese resuelto ahora?

Un análisis de tendencias de la población, planes del uso de terrenos y demandas de viajes muestra claramente que existe un considerable problema de tráfico en el Valle, y que es muy probable que empeorará en el futuro si ahora no se planea cómo enfrentarse al crecimiento.

De acuerdo a la Asociación de Gobiernos de Maricopa (MAG), la principal agencia de planeación de la región, la población del Área Metropolitana de Phoenix creció en un 45 por ciento en la década de

Población Proyectada para el Área Metropolitana de Phoenix



1990, a 3.1 millones de residentes. Se espera que ese crecimiento continúe en las próximas décadas. Las proyecciones de MAG muestran que la población aumentará más del 50 por ciento, a 4.8 millones para 2025 y que se duplicará a 6.2 millones para 2040. Mucho del crecimiento durante la década de 1990 ocurrió en el sureste y suroeste del Valle, donde también se espera que mucho del crecimiento proyectado ocurrirá.

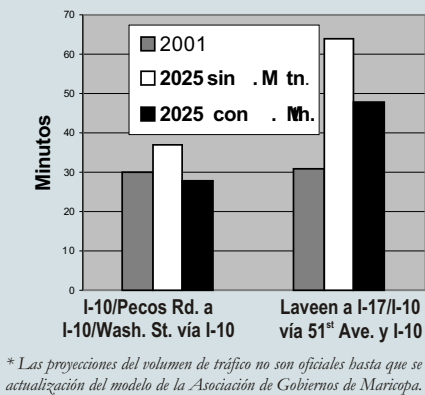
De acuerdo a las proyecciones de MAG, se espera que la demanda de viajes y las millas vehiculares manejadas en el Valle aumentarán aún más que la población. Mientras que se espera un crecimiento en la población de un poco más del 50 por ciento para 2025, MAG predice un crecimiento del 58 por ciento en el tráfico a través del mismo período de

Se espera que la demanda de viajes y millas vehiculares manejadas en el Valle aumentarán aún más que la población.

tiempo. Aún con los mejoramientos anticipados con el tranvía ligero, el servicio de camiones, los programas de reducción de viajes y la ampliación planeada de los caminos existentes, se espera que el tráfico vehicular excederá la capacidad de las calles y carreteras del suroeste del Valle hasta en un 22 por ciento para 2025.

¿Cómo afectaría al problema, la construcción de una autopista u otros importantes mejoramientos de transporte en el Corredor South Mountain? Mientras que la construcción de una sola nueva autopista no resolverá todo el problema de congestionamiento de tráfico en el Valle, una conexión entre el sur de la autopista I-10 y el oeste

Tiempo Aproximado de Viaje



* Las proyecciones del volumen de tráfico no son oficiales hasta que se apruebe la actualización del modelo de la Asociación de Gobiernos de Maricopa.

de la misma por South Mountain tendría un impacto positivo. MAG calcula que 155,000 vehículos usarían las instalaciones cada día para 2025, reduciendo la demanda en otros caminos del Valle.

El Equipo del Proyecto también está considerando los horarios de viajes entre el hogar y el trabajo, y cuánto tiempo toma manejar de una ubicación a otra. Por ejemplo, se calcula que el tiempo de viaje en la actualidad a la hora pico matutina de la autopista I-10 y Pecos Road a la autopista I-10 y Washington Street usando la autopista I-10, es de 30 minutos. En 2025, si nada se construye en el Corredor South Mountain, se espera que dicho tiempo de viaje aumente en un 23 por ciento a 37 minutos. Con instalaciones en South Mountain, se espera que dicho tiempo de viaje se reduzca a 28 minutos.

Más aún, el tiempo de viaje actual a la hora pico matutina de Laveen al enlace de las autopistas I-17/I-10, usando 51st Avenue y la autopista I-10, es de aproximadamente 31 minutos. En 2025, si nada se construye en el Corredor South Mountain, se espera que dicho tiempo de viaje aumente a más del doble, con un tiempo calculado de viaje de 64 minutos. Con instalaciones en South Mountain, se predice que dicho tiempo de viaje será reducido a 48 minutos.

Existe un considerable problema de tráfico en el Valle ... Es muy probable que empeorará en el futuro si ahora no se planea cómo enfrentarse al crecimiento.

Además de analizar información de la población y del tráfico para la región, el Equipo del Proyecto se ha reunido con cientos de residentes en el área de estudio de South Mountain, así como con comités de

planeación de la ciudad, organizaciones de propietarios de casas, líderes comunitarios y oficiales de gobierno. La mayoría de las personas sintieron que existe un creciente problema de tráfico en el Valle, y que la construcción de una conexión entre la parte sur y la parte oeste de la autopista I-10 alrededor de South Mountain ayudaría.

Si se construye una autopista nueva en el Corredor South Mountain, es extremadamente importante planearla ahora. En el mejor de los casos, la construcción de algún tramo posiblemente podría comenzar en cinco años, pero considerando la planeación, el diseño, la adquisición de derechos de paso y la construcción de la conexión a la autopista I-10 se tomaría 20 años.

¿Qué Sucederá Después?

El siguiente paso será evaluar cuidadosamente la gama completa de rutas alternas, incluyendo la ruta de 1988, y las consecuencias de no construir cosa alguna. La Declaración del Impacto al Medio Ambiente (EIS) examinará los impactos sociales, económicos y medioambientales potenciales de estas alternativas, así como formas de minimizar dichos impactos.

Las rutas identificadas por grupos locales comunitarios, organizaciones y residentes interesados, se encuentran bajo consideración del Equipo del Proyecto. Más de 30 rutas alternas han sido sugeridas a través del área del estudio.

El Equipo del Proyecto ha consolidado las rutas sugeridas en la porción oeste del área del estudio en cinco amplios corredores. Dichos corredores están siendo estudiados para determinar si cualquiera contiene obstáculos infranqueables.

Actualmente, el Equipo del Proyecto está trabajando con la Comunidad India Gila River para identificar posibles corredores en terrenos tribales a ser estudiados. Una vez que dichas pláticas sean completadas, el Equipo del Proyecto programará otra serie de reuniones públicas para considerar las alternativas propuestas.

Debido a la complejidad de este proyecto, es difícil predecir un período preciso de tiempo, pero para el primer trimestre de 2003, el Equipo del Proyecto espera tener alternativas que recomendará para un estudio más detallado. Continúe visitando el sitio en la red para obtener la información más actualizada del proyecto, o llame a la línea telefónica de información.

Alrededor del primer trimestre de 2003, el Equipo del Proyecto espera tener varias alternativas para recomendar un estudio más detallado.

Alcance

Con más de 50,000 hogares en el Corredor South Mountain, es crucial que los residentes reciban información y tengan toda oportunidad para que se respondan sus preguntas y se escuchen sus inquietudes.



Escuela Desert Vista High School, reunión pública/casa abierta

Antes de que comience el proyecto, el Equipo del Proyecto investigó los archivos de periódicos para entender mejor los asuntos y las opiniones previamente expresadas con respecto a este proyecto. Se lleva a cabo una amplia gama de actividades para llegar al público en varias formas.

Inicio Oficial Público/Agencia

En el otoño de 2001, gente de 95 agencias locales, regionales, estatales y federales, oficiales de la ciudad, y muchas otras personas, asistieron a una reunión de dos días para recopilar información. Además, se contactaron a 40 líderes de opinión del área, para ayudar a identificar a grupos de interés, asuntos, inquietudes, problemas, deseos, y necesidades en el corredor.

Reuniones Públicas

Se llevaron a cabo dos reuniones públicas en noviembre de 2001 en Ahwatukee y Phoenix. Miembros del Equipo del Proyecto dieron un panorama del mismo, moderaron una sesión de preguntas y respuestas, y hablaron con gente cara a cara sobre asuntos e inquietudes.

Boletín Informativo del Proyecto

Un boletín informativo en inglés y español fue entregado casa por casa a 28,500 residencias y negocios en el área del estudio, además de ser insertado en los periódicos Ahwatukee Foothills News y Gila River Indian Newspaper. Los boletines informativos también fueron distribuidos en los centros de servicio de distrito, oficinas de correo, y en reuniones y festivales comunitarios de la Comunidad India Gila River (GRIC).

Sitio en la Red. Correo Electrónico, y Línea Telefónica de Información

Un sitio en la red (accesado en www.dot.state.az.us) provee actualizaciones y un domicilio de correo electrónico para hacer preguntas. El número de una línea telefónica de información (602-712-7006) es publicado en el boletín informativo, en las tarjetas de presentación del proyecto, otros materiales, y el sitio en la red.

Encuesta de los Residentes

Tanto la encuesta del boletín informativo como la del sitio en la red, preguntó a las personas sobre la necesidad del proyecto, alternativas a considerar, y comentarios sobre el estudio.

Reuniones Comunitarias Locales y Eventos Públicos

El Equipo del Proyecto ha hecho presentaciones a muchos grupos de vecindarios, comités de planeación, clubes sociales y cámaras de comercio. Se erigieron puestos de información en ferias y celebraciones comunitarias.

Comunidad India Gila River (GRIC)

Los miembros de la comunidad GRIC han sido incluidos en el proceso del estudio desde su inicio. Además de las reuniones mensuales regulares de coordinación con el personal de la comunidad GRIC, se han realizado presentaciones en reuniones comunitarias en los siete distritos de la comunidad GRIC, así como en varios comités de asesoría comunitaria y asociaciones.

Equipo de Asesoría de Residentes de South Mtn.

Una forma de entender a fondo las inquietudes y los deseos de los residentes, es por medio de las personas dispuestas a dedicarse a largo plazo a participar en el proyecto. A principios de 2002, se formó un Equipo de Asesoría de Residentes de South Mountain (SMCAT) para satisfacer dicha necesidad.

Los miembros de SMCAT ayudan a proveer comunicación continua entre los residentes y el Equipo del Proyecto, y actúan como caja de resonancia de ideas para el Equipo. Ellos revisan información medioambiental y técnica, criterios de diseño, alternativas, y otros asuntos del proyecto

El propósito de SMCAT es el de:

- Proveer asesoría y opiniones al Equipo del Proyecto;

- Actuar como un conducto de información entre ADOT/FHWA y las organizaciones comunitarias;
- Proveer asesoría en reuniones públicas y de agencias, y cómo presentar efectivamente información a ser distribuida al público;
- Ayuda al Equipo del Proyecto a entender inquietudes y asuntos comunitarios.

Hechos y Preguntas y Respuestas Frecuentes

Gente a través del área del estudio ha posado numerosas preguntas. Algunas no pueden ser contestadas completamente sino hasta que se tenga más información. Una lista completa está disponible en el sitio de South Mountain en la red, en www.dot.state.az.us.

¿Ya se ha decidido el corredor a lo largo de Pecos Road?

No. La ruta de Pecos Road fue identificada como resultado de la Evaluación Medioambiental a nivel estatal de 1988. Esta ruta es una de las alternativas que serán estudiadas, así como otras alternativas, y las consecuencias de no construir cosa alguna.

¿Se puede cambiar el corredor de Pecos Road ?

Sí. El corredor de Pecos Road fue identificado como la alternativa más apropiada en 1988. Sin embargo, la Declaración del Impacto al Medio Ambiente considerará una gama de alternativas razonables de la actualidad.

¿Se considerará un corredor en la Comunidad India Gila River?

Si la Comunidad es receptiva a una ruta que pueda cruzar sus terrenos, se considerarán alternativas. Los miembros de la Comunidad India Gila River asisten a las reuniones del proyecto. Sin embargo, como un país soberano, si la Comunidad no desea que un corredor cruce sus terrenos, dicha alternativa ya no sería viable.

¿Qué factores serán considerados al seleccionar una alternativa?

Un factor principal es, qué tan bien pueda mejorar una alternativa la movilidad y ayudar a resolver futuros problemas de tráfico en el área de Phoenix, mientras que

Qué Dice la Gente

Muchas personas tienen sentimientos muy fuertes con respecto a la posibilidad de tener una autopista en el área. Por medio de entrevistas, reuniones públicas, llamadas telefónicas y notas de correo electrónico, la gente ha provisto una variedad de opiniones.

- Muchos residentes del área sur de Ahwatukee han expresado su oposición a cualquier alineación de la autopista que pudiese incluir a Pecos Road. En general, las personas que viven más cerca a Pecos Road son los que más se oponen.
- La gente a través del área tiene inquietudes con respecto a problemas potenciales de tráfico de camiones, ruido, y calidad del aire, que puedan resultar de una autopista nueva.
- Muchas personas desean asegurar que el parque South Mountain sea protegido.
- Han salido a la luz preguntas concernientes con el sitio exacto en el cual una autopista pueda conectarse con el lado oeste de la autopista I-10.
- A la gente viviendo en Laveen y Tolleson les preocupa cómo podría una autopista dividir potencialmente en forma física a sus comunidades.

Inquietudes específicas que han sido expresadas por personas en la Comunidad India Gila River (GRIC) sobre la posibilidad de una alineación en terrenos tribales.

- Los miembros de la Tribu desean asegurarse de que los propietarios privados de terrenos en GRIC sean compensados en forma justa.
- Los miembros de la Comunidad se preocupan por proteger sus sitios sagrados, históricos y culturales.
- A los residentes del Distrito 6 les preocupa particularmente el área de St. Johns y el tráfico actual de camiones en 51st Avenue.

Organizaciones Representadas por los Miembros del Equipo de Asesoría de Residentes de South Mountain

Asociación Ahwatukee Foothills Homeowners Association	Comité de Planeación de la Aldea Laveen Village
Asociación Ahwatukee Lakewood Homeowners Association	Comité de Planeación de la Aldea South Mountain Village
Asociación Arizona Motor Transport Assoc.	Compañía Accomazzo Company
Asociación Pecos Road/I-10 Landowners Association	Comunidad India Gila River, District 4
Asociación United Arizona Dairymen	Comunidad India Gila River, District 6
Asociación Valley Forward Association	Comunidad India Gila River, District 7
Cámara de Comercio Ahwatukee Foothills	Comunidad India Gila River, Grupo de Inquietudes de Personas Mayores
Cámara de Comercio South Mountain/Laveen	Concilio de Preservación de las Montañas de Phoenix
Cámara de Comercio Southwest Valley	Escuela Kyrene de los Lagos Elementary
Comité de Planeación de la Aldea Ahwatukee Foothills Village	Grupo Laveen Citizens for Responsible Development
Comité de Planeación de la Aldea Estrella Village	Oficina Agrícola del Condado Maricopa
	Organización Sierra Club



South Mountain Corridor Team
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Phoenix, AZ 85016

minimiza los impactos al medio ambiente. Algunos factores que serán considerados incluyen los impactos sociales, económicos y medioambientales, las regulaciones medioambientales, la reubicación de hogares y negocios existentes, qué tan práctico pueda ser construirla, el costo, e inquietudes y preferencias del público.

¿El público tendrá una voz al seleccionar una alternativa?

Sí. Un amplio esfuerzo está en camino para continuar manteniendo al público informado sobre el progreso del estudio, y para obtener el comentario público. Las inquietudes, las preferencias y los problemas expresados por los residentes serán considerados en la decisión final de construir o no una instalación nueva, qué debería construirse y dónde debería ubicarse.

¿La calidad del aire, el ruido y la calidad visual será impactada por la construcción de una autopista o un camino nuevo?

Un propósito principal de este estudio es el de determinar los impactos potenciales a la calidad del aire, del ruido y visual, y buscar formas para minimizar dichos impactos.

¿Se construirá algo a través del parque South Mountain Park?

Restricciones federales prohíben la intrusión de un proyecto

federal como éste en un parque como South Mountain, a menos que se pueda comprobar que no existe una alternativa factible y prudente para evitar dicha intrusión.

¿Dónde se uniría una nueva autopista a la autopista I-10 en el oeste de Phoenix?

No se sabe. El corredor posiblemente se uniría a la autopista I-10 en algún lugar entre 43rd Avenue y 107th Avenue. Uno de los principales propósitos de este estudio es el de buscar ubicaciones potenciales.

¿Por qué construir esto si Ahwatukee no lo necesita?

A pesar de que el impacto de un mejoramiento de transporte en el área de Ahwatukee es un componente de este estudio, es sólo un factor considerando las necesidades de transporte de toda el área metropolitana de Phoenix. El uso de terrenos y los patrones de viajes en el futuro serán mucho muy distintos a los que existen en la actualidad, y estas instalaciones serían construidas para ayudar a servir dichas necesidades futuras.

Sus opiniones son importantes para este proceso. Por favor contáctenos con sus asuntos, inquietudes o preguntas. Encuentre en nuestro sitio en la red actualizaciones regulares e información, o llame en cualquier momento a nuestra línea telefónica de información.

A R I Z O N A D E P A R T M E N T O F T R A N S P O R T A T I O N



South Mountain Corridor Study

Fall/Winter 2003

Issue 3



History

In 1985, Maricopa County voters approved funding for a Regional Freeway System, which included a South Mountain Freeway connecting Interstate 10 south of Phoenix with Interstate 10 west of the city. The State Transportation Board approved an alignment for the South Mountain Freeway in 1988, running east and west along Pecos Road and then turning north between 55th and 63rd Avenues.

In 2001 the Arizona Department of Transportation (ADOT) and Federal Highway Administration (FHWA) began an updated study identified as an Environmental Impact Statement (EIS) to determine if such a freeway is still needed, where it should be located, and

Por favor vea este documento en español en las páginas 6-12.

Please see pages 6-12 for this document in Spanish.

Please see survey on page 5.

what the environmental, social and economic effects of such a facility might be.

Need Exists for South Mountain Freeway

An extensive analysis of population trends, land use plans and travel demand shows clearly that there is a traffic problem in this southwest area of the Valley. This problem will get considerably worse if transportation plans are not made now to address increases in population and vehicles.

At this point in the study process, it has been determined that while planned transit and roadway improvements must be part of the solution to the Valley's future transportation needs, a "purpose and need" exists to include a new freeway in the South Mountain Corridor. However, throughout the process, the no-build option remains an alternative.

The process of identifying alternative routes for the South Mountain Freeway has included local governments, businesses, the Maricopa Association of Governments (MAG), the Gila River Indian Community (GRIC) and the general public. The process began with a public "scoping" phase, during which a number of alternatives, enhanced transit options, and several conceptual alignments were proposed.

South Mountain Corridor Study

For additional information, see the ADOT website at www.dot.state.az.us then select the South Mountain link for details, past newsletters, frequently asked questions and answers, and updates.

Please email your comments to us at SouthMountain@dot.state.az.us or call our project information telephone number at 602-712-7006.

Website – www.dot.state.az.us

E-mail – SouthMountain@dot.state.az.us

Project Information – 602-712-7006

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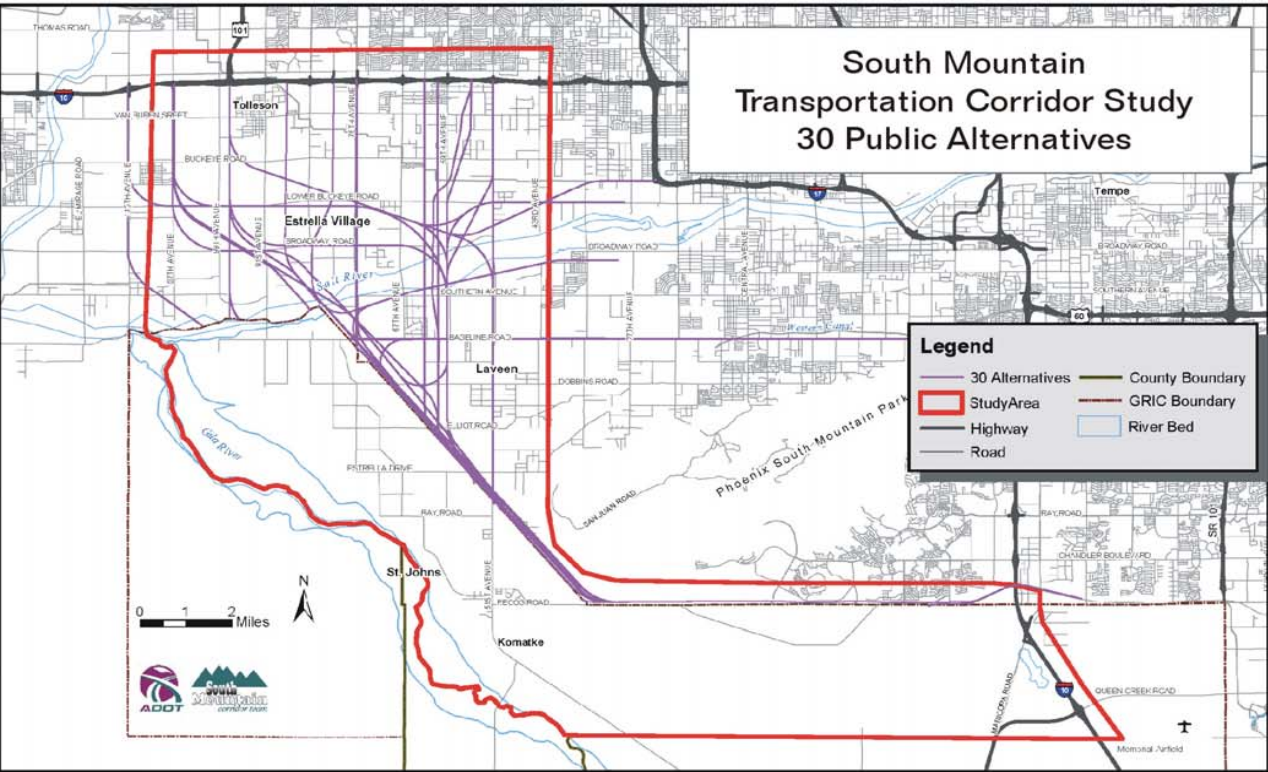
The Alternatives

Over the past several months, numerous potential alternatives have been suggested. Workshops were held with citizens; civic organizations; the Ahwatukee, Estrella, Laveen and South Mountain village planning committees; Maricopa County Farm Bureau; and, the Southwest Mayors and Managers group. Participants were invited to draw alignments on study area maps and aerial photos, and to indicate cultural or environmental constraints. From these workshops more than 30 potential alternatives were identified for the western leg of the freeway.

These 30 public alternatives were grouped into corridors for review by the technical team, which then narrowed them to nine “Technical Alternatives.” The nine alignments were presented to the potentially affected local jurisdictions, including Tolleson, Avondale, Goodyear, Chandler, Phoenix, Maricopa County, MAG and GRIC.

The alternatives can be best described by where they connect with I-10 on the west side. Each alternative goes south from the connection point to the Gila River Indian Community boundary, at which location each alternative parallels the Community boundary as follows:

- Alternative 1 – Connects with I-10 near 55th Avenue;
- Alternative 2 – Connects with I-10 near Loop 101;
- Alternative 2A – Connects with I-10 near Loop 101 (similar to Alternative 2);
- Alternative 2B – Connects with I-10 near Loop 101 (similar to Alternative 2);
- Alternative 5 – Connects with I-10 near 79th Avenue;
- Alternative 6 – Connects with I-10 near 71st Avenue;
- Alternative 7 – Connects with I-10 near 45th Avenue;
- Alternative 8 – Connects with I-10 near 45th Avenue (similar to Alternative 7); and,
- Alternative 9 – Connects with I-10 near 105th Avenue (with direct connection ramps to Loop 101).



Because coordination with GRIC regarding alternatives on its lands is on-going, all of the nine technical alternatives lie outside the reservation border. Therefore, Pecos Road was used as the eastern portion for each alignment. Specifically, each alignment would begin at the I-10/Loop 202 Traffic Interchange near Pecos Road and proceed west along Pecos Road to the GRIC border.

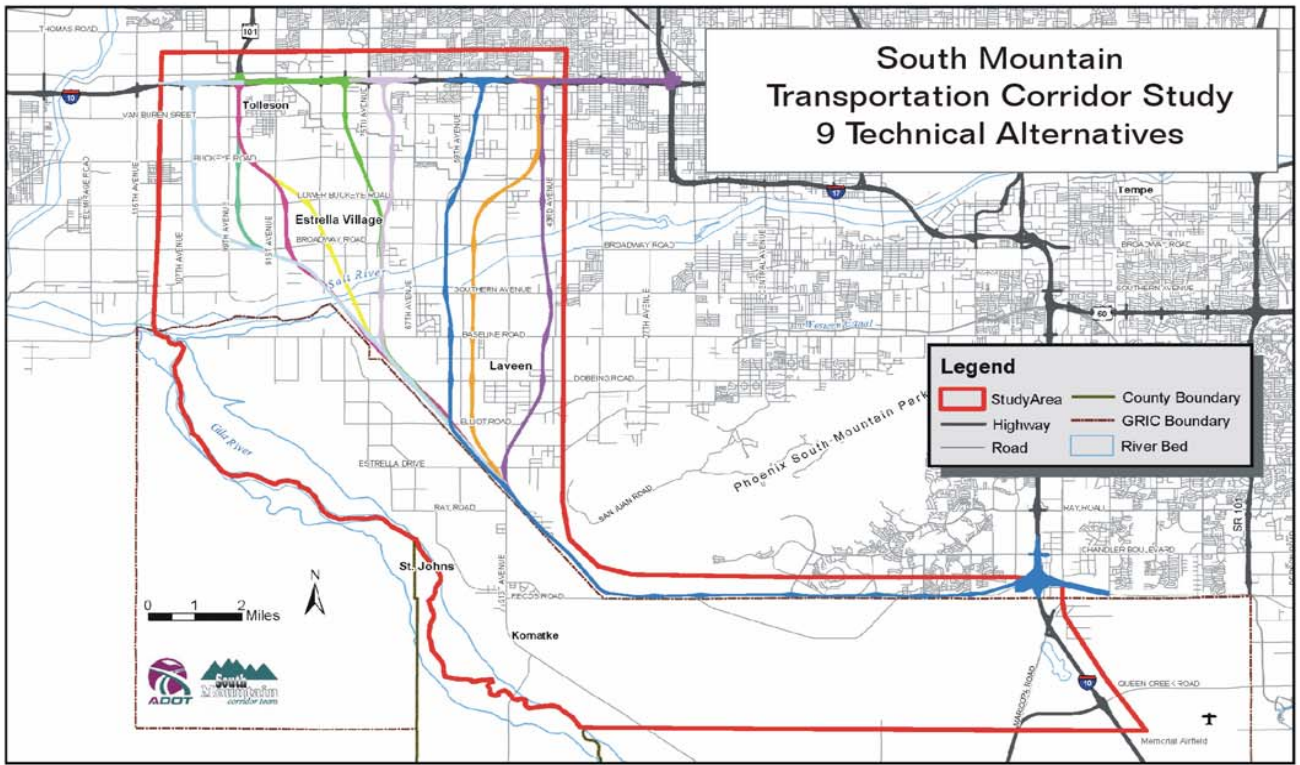
During early 2003, the potential impacts of the nine technical alternatives were analyzed and evaluated. This analysis indicated which alternatives were appropriate to move forward into the next stage of the process. The criteria used to evaluate the alternatives included their potential impacts on:

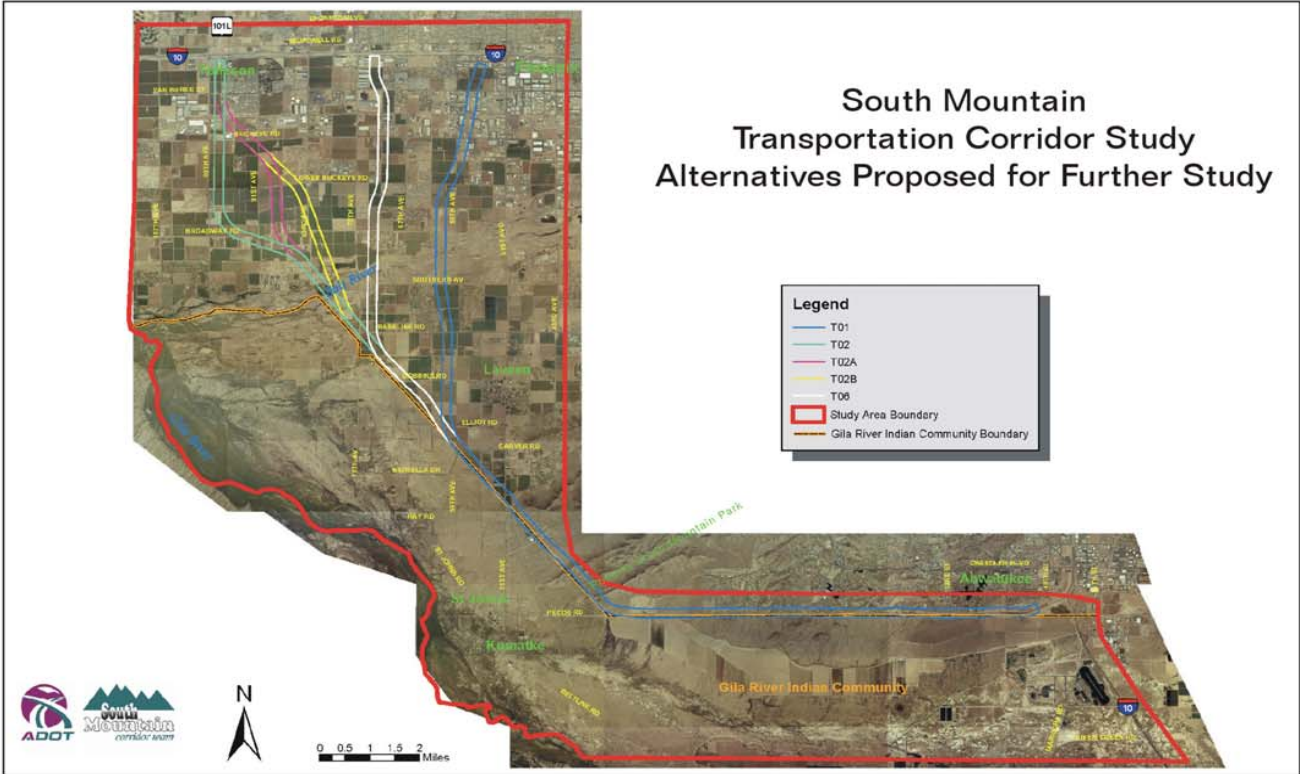
- Air quality;
- Cultural sites;
- Jurisdictional waters;
- Environmental Justice;
- Threatened and endangered species;
- Potential hazardous waste sites;
- Residential and business displacements;
- Existing utilities;

- Compliance with local land-use plans;
- Agricultural lands;
- Highway design standards and traffic operations;
- Cost;
- Political and public acceptability; and,
- Noise.

The one area where the alternatives showed distinct differences was in their impacts to traffic on I-10 from the Loop 101 interchange to the I-17 interchange. A sophisticated traffic computer modeling program shows how traffic functions now, how it would function in the year 2025 without a South Mountain Freeway, and how it would function in 2025 if different South Mountain Freeway alternatives were built. The results indicate:

- A connection to I-10 at Loop 101 could work well but would require major improvements to both Loop 101 and I-10.
- Any other connection to I-10 should be more than 3 miles away from Loop 101 and I-17, but could work with improvements (widening) to I-10.





- Any connection to I-10 less than 3 miles from Loop 101 or I-17 would not work well even if improvements were made to I-10.

Three alternatives have been advanced for further study, with one alternative (Alternative 2) having 3 options along a portion of its length. Each alternative begins at the Pecos Road interchange with I-10 and continues west along Pecos Road to the GRIC border. At this point, each alternative turns northwest along the GRIC border until each diverges. From there, the alternatives are:

- Alternative 1 follows the GRIC boundary until halfway between 59th and 63rd Avenues, and then turns north. The alignment runs between 59th and 63rd avenues until just south of Lower Buckeye Road, where it turns slightly to the northeast, crosses 59th Avenue and connects with I-10 near 55th Avenue, 5.25 miles east of the existing I-10/Loop 101 interchange.
- Alternative 2 follows the GRIC border across the Salt River, and continues to just west of 83rd Avenue between Southern Avenue and Broadway Road. The alignment turns north between 95th and 99th Avenues and connects with I-10 at the existing I-10/Loop 101 interchange.
- Alternative 2-A follows the GRIC border over the Salt River, then turns north between 87th and 91st Avenues just south of Broadway Road. The alignment then runs north to Lower Buckeye Road, turns to the northwest and crosses 91st Avenue. At Buckeye Road, the alignment turns to the north between 95th and 99th Avenues and connects with I-10 at the existing I-10/Loop 101 interchange.
- Alternative 2-B follows the GRIC border to 75th Avenue where it turns to the north-northwest, crosses the Salt River and runs to just south of Lower Buckeye Road between 83rd and 87th Avenues. At this point, the alignment turns northwest to Buckeye Road between 95th and 99th



Members of the South Mountain CAT listen to presentations on alignment alternatives at the August meeting.

Citizen Advisory Team Participates in Planning

Since the project began, the study team has worked with a Citizen Advisory Team (CAT) comprised of people from throughout the study area including Laveen, South Mountain area, Ahwatukee, and the Gila River Indian Community. The CAT meets regularly to review technical aspects of the project, discuss interests and concerns of their individual communities, and help find a consensus solution for this very challenging task.

Where Do We Go From Here?

Avenues and connects to I-10 at the existing I-10/Loop 101 interchange.

- Alternative 6 follows the GRIC border until midway between 71st and 75th avenues, and then turns to the north to a point just south of Lower Buckeye Road. The alignment then turns to the north-northeast until it parallels 69th Avenue. From there, the alignment turns north to Van Buren Street, shifts slightly to the west and connects with I-10 just west of 69th Avenue, approximately three miles east of the existing I-10/Loop 101 interchange.

The study team is performing a detailed analysis of the three alternatives for the Environmental Impact Statement. A single recommended alternative will ultimately be developed. Once the Draft Environmental Impact Statement is completed, it will be available for public review and comment.

Meanwhile, the study team continues to work with the Gila River Indian Community regarding potential alternatives. As a sovereign nation, the Gila River Indian Community has sole authority to decide if and where any freeway alignment might be built on its land.

What Do You Think?

1. What do you think of the three alternatives (and options) being advanced for further study? _____

2. Are there other alternatives that should be considered? _____

3. Additional comments: _____

Please return the completed form to:
South Mountain Corridor Team
HDR, Inc.
3200 E. Camelback Rd., Ste. 350,
Phoenix, AZ 85018

Optional
Name: _____
Address: _____
City: _____ State: _____ ZIP: _____



South Mountain Corridor Team
HDR, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, AZ 85018-2311

Please Join Us

Three public meetings will provide the same information on different evenings at different locations. Please attend to learn more about the South Mountain Corridor Study, ask questions and receive answers, and share your comments and concerns. Your participation is an important aspect of the study and we hope you will attend.

Tuesday, September 30, 2003

Cesar Chavez High School
3921 W. Baseline Road, Laveen
6-8 p.m.

Wednesday, October 1, 2003

Desert Vista High School
16440 S. 32nd Street, Phoenix
6-8 p.m.

Thursday, October 2, 2003

Tolleson High School
9419 W. Van Buren, Tolleson
6-8 p.m.

Por Favor Únase

Tres reuniones públicas proveerán la misma información en distintas noches y distintas ubicaciones. Por favor asista para informarse más sobre el Estudio del Corredor South Mountain, haga preguntas, reciba respuestas, y comparta sus comentarios e inquietudes. Su participación es un importante aspecto del estudio y esperamos que asista.

Martes 30 de septiembre de 2003

Escuela Cesar Chavez High School
3921 W. Baseline Road, Laveen
6-8 p.m.

Miércoles 1º de octubre de 2003

Escuela Desert Vista High School
16440 S. 32nd Street, Phoenix
6-8 p.m.

Jueves 2 de octubre de 2003

Escuela Tolleson High School
9419 W. Van Buren, Tolleson
6-8 p.m.

ADOT



Estudio del Corredor de Transporte South Mountain ASESORIA

Otoño/Invierno 2005

Estudio de la Autopista South Mountain

En 1985, los electores del Condado Maricopa aprobaron un sistema Regional de Autopistas, el cual incluyó a una sección en South Mountain conectando a la autopista Interestatal 10 al sur y oeste de la ciudad. En 1988, la Junta de Transporte de Arizona aprobó un alineamiento para la Autopista South Mountain de este a oeste a lo largo de Pecos Road, y de norte a sur entre 55th Avenue y 63rd Avenue.

En 2001, el Departamento de Transporte de Arizona (ADOT por sus siglas en inglés) y la Administración Federal de Autopistas (FHWA por sus siglas en inglés), empezaron a preparar una Declaración de Impacto Medioambiental (EIS por sus siglas en inglés) para determinar si dicha autopista todavía es necesaria, dónde debería ubicarse, y cuáles serían los efectos medioambientales, sociales y económicos que podría tener una construcción como esa. Hemos visto mucho en los últimos cuatro años. Este boletín proporciona una visión general y actualizada del estudio.

Estudio Medioambiental

Un Estudio del Impacto Medioambiental de esta magnitud envuelve a docenas de científicos e ingenieros, y considera las opciones para la ubicación de la autopista. También considera los impactos, si los hubiese, que dichas opciones podrían tener en el medioambiente, incluyendo aspectos tales como: calidad del aire, ruido, sitios culturales, justicia ambiental (imparcialidad para todos), especies amenazadas o en peligro de extinción, sitios de desperdicios potencialmente peligrosos, planes locales de uso de terrenos, reubicación de viviendas o negocios, terrenos agrícolas, costo de la construcción, qué tan bien se movilizaría el tránsito, y varios otros asuntos técnicos. Otra consideración importante es cómo se podría diseñar la autopista para adecuarse a la comunidad. Es un proceso muy complejo, dinámico y que requiere mucho tiempo.

¿Por Qué Se Lleva Tanto Tiempo Este Estudio?

Éste es un proyecto de investigación que cambia constantemente. Los ingenieros, investigadores y científicos medioambientales deben determinar el impacto de la nueva información que se va descubriendo durante el proceso.

Por ejemplo, los nuevos datos del censo y las proyecciones actualizadas de tránsito han cambiado la manera como se espera que se vea el Valle dentro de 25 años. Por lo tanto, mucha de la información para este proyecto debe

actualizarse para incluir la mejor información disponible.

El equipo de estudio considera los impactos que pueden resultar tanto de las secciones bajo nivel y superficiales de la autopista, así como de las intersecciones de tránsito construidas sobre o bajo las calles actuales. Deben tomarse en cuenta las consecuencias de las opciones y las necesidades de los residentes y viajeros del Valle, y desafortunadamente, esto toma tiempo.



www.SouthMountainFreeway.com



Por Favor Acompañenos

Por favor acompañenos para hablar sobre el Corredor de Transporte South Mountain. La información recabada en estas reuniones será usada para evaluar las alternativas.

Reunión Estilo Casa Abierta: Mediodía - 8 p.m. cada día

Martes 15 de noviembre de 2005

Estrella Vista Reception Center
1471 N. Eliseo C Felix Jr. Way, Avondale

Miércoles 16 de noviembre de 2005

Corona Ranch
7611 S. 29th Avenue, Laveen

Jueves 17 de noviembre de 2005

Hotel Grace Inn
10831 S. 51st Street, Ahwatukee

En cada reunión habrá una sesión estilo casa abierta del mediodía a las 8 p.m. para permitir suficiente tiempo para preguntas y comentarios.

Las presentaciones continuas proporcionarán la misma información durante el transcurso de estas reuniones.

(Por favor vea los mapas de las ubicaciones en la página 12.)

Please see
pages 1-4 for
this document
in English.

Sigue Aumentando el Congestionamiento de Tránsito

Mientras esto sucede, la población crece, trayendo más vehículos y más congestionamiento de tránsito al Valle. Mientras el tránsito planeado del tranvía ligero y los autobuses debe ser parte de la solución a nuestro futuro en el transporte, los resultados del estudio muestran claramente una necesidad regional de construir una nueva autopista en el área de South Mountain. La Autopista South Mountain ha sido planeada como parte del Sistema Regional de Autopistas desde la década de

los 80s, y sigue siendo una conexión crítica para las necesidades de transporte de la región.

El proceso de identificar rutas alternas para la Autopista South Mountain ha sido abierto y exhaustivo. El estudio ha incluido a gobiernos locales, negocios, la Asociación de Gobiernos de Maricopa (MAG), la Comunidad India Gila River (GRIC por sus siglas en inglés), así como información e ideas de miles de residentes.

¿Dónde Podría Conectarse la Autopista I-10 en el Oeste?

Después de cuatro años de un complejo estudio técnico y cientos de reuniones con los residentes, funcionarios políticos y otros, se están estudiando las alternativas con gran detalle para las conexiones potenciales en el oeste de la autopista I-10, cerca de 55th Avenue, 71st Avenue ó la conexión actual del anillo de circunvalación Loop 101, la cual tiene tres opciones en sí misma.



¿Cuáles Son las Principales Diferencias en Estas Conexiones?

Las conexiones de 55th Avenue, 71st Avenue y el anillo de circunvalación Loop 101 difieren en cuanto a su proximidad al centro de Phoenix. Cada una de ellas cuenta con distintos impactos sociales y económicos para los vecindarios, y cada una afecta al tránsito de manera diferente a lo largo de la autopista I-10 y otros segmentos del Sistema Regional de Autopistas.

La ubicación de las alternativas y sus distancias a los centros de trabajo y residenciales, cambiarían la estructura del tránsito usando la autopista propuesta, así como el destino de dicho tránsito.

Cada alternativa podría tener distintos efectos en las comunidades a las que da servicio, posiblemente dividiendo distritos escolares y vecindarios, o proporcionando acceso directo a la autopista a los centros propuestos de las aldeas (como el Centro de la Aldea Laveen en Dobbins Road y 59th Avenue). Las tres alternativas cruzan una variedad de usos de terreno actuales y propuestos. Algunas tienen mayor impacto en futuros terrenos residenciales, mientras que otras impactan la futura propiedad comercial o industrial. Los futuros usos de terrenos han sido planeados cerca del alineamiento original de 55th Avenue, lo cual es similar al alineamiento propuesto a mediados y finales de la

década de los 80s. Las tres alternativas podrían resultar en reubicaciones residenciales y de negocios.

Mientras que las tres requerirían mejoramientos a la autopista I-10 y posiblemente al anillo de circunvalación Loop 101, la ubicación de los mejoramientos cambiará de acuerdo a la ubicación de la conexión.

El tránsito operaría de manera diferente en cada alternativa. Basados en las proyecciones de tránsito para el año 2030:

- 50 por ciento del tránsito en una conexión de South Mountain a la autopista I-10 en 55th Avenue vendría de o iría hacia el este (centro de Phoenix) por la autopista I-10.
- Con una conexión a la autopista I-10 en 71st Avenue, cerca del 40 por ciento del tránsito de la Autopista South Mountain se dirigiría hacia el este por la autopista I-10.
- Con una conexión a la autopista I-10 en el anillo de circunvalación Loop 101, cerca de 33 por ciento del tránsito de la Autopista South Mountain viajaría hacia y desde el este por la autopista I-10, y la mayoría del resto de los vehículos usarían el anillo de circunvalación Loop 101.

¿Dónde Podría Conectarse a la Autopista I-10 en el Este?

Si se construyese la Autopista South Mountain, probablemente se conectaría en el este de la autopista I-

10 en la intersección con el anillo de circunvalación Loop 202. Continúan las pláticas con la Comunidad India Gila

River (GRIC por sus siglas en inglés), en un esfuerzo por determinar si el equipo de estudio puede examinar los terrenos de la comunidad GRIC como una posible opción para la autopista. La única otra opción conectaría con

Pecos Road al norte de la frontera de la comunidad GRIC, siguiendo ese alineamiento al este, hacia la actual intersección de tránsito I-10/Loop 202.

Comunidad India Gila River

Desde el principio del estudio en 2001, ADOT y FHWA han trabajado con la comunidad GRIC, para determinar si la porción de la autopista puede ser ubicada en tierras de la GRIC, al sur de Pecos Road. A la fecha, ninguna de las opciones de la Comunidad ha sido aprobada por dicha comunidad para continuar con estudios posteriores.

La Comunidad India Gila River tiene la autoridad única y exclusiva para decidir si y dónde podrían hacerse estudios o construirse una autopista en sus terrenos. Por lo tanto, si se debe identificar una preferencia para el lado este sin considerar las alternativas de la comunidad GRIC, las opciones incluirían ya sea la alineación en Pecos Road, o el no construir la Autopista South Mountain.

¿No Construir Una Autopista Es Realmente una Opción?

No construir una autopista sigue siendo una opción. Si se elige esta opción, el proyecto propuesto completo no se llevaría a cabo, y se evaluarían los efectos ambientales

de no tomar acción alguna. Es posible, sin embargo, que se inicie un nuevo estudio para el área en algún momento en el futuro.

Equipo de Asesoría de Ciudadanos

Desde principios de 2002, ADOT ha estado trabajando con un Equipo de Asesoría de Ciudadanos (CAT por sus siglas en inglés) formado por personas del suroeste del Valle, Laveen, la asociación Valley Forward Association, Ahwatukee, la Comunidad India Gila River, la organización Sierra Club, los representantes de la asociación de propietarios de viviendas, y muchas otras a través de toda el área del estudio.



El Equipo de Asesoría de Ciudadanos de South Mountain incluye a 26 representantes de a través de toda el área de estudio del proyecto.

El equipo CAT actúa como tornavoz y ayuda al equipo del proyecto a entender los asuntos y las inquietudes de la comunidad. El grupo se reúne regularmente para revisar los datos técnicos y medioambientales, para hablar sobre los intereses e inquietudes de sus comunidades individuales, y para ayudar a encontrar una solución en consenso para este proyecto tan complejo. Este grupo ha dedicado una gran cantidad de tiempo a estudiar las proyecciones detalladas de tránsito, los impactos potenciales en las comunidades locales, y las consecuencias de las opciones y alternativas. Finalmente, el equipo CAT hará una recomendación a ADOT, sin embargo, la recomendación del equipo de

asesoría será sólo uno de muchos factores que ADOT y FHWA considerarán al seleccionar una alternativa preferida.

¿Y Ahora Qué?

Después de revisar los comentarios públicos y la recomendación del equipo CAT, ADOT y FHWA identificarán una alternativa preferida para una conexión en el oeste de la autopista I-10. Una vez que se haya completado sustancialmente el Borrador de la Declaración del Impacto Medioambiental (DEIS por sus siglas en inglés) en 2006, ADOT y FHWA identificarán una alternativa preferida para el lado oeste. Entonces, el borrador DEIS estará disponible durante 45 días para que el público lo revise. Durante ese periodo de

comentarios de 45 días, se llevará a cabo una audiencia pública para considerar el contenido del borrador DEIS. Cuando esté terminado, el público tendrá otra oportunidad de 30 días para comentar sobre la declaración EIS final. Los comentarios recibidos durante los periodos de comentarios de 45 y 30 días serán usados por las agencias para tomar su decisión con respecto al proyecto. La decisión final será presentada en el Registro de Decisión final por la FHWA, lo cual se espera que suceda en 2007.

For More Information

Click on the project website at www.SouthMountainFreeway.com for complete details, past newsletters, frequently asked questions and their answers, and regular updates.

Please e-mail your comments to us at SouthMountain@azdot.gov or call our project information telephone number at 602-712-7006.

U.S. Postal Mail can be addressed to:

South Mountain Corridor Team
c/o HDR Engineering
3200 East Camelback Road, Suite 350
Phoenix, AZ 85018-2311

Para Más Información

Presione sobre el nombre del proyecto en el sitio web www.SouthMountainFreeway.com para detalles completos, boletines previos, preguntas frecuentes y sus respuestas, y actualizaciones regulares.

Por favor envíenos una nota con sus comentarios por correo electrónico a SouthMountain@azdot.gov, ó llame a nuestro número telefónico de información al 602-712-7006.

La correspondencia usando el Servicio Postal de los Estados Unidos puede dirigirse a:

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Phoenix, AZ 85018-2311



Comments/Comentarios

Please share your comments regarding the alternatives and options being considered in the South Mountain Transportation Corridor Study./Por favor comparta sus comentarios con respecto a las alternativas y opciones se considerando en el Estudio del Corredor de Transporte South Mountain:

Please return the completed form to/Por favor regrese la forma completa a:

South Mountain Corridor Team
c/o HDR, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, AZ 85018-2311

This comment form and opportunity to join the mailing list are also available on our website: www.dot.state.az.us./Esta forma de comentarios y oportunidad de unirse a la lista de correspondencia también está disponible en el sitio en la red: www.dot.state.az.us.

(Optional/Opcional)

Name/Nombre: _____

Address/Domicilio: _____

City/Ciudad: _____ State/Estado: _____

ZIP/Código Postal: _____ Phone/Teléfono: _____

☐ Please add me to the South Mountain Transportation Corridor Study mailing list./Por favor agréguenme a la lista de correspondencia del Estudio del Corredor de Transporte South Mountain.

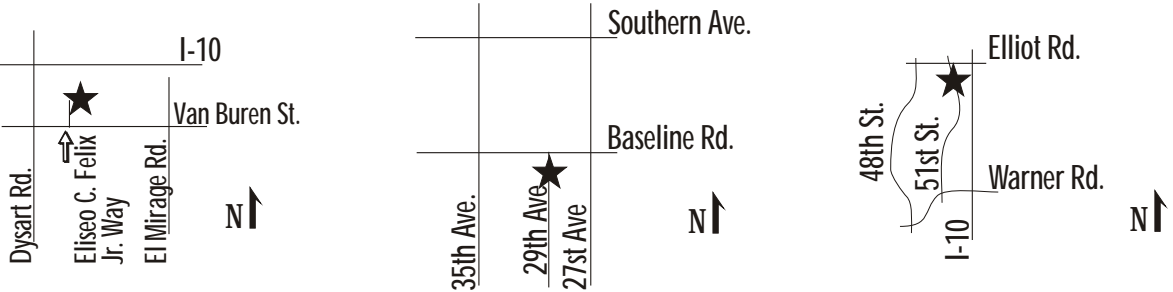
Be Part of the Process

Please join us to discuss the South Mountain Transportation Corridor. Input gathered at these meetings will be used to evaluate the alternatives. Each meeting will feature an open house from noon-8 p.m. to allow ample time for questions and comments. Ongoing presentations will provide the same information throughout the course of these meetings.

Tuesday, Nov. 15, 2005/
Martes 15 de noviembre de 2005
Estrella Vista Reception Center
1471 N. Eliseo C Felix Jr. Way, Avondale

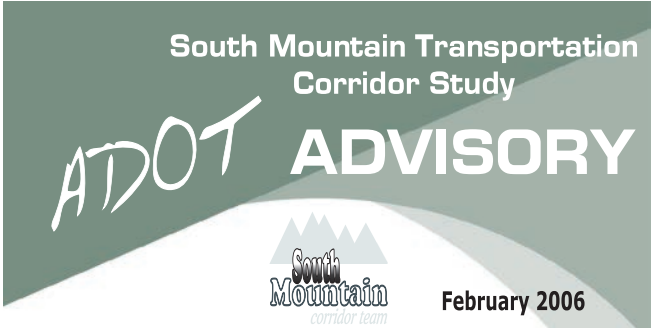
Wednesday, Nov. 16, 2005/
Miércoles 16 de noviembre de 2005
Corona Ranch
7611 S. 29th Avenue, Laveen

Thursday, Nov. 17, 2005/
Jueves 17 de noviembre de 2005
Grace Inn
10831 S. 51st Street, Ahwatukee



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Phoenix, AZ 85018-2311





ADOT Needs Your Input

The Arizona Department of Transportation is considering three locations for the potential Loop 202 South Mountain Freeway to connect to Interstate 10 on the west side of the Valley. Public meetings will be held to discuss how a South Mountain Freeway might affect I-10 access.

Each of the alternatives for connecting to I-10 would require approximately 9 miles of improvements and widening to I-10. The options include:

- 55th Avenue Connection -- would change existing access to I-10 between 67th Avenue and 43rd Avenue and would limit local access at 63rd Avenue and 43rd Avenue.
- 71st Avenue Connection -- would change existing access to I-10 between 59th Avenue and 83rd Avenue and would limit local access at 59th Avenue and 83rd Avenue.
- Loop 101 Connection -- would change access to the freeway from 99th Avenue and require reconstruction of ramps at the I-10/Loop 101 interchange.

Should I attend?

If your home or business would be affected, or if your usual travel routes would change, ADOT would like to hear from you. Please consider attending one of the upcoming meetings shown below. Each presentation will contain the same information.

South Mountain/
I-10 Access Open House

**Tuesday, March 7
Open House 4-7 p.m.**
Presentations: 5 p.m. & 6 p.m.
Holiday Inn Phoenix West
1500 N. 51st Avenue

**Wednesday, March 8
Open House 5-8 p.m.**
Presentations: 6 p.m. & 7 p.m.
Santa Maria Middle School
7250 W. Lower Buckeye Road



ADOT Necesita Su Opinión

El Departamento de Transporte de Arizona (ADOT por sus siglas en inglés) está considerando tres ubicaciones potenciales para el anillo de circunvalación Loop 202 South Mountain Freeway para conectar a la Interestatal 10 en el oeste del Valle. Se llevarán a cabo reuniones públicas para considerar cómo la autopista a South Mountain Freeway podría afectar el acceso a la autopista interestatal I-10.

Cada una de las alternativas requeriría aproximadamente nueve millas de mejoramientos, además del ensanchamiento de la autopista I-10. Las opciones son:

- Conexión con 55th Avenue -- cambiaría el acceso actual a la autopista I-10 entre 67th Avenue y 43rd Avenue, y limitaría el acceso local en 63rd Avenue y 43rd Avenue.
- Conexión con 71st Avenue -- cambiaría el acceso actual a la autopista I-10 entre 59th Avenue y 83rd Avenue, y limitaría el acceso local en 59th Avenue y 83rd Avenue.
- Conexión con el anillo de circunvalación Loop 101 -- modificaría el acceso a la autopista desde 99th Avenue y reconstruirá las rampas en la intersección de la I-10/Loop 101.

¿Debo asistir?

Si su hogar o su negocio serán afectados, o si sus rutas usuales de viaje cambiarán, a ADOT le gustaría escuchar su opinión. Por favor trate de asistir a una de las reuniones que se muestran abajo. Cada una de las presentaciones contendrá la misma información.

Casa Abierta de South
Mountain/Acceso a la I-10

**Martes 7 de marzo
Casa Abierta: 4 a 7 p.m.**
Presentaciones: 5 p.m. y 6 p.m.
Hotel Holiday Inn Phoenix West
1500 N. 51st Avenue

**Miércoles 8 de marzo
Casa Abierta: 5 a 8 p.m.**
Presentaciones: 6 p.m. y 7 p.m.
Escuela Santa Maria Middle School
7250 W. Lower Buckeye Road



South Mountain Corridor Team
c/o HDR, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, AZ 85018-2311

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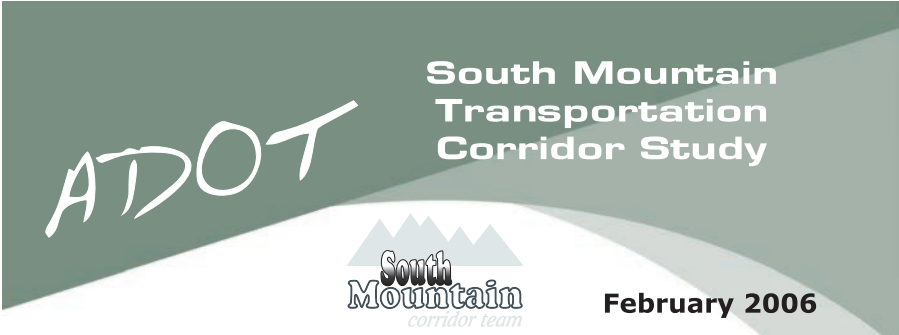
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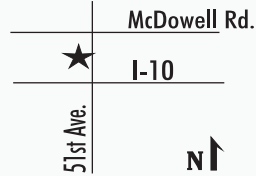
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I-10 Access Open House

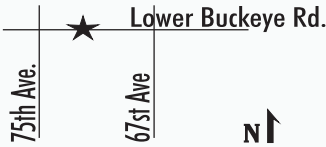
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1500 N. 51st Avenue



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Presentations: 6 p.m. & 7 p.m.
Santa Maria Middle School
7250 W. Lower Buckeye Road



Project Information 602-712-7006 * www.SouthMountainFreeway.com



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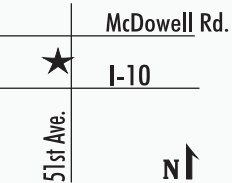
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Mountain/Acceso a la I-10

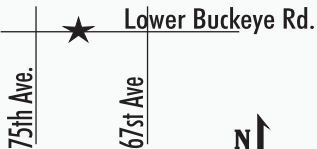
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Presentaciones: 6 p.m. y 7 p.m.
Escuela Santa Maria Middle School
7250 W. Lower Buckeye Road



Más información al 602-712-7006 * www.SouthMountainFreeway.com

ARIZONA DEPARTMENT OF
TRANSPORTATION

PUBLIC MEETINGS

South Mountain Corridor Study Public Scoping Meetings

Monday, November 5, 2001
Desert Vista High School,
Auditorium
16440 S. 32nd St., Ahwatukee

Thursday, November 8, 2001
Fowler Elementary School,
Cafeteria
6707 W. Van Buren St., Phx.

both evenings: 6:30-7 p.m. Presentation, 7-9 p.m. Q&A/Open House

The map shows the South Mountain Corridor Study area. It includes I-10 running horizontally. To the south of I-10, there are several streets: Chandler Blvd., Pecos Rd., 32nd St., 40th St., 75th Ave, 67th Ave, and 59th Ave. To the north of I-10, there are McDowell Rd., Van Buren St., and Buckeye Rd. The map also shows Ray Rd. and Mountain Pkwy. The location of Desert Vista H.S. is marked at the intersection of 32nd St. and I-10. The location of Fowler Elementary is marked at the intersection of 67th Ave and Van Buren St. A north arrow is shown at the bottom right of the map.

The Arizona Department of Transportation (ADOT) will conduct public scoping meetings for the South Mountain Transportation Corridor Study. The public meetings will be held on Monday, November 5, 2001 at the Desert Vista High School Auditorium and on Thursday, November 8, 2001 at the Fowler Elementary School Cafeteria. Each public meeting will provide the same information with a presentation from 6:30-7 p.m. and a question and answer session/open house from 7-9 p.m.

ADOT, in conjunction with the Federal Highway Administration, is beginning an engineering and environmental study known as an Environmental Impact Statement that will examine transportation needs in the corridor and evaluate all reasonable ways to meet them, including whether there is a need for a major transportation improvement in the corridor.

The purpose of this meeting is to inform people of the status of the South Mountain Corridor Study, take questions and provide answers, and hear comments and concerns. Public participation is an important part of the project evaluation process and all interested parties are encouraged to attend the hearing.

Persons with a disability may request reasonable accommodations, such as a sign language interpreter, by contacting Theresa Gunn, Gunn Communications Inc., 8629 W. Alex Avenue, Peoria, AZ 85382, phone: (623) 362-1597, fax: (623) 362-1721. Requests should be made as early as possible to allow time to arrange accommodations. This notice is available in alternative formats by contacting Theresa Gunn at the number referenced above.

For additional information or to submit comments in writing, contact Ralph Ellis, ADOT Environmental Planning Group, 205 S. 17th Ave., MD 619E, Phoenix, AZ 85007, phone: (602) 712-8353, fax: (602) 712-3066, or see www.dot.state.az.us. This ad is also available at www.adotenvironmental.com.

Perry Powell
District Engineer

Mary A. Viparina
Project Manager

Edward D. Wright
State Engineer

Tracs No. 202L MA 054 H5764 01L

ARIZONA DEPARTMENT OF
TRANSPORTATION

PUBLIC MEETINGS

South Mountain Corridor Study Public Meetings

Tuesday, September 30, 2003
Cesar Chavez High School
3921 W. Baseline Rd., Phoenix

Wednesday, October 1, 2003
Desert Vista High School,
16440 S. 32nd St., Ahwatukee

Thursday, October 2, 2003
Tolleson High School
9419 W. Van Buren St., Tolleson

Each evening: 6-8 p.m. Open House, 6:30 p.m. Presentation

The map shows the South Mountain Corridor Study area. It includes I-10 running horizontally. To the south of I-10, there are several streets: Chandler Blvd., Pecos Rd., 32nd St., 40th St., 75th Ave, 67th Ave, and 59th Ave. To the north of I-10, there are McDowell Rd., Van Buren St., and Buckeye Rd. The map also shows Ray Rd. and Mountain Pkwy. The location of Cesar Chavez H.S. is marked at the intersection of Baseline Rd. and I-10. The location of Desert Vista H.S. is marked at the intersection of 32nd St. and I-10. The location of Tolleson H.S. is marked at the intersection of Van Buren St. and I-10. A north arrow is shown at the bottom right of the map.

The Arizona Department of Transportation (ADOT) will conduct public meetings to obtain public input on alternatives for the South Mountain Transportation Corridor Study. The public meetings will be held on Tuesday, September 30 at Cesar Chavez High School, 3921 W. Baseline, Phoenix; Wednesday, October 1 at Desert Vista High, 16440 S. 32nd Street, Ahwatukee; and Thursday, October 2 at Tolleson High School, 9419 W. Van Buren, Tolleson. Each public meeting will provide the same information from 6-8 p.m. starting with an open house and a presentation and question and answer session at 6:30 p.m.

ADOT, in conjunction with the Federal Highway Administration, is conducting an engineering and environmental study known as an Environmental Impact Statement that will examine transportation needs in the corridor and evaluate all reasonable ways to meet them, including whether there is a need for a major transportation improvement in the corridor.

The purpose of this meeting is to provide people with information on the alternatives that are being studied for a South Mountain Freeway, take questions and provide answers, and hear comments and concerns. Public participation is an important part of the alternative evaluation process and all interested parties are encouraged to attend the hearing.

Persons with a disability may request reasonable accommodations, such as a sign language interpreter, by contacting Theresa Gunn, Gunn Communications Inc., 8629 W. Alex Avenue, Peoria, AZ 85382, phone: (623) 362-1597, fax: (623) 362-1721. Requests should be made as early as possible to allow time to arrange accommodations. This notice is available in alternative formats by contacting Theresa Gunn at the number referenced above.

For additional information or to submit comments in writing, contact Thor Anderson, ADOT Environmental & Enhancement Group, 205 S. 17th Ave., MD 619E, Phoenix, AZ 85007, phone: (602) 712-8637, fax: (602) 712-3066, or see www.dot.state.az.us. This ad is also available at www.adotenvironmental.com.

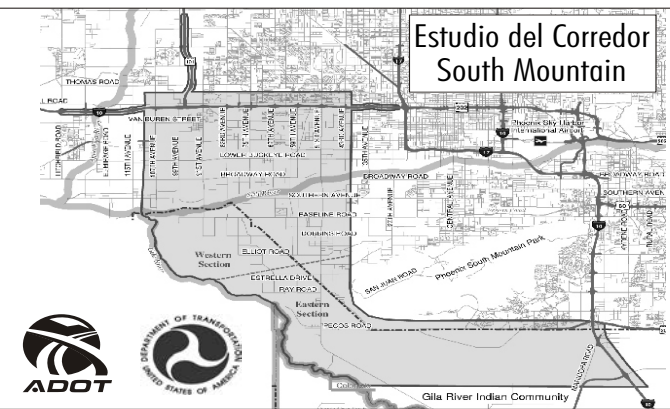
Perry Powell
District Engineer

Floyd Roehrich
Project Manager

William J. "Bill" Higgins
Acting State Engineer

Tracs No. 202L MA 054 H5764 01L

DEPARTAMENTO DE TRANSPORTE DE ARIZONA
REUNIONES PÚBLICAS



El Departamento de Transporte de Arizona (ADOT por sus siglas en inglés) y la Administración Federal de Autopistas (FHWA por sus siglas en inglés), están evaluando rutas alternas para la Autopista South Mountain, el segmento de autopista del anillo de circunvalación Loop 202, conectando a la autopista Interestatal 10 al sur de Phoenix con la autopista Interestatal 10 al oeste de la ciudad.

Se llevarán a cabo reuniones públicas para presentar las alternativas y proporcionar una oportunidad para recibir información de los ciudadanos. Se realizarán presentaciones y sesiones de preguntas y respuestas durante el día, así como una reunión continua al estilo casa abierta. Cada una de las reuniones contendrá la misma información. Asistirán representantes del departamento ADOT y de la administración FHWA.

En 2001 el departamento ADOT, en cooperación con la administración FHWA, empezó a preparar el Reporte de Concepto de Ubicación/Diseño y la Declaración del Impacto Medioambiental para determinar si tal autopista todavía se necesita, dónde debería ubicarse, y cuáles podrían ser los impactos sociales, económicos y al medio ambiente que dichas instalaciones podrían ocasionar.

Las personas con una discapacidad pueden solicitar adaptaciones razonables, tales como un intérprete de lenguaje a señas, comunicándose con Theresa Gunn, Gunn Communications Inc., 8629 W. Alex Avenue, Peoria, AZ 85382, teléfono: (623) 362-1597, fax: (623) 362-1721. Las solicitudes deben hacerse cuanto antes posible, dando tiempo para hacer los arreglos para las adaptaciones. Este aviso está disponible en formatos alternos, llamando a Theresa Gunn en el número que aparece arriba.

Para información adicional o para presentar comentarios por escrito, comuníquese con Ralph Ellis, ADOT Environmental & Enhancement Group, 205 S. 17th Ave., MD 619E, Phoenix, AZ 85007, teléfono: (602) 712-6161, fax: (602) 712-3066, correo electrónico: rellis@azdot.gov.

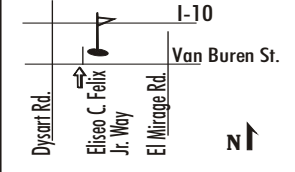
www.SouthMountainFreeway.com

Perry Powell Mike Bruder Sam Elters
Ingeniero de Distrito Gerente del Proyecto Ingeniero del Estado

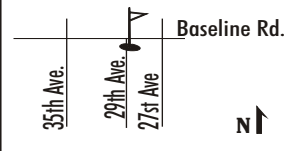
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CASA ABIERTA:
Mediodía - 8 p.m. cada día

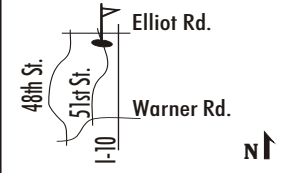
Martes 15 de noviembre
Estrella Vista Reception Center
1471 N. Eliseo C. Felix Jr. Way
Avondale



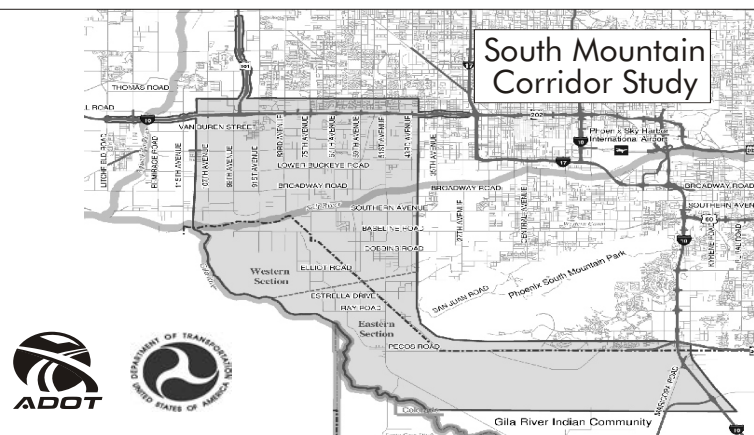
Miércoles 16 de noviembre
Corona Ranch
7611 S. 29th Avenue, Laveen



Jueves 17 de noviembre
Hotel Grace Inn
10831 S. 51st Street, Ahwatukee



ARIZONA DEPARTMENT OF TRANSPORTATION
PUBLIC MEETINGS



The Arizona Department of Transportation is considering three locations for the potential Loop 202 South Mountain Freeway to connect to Interstate 10 in the West Valley.

Public meetings will be held to discuss how a South Mountain Freeway might affect I-10 access. Each of the presentations will contain the same information. Representatives from ADOT and FHWA will be in attendance.

Each of the alternatives would require I-10 improvements and widening. The options include:

Loop 101 Connection -- would change access to the freeway from 99th Avenue and reconstruct ramps at the I-10/Loop 101 interchange.

71st Avenue Connection -- would change existing access to I-10 between 59th Avenue and 83rd Avenue and would limit local access at 59th Avenue and 83rd Avenue.

55th Avenue Connection -- would change existing access to I-10 between 67th Avenue and 43rd Avenue and would limit local access at 63rd Avenue and 43rd Avenue.

If your home or business would be affected, or if your usual travel routes would change, ADOT would like to hear from you. Please consider attending one of the upcoming meetings.

Persons with a disability may request reasonable accommodations, such as a sign language interpreter, by contacting Theresa Gunn, Gunn Communications Inc., 8629 W. Alex Avenue, Peoria, AZ 85382, phone: (623) 362-1597, fax: (623) 362-1721. Requests should be made as early as possible to allow time to arrange accommodations. This notice is available in alternative formats by contacting Theresa Gunn at the number above.

For additional information or to submit comments in writing, contact Ralph Ellis, ADOT Environmental & Enhancement Group, 205 S. 17th Ave., MD 619E, Phoenix, AZ 85007, phone: (602) 712-6161, fax: (602) 712-3066, e-mail: rellis@azdot.gov.

www.SouthMountainFreeway.com

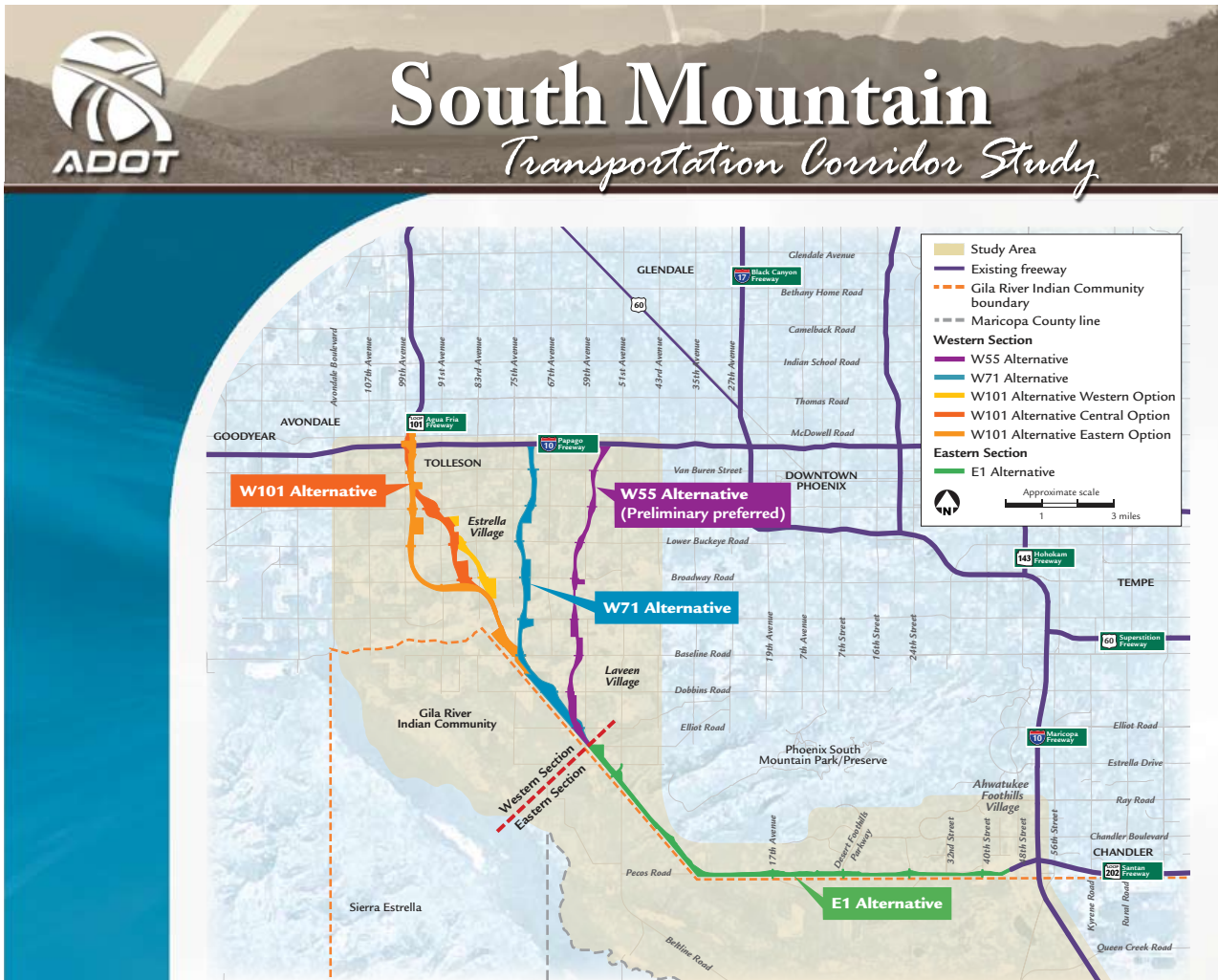
Perry Powell Mike Bruder Sam Elters
District Engineer Project Manager State Engineer

Tracs No. 202L MA 054 H5764 01L

**South Mountain/
I-10 Access Open House**

Tuesday March 7, 2006
Open House 4-7 p.m.
Presentations: 5 p.m. & 6 p.m.
Holiday Inn Phoenix West
1500 N. 51st Avenue

Wednesday, March 8, 2006
Open House 5-8 p.m.
Presentations: 6 p.m. & 7 p.m.
Santa Maria Middle School
7250 W. Lower Buckeye Road



Alternatives studied in the Draft Environmental Impact Statement

What has been happening?

The study team, led by the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), has completed the technical reports in support of the Draft Environmental Impact Statement (EIS), developed the administrative Draft EIS for ADOT and FHWA review and developed the Location and Design Concept Report. Throughout the study process, ADOT and FHWA have continued coordination with the public and local, regional, state and federal agencies.

Since 2002, ADOT and FHWA have worked with a Citizens Advisory Team (CAT) that represents various groups in the South Mountain Freeway Study Area. In 2006, the CAT completed its evaluation of the Western Section alternatives and

recommended the W101 Alternative. In doing so, the CAT emphasized the importance of addressing long-term regional mobility issues, but also expressed concern regarding the possible impacts on community character and cohesion. While taking the CAT recommendation into account, ADOT ultimately identified the W55 Alternative as its preliminary preferred alternative. ADOT's decision was based on overall regional transportation needs; a comprehensive evaluation of social and economic conditions; public and agency comments; engineering elements, such as evaluating traffic data; project costs and environmental factors.

The CAT currently is evaluating the proposed freeway to recommend whether it should be built. Following the public release of the Draft EIS, the



South Mountain Transportation Corridor Study



CAT will provide a final recommendation of “action” or “no-action” for the proposed South Mountain Freeway. For information regarding CAT membership, please visit the project Web site at www.SouthMountainFreeway.com.

Future CAT meetings are currently unscheduled and will be determined according to the release of the Draft EIS. Members of the community are welcome to attend the CAT meetings when scheduled. The information to be discussed at these upcoming meetings, and the information presented at the previous meetings, can be found on the study Web site at www.SouthMountainFreeway.com.

What is the Draft Environmental Impact Statement?

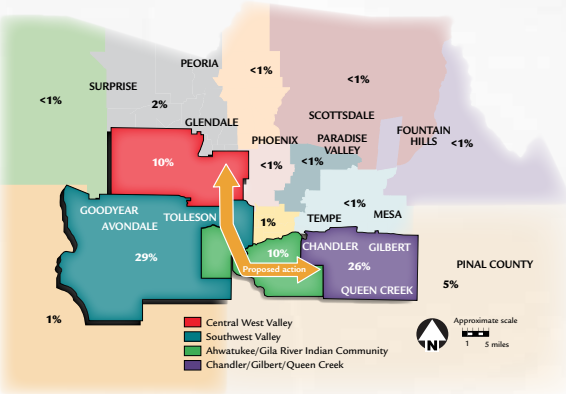
The National Environmental Policy Act (NEPA) requires that EISs be prepared for all major federal actions (or those involving federal funding) that could have a significant effect on the environment.

A Draft EIS presents information about the study's purpose and need; alternatives developed (studied in detail); potential impacts to the social, economic and natural environment, including measures to avoid, reduce or otherwise mitigate impacts; Section 4(f) evaluation; and public and agency outreach.

Purpose and Need Almost 50 percent of projected increases in population, housing and employment from 2005 to 2030 for the entire Maricopa Association of Governments (MAG) region is expected to occur in the southwestern and southeastern portions of the Phoenix metropolitan area (see the graphic addressing

Addressing mobility needs in the MAG region

Seventy-five percent of vehicles forecast to use the proposed freeway were shown to have origins and/or destinations near the proposed South Mountain Freeway. A freeway would be used by vehicles from the east and west areas of the MAG region, and would address east-west mobility needs.



mobility needs above). The proposed freeway would serve the projected increases in these areas.

Alternatives Development To identify the alternatives to be studied in detail in the Draft EIS, a process was used to develop and evaluate a range of alternatives (including non-freeway alternatives). In addition to the most recent alternatives presented (see the map on the first page), the No-Action Alternative is being studied in detail.

Potential Impacts The social, economic and environmental consequences of selecting the Action or No-Action alternatives were evaluated based on a number of elements. These elements include, but are not limited to, land use, social conditions, economics, air quality, noise, cultural resources, visual resources and biological resources.

1983	1985	1988	1994	1996	1999	2001
The Maricopa Association of Governments (MAG) prepares planning studies for the Phoenix metropolitan area that identify corridors for an integrated freeway network.	Maricopa County voters approve a half-cent sales tax to fund the MAG's Regional Freeway System.	A Design Concept Report (DCR) and a state-level Environmental Assessment (EA) are completed for the South Mountain Freeway.	Due to a funding shortfall, ADOT identifies the South Mountain Freeway as an "unfunded segment."	A consortium of private companies proposes to build the South Mountain Freeway as a toll road. The consortium would later withdraw its proposal.	ADOT announces plans to resume completion of the Regional Freeway System, including an unspecified portion of the South Mountain Transportation Corridor.	ADOT begins preparing a new L/DCR and EIS to examine a broad range of alternatives to address the transportation needs in the southwest valley. Public input efforts begin.



Section 4(f) Evaluation Section 4(f) of the U.S. Department of Transportation Act protects the use of public recreational land, historic resources and traditional cultural properties (TCPs). This includes an evaluation of Section 4(f) resources, a determination of impacts and an evaluation of measures available to minimize impacts, when warranted.

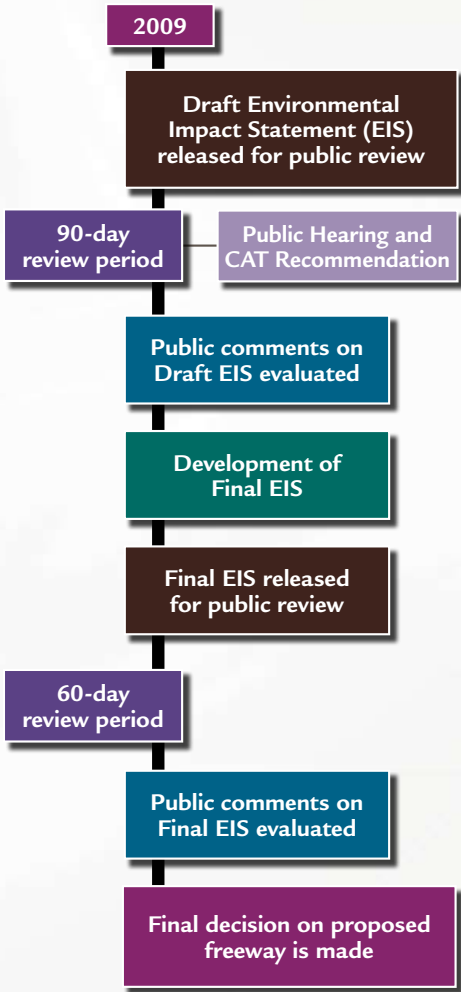
Public and Agency Outreach Since ADOT and FHWA began preparing the Draft EIS in 2001, they have worked to engage and provide study information to the public and agencies. Some of the outreach included holding public meetings in November 2005 to discuss and receive information regarding the proposed alternatives. Approximately 2,600 people attended these meetings. Public meetings also were held in March 2006 to discuss how Interstate 10 might be affected by each of the potential connection options in the West Valley. Nearly 400 people attended these meetings. Public and agency outreach will continue through the next steps in study process (see the graphic on this page).

What is the status of the Draft EIS?

ADOT and FHWA currently are reviewing the technical information in the Draft EIS for the proposed South Mountain Freeway. During the review process, ADOT and FHWA are working with the Gila River Indian Community (GRIC) to address the status of the South Mountains as a TCP. A TCP is a site that is eligible for inclusion in the National Register of Historic Places because of its association with cultural practices or beliefs. Consultation on this issue with GRIC is necessary to complete the technical review.

The exact timeframe is unknown for the completion of the review process; however, when the review is completed and approved for distribution by ADOT and FHWA, it will be available to the public for review and comment. ADOT and FHWA are working as quickly as possible to complete this complex and important study process.

What are the next steps?



We are here

Summer/Fall	Fall/Winter	Fall 2003	Fall 2004	Fall 2005	June 2006	2009	2010
The study team collects baseline information and issues on the transportation corridor.	The study team determines that there is a purpose and need to continue the study.	ADOT, FHWA and the U.S. Army Corps of Engineers concur on the three build alternatives plus options. These are carried forward into the Draft EIS for more detailed analysis.	Voters approve funding MAG's Regional Transportation Plan — including the South Mountain Freeway.	Public information meetings held. Expansive public input efforts continue throughout the study.	ADOT announces the W55 (55th Avenue) Alternative as the "preliminary preferred alternative" based on community input, economic impacts, environmental factors, and traffic analysis.	Expected publication of Draft EIS and public hearing.	Expected final decision on the South Mountain Freeway.

For more information regarding this study, please visit the study Web site at www.SouthMountainFreeway.com.

South Mountain
Transportation Corridor Study

101 North 1st Avenue, Suite 1950
Phoenix, AZ 85003-1923

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For more information regarding this study, please visit the study Web site at www.SouthMountainFreeway.com.

How to Contact Us

If you have any questions or comments about the South Mountain Transportation Corridor Study, please contact:


- Hotline:** 602.712.7006
- Web site:** www.SouthMountainFreeway.com
- Fax:** 602.385.1620
- E-mail:** ADOT@PolicyDevelopmentGroup.com
- Mail:** South Mountain Corridor Study Team
101 North 1st Avenue, Suite 1950
Phoenix, AZ 85003-1923

This document is available in Spanish by calling: 602.712.7006.
Este documento está disponible en Español llamando 602.712.7006.





Estudio del Pasillo de Transporte de South Mountain



Las Alternativas estudiadas en el Giro de Declaración de Impacto Ambiental



¿Qué ha estado sucediendo?

El equipo del estudio, dirigido por el Departamento de Arizona de Transporte (ADOT) y la Administración Federal de Carreteras (FHWA), ha completado los informes técnicos a favor del Giro de Declaración de Impacto Ambiental; (EIS) desarrolló el administrativo Giro de EIS para el reviso de ADOT y FHWA y desarrolló el Informe de Concepto de Ubicación y Diseño. A través del proceso del estudio, ADOT y FHWA han continuado coordinación con el público y agencias locales, regionales, estatales y federales.

Desde el 2002, ADOT y FHWA han trabajado con un Equipo Consultivo de Ciudadanos (CAT) que representa a varios grupos en el Area del Estudio de la Autopista South Mountain. En el 2006, el CAT completó su evaluación de las alternativas de la Sección


Occidental y recomendó la Alternativa W101. A hacer así, el CAT acentuó la importancia de dirigir asuntos regionales a largo plazo de movilidad, pero también expresó concierne con respecto a los impactos posibles en el carácter y la cohesion de la comunidad. Al tomar la recomendación de CAT en cuenta, ADOT últimamente identificó la Alternativa W55 como su preliminar alternativa preferida. La decisión de ADOT fue basada en necesidades regionales generales de transporte; una evaluación completa de condiciones sociales y económicas; comentarios del público y de agencias; elementos de ingeniería, como evaluar los datos de tráfico; costos de proyecto y factores ambientales.

El CAT actualmente esta evaluando la autopista propuesta para recomendar si debe ser construida. Después de hacer público el Giro de EIS, el



noviembre del 2008

Estudio del Pasillo de Transporte de South Mountain



CAT proporcionará una recomendación final de “acción” o de “ningún-acción” para la propuesta Autopista South Mountain. Para información con respecto a la membresía del CAT, por favor visite el sitio web del proyecto en www.SouthMountainFreeway.com.

Futuras reuniones del CAT actualmente están imprevistas y serán determinadas según la publicación del Giro de EIS. Los miembros de la comunidad están bienvenidos a asistir las reuniones de CAT cuando sean programadas. La información que se va a discutir en estas próximas reuniones, y la información presentada en las reuniones anteriores, se puede encontrada en el sitio web del estudio en www.SouthMountainFreeway.com.

¿Qué es el Giro de Declaración de Impacto Ambiental?

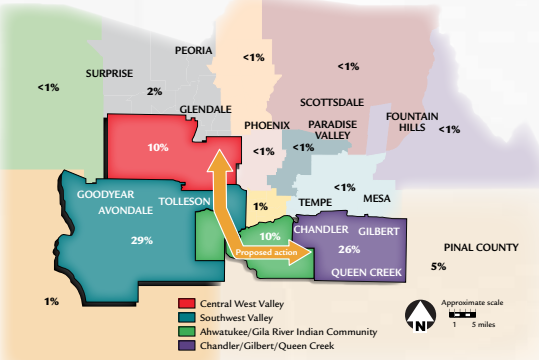
El Acto Nacional de la Política Ambiental (NEPA) requiere que se prepare un EIS para todas acciones mayores federales (o esas que impliquen la financiación federal) que podrían tener un efecto significativo en el ambiente.

Un Giro de EIS presenta información sobre el propósito y necesidad del estudio; alternativas desarrolladas (estudiadas en detalle); impactos potenciales al medio social, económico y natural, incluso medidas para evitar, reducir o de otro modo para mitigar impactos; evaluación de la Sección 4(f); y el alcance del público y de agencias.

Propósito y Necesidad Casi 50 por ciento de aumentos proyectados en la población, vivienda y el empleo del 2005 al 2030 para la region entera de la Asociación de Gobiernos de Maricopa (MAG) es esperada ocurrir en las porciones del sudoeste y del sudeste de la área metropolitana de Phoenix

Dirigir las necesidades de movilidad en la región de MAG

El setenta y cinco por ciento de vehículos pronosticados para utilizar la autopista propuesta fueron mostrados de tener orígenes y/o destinos cerca de la propuesta Autopista South Mountain. Una autopista sería utilizada por vehículos de las áreas oriental y occidental de la región de MAG, y dirigiría las necesidades de movilidad al este-oeste.



(vea el gráfico arriba que dirige las necesidades de movilidad). La autopista propuesta serviría los aumentos proyectados en estas áreas.

Desarrollo de Alternativas Para identificar las alternativas para ser estudiadas con todo detalle en el Giro de EIS, un proceso fue utilizado para desarrollar y evaluar una gama de alternativas (inclusive alternativas sin autopista). Además de las alternativas más recientes presentadas (vea el mapa en la primera página), la Alternativa de Ninguna-Acción se está estudiando con todo detalle.

Impactos Potenciales Las consecuencias sociales, económicas y ambientales de seleccionar las alternativas de Acción o Ninguna-Acción fueron evaluadas basado en varios elementos. Estos elementos incluyen, pero no son limitados a, la utilización de la tierra, condiciones sociales, la economía, calidad aérea, el ruido, recursos culturales, recursos visuales y recursos biológicos.

1983	1985	1988	1994	1996	1999	2001
La Asociación de Gobiernos de Maricopa (MAG) prepara estudios de planeación para la area metropolitana de Phoenix que identifica pasillos para una red integrada de autopistas.	Los votantes del Condado de Maricopa aprueban un impuesto de ventas de medio-centavo para financiar el Sistema Regional de Autopistas de MAG.	Un Informe de Concepto de Diseño (DCR) y una Evaluación Ambiental (EA) al nivel del estado se completan para la Autopista South Mountain.	Debido a una insuficiencia de financiación, ADOT identifica la Autopista South Mountain como un segmento no consolidado.	Un consorcio de empresas privadas propone construir la Autopista South Mountain como una carretera de peaje. El consorcio retiraría luego su propuesta.	ADOT anuncia planes para reasumir la finalización del Sistema Regional de Autopistas, inclusive una porción no especificada del Pasillo de South Mountain.	ADOT empieza a preparar un nuevo L/DCR y EIS para exam una amplia gama de alternativas para dirigir las necesidades de transporte en el sudoeste del valle. Esfuerzos de recibir la aportación del público empieza



Evaluación de la Sección 4(f) La Sección 4(f) del Acto de Transporte del Departamento de los Estados Unidos protege el uso de tierra recreativa pública, recursos históricos y propiedades culturales tradicionales (TCPs). Esto incluye una evaluación de recursos de la Sección 4(f), una determinación de impactos y una evaluación de medidas disponibles para minimizar impactos, cuando sea justificado.

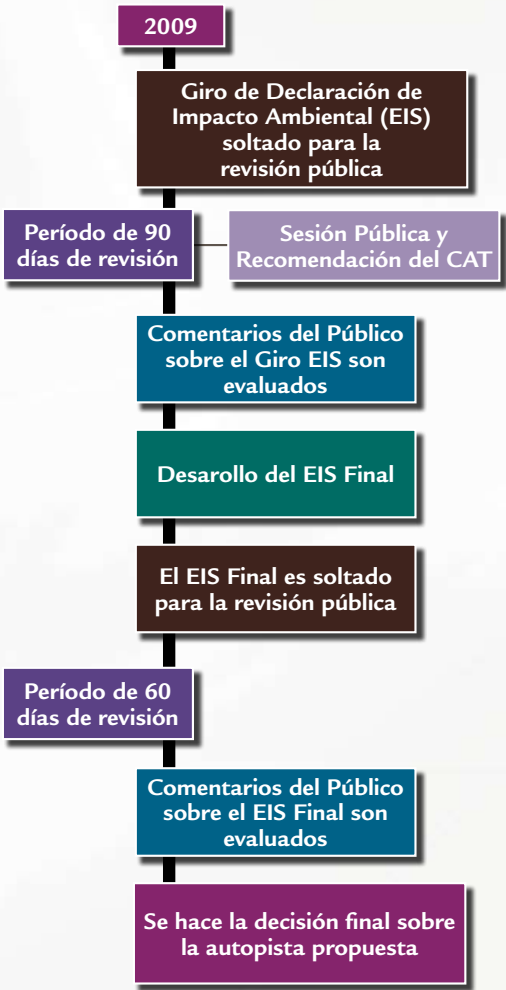
Alcance del Público y de Agencia Desde que ADOT y FHWA empezaron a preparar el Giro de EIS en el 2001, ellos han trabajado para captar y proporcionar información del estudio al público y agencias. Parte del alcance incluyó tener reuniones públicas en noviembre del 2005 para discutir y recibir información con respecto a las alternativas propuestas. Aproximadamente 2,600 personas asistieron estas reuniones. También se tuvieron reuniones públicas en marzo del 2006 para discutir cómo la Interestatal 10 quizás sea afectada por cada una de las opciones potenciales de conexión en el valle occidental. Casi 400 personas asistieron estas reuniones. El alcance del público y de agencias continuará por los próximos pasos en el proceso del estudio (vea el gráfico en esta página).

¿Qué es el estatus del Giro de EIS?

ADOT y FHWA actualmente están revisando la información técnica en el Giro EIS para la propuesta Autopista South Mountain. Durante el proceso de revisión, ADOT y FHWA van a trabajar con la Comunidad India del Río Gila (GRIC) para dirigir el estatus de South Mountain como un TCP. Un TCP es un sitio que es eligible para la inclusión en el Registro Nacional de Lugares Históricos a causa de su asociación con prácticas o creencias culturales. La consulta sobre este asunto con GRIC es necesaria para completar la revisión técnica.

La agenda exacta para la terminación del proceso de revisión es desconocida; sin embargo, cuando la revisión sea completada y aprobada para la distribución por ADOT y FHWA, estará disponible al público para revisión y comentario. ADOT y FHWA están trabajando tan rápido como puedan para completar este complejo y importante proceso del estudio.

¿Qué son los próximos pasos?



Estamos Aquí

	Verano/Otoño	Otoño/Invierno	Otoño del 2003	Otoño del 2004	Otoño del 2005	Junio del 2006	2009	2010
iniciar	El equipo del estudio colecta información básica sobre asuntos del pasillo de transporte.	El equipo del estudio determina que hay un propósito y necesidad de continuar el estudio.	ADOT, FHWA y el Cuerpo del Ejército de Ingenieros de los Estados Unidos están de acuerdo sobre las tres alternativas construidas más opciones. Estas son llevadas hacia adelante en el Giro de EIS para el análisis más detallado.	Los votantes aprueban la financiación del Plan Regional de Transporte de MAG — inclusive la Autopista South Mountain.	Tuvieron reuniones de información pública. Esfuerzos expansivos de la aportación del público continúan a través del estudio.	ADOT anuncia la Alternativa W55 (la Avenida 55) como la "alternativa preliminar preferida" basada en la aportación de la comunidad, impactos económicos, factores ambientales, y en análisis de tráfico.	La publicación esperada del Giro EIS y sesión pública.	La esperada decisión final sobre la Autopista South Mountain.

Para más información sobre este estudio, por favor visite el sitio web del estudio en www.SouthMountainFreeway.com.

Estudio del Pasillo de Transporte de
South Mountain

101 North 1st Avenue, Suite 1950
Phoenix, AZ 85003-1923

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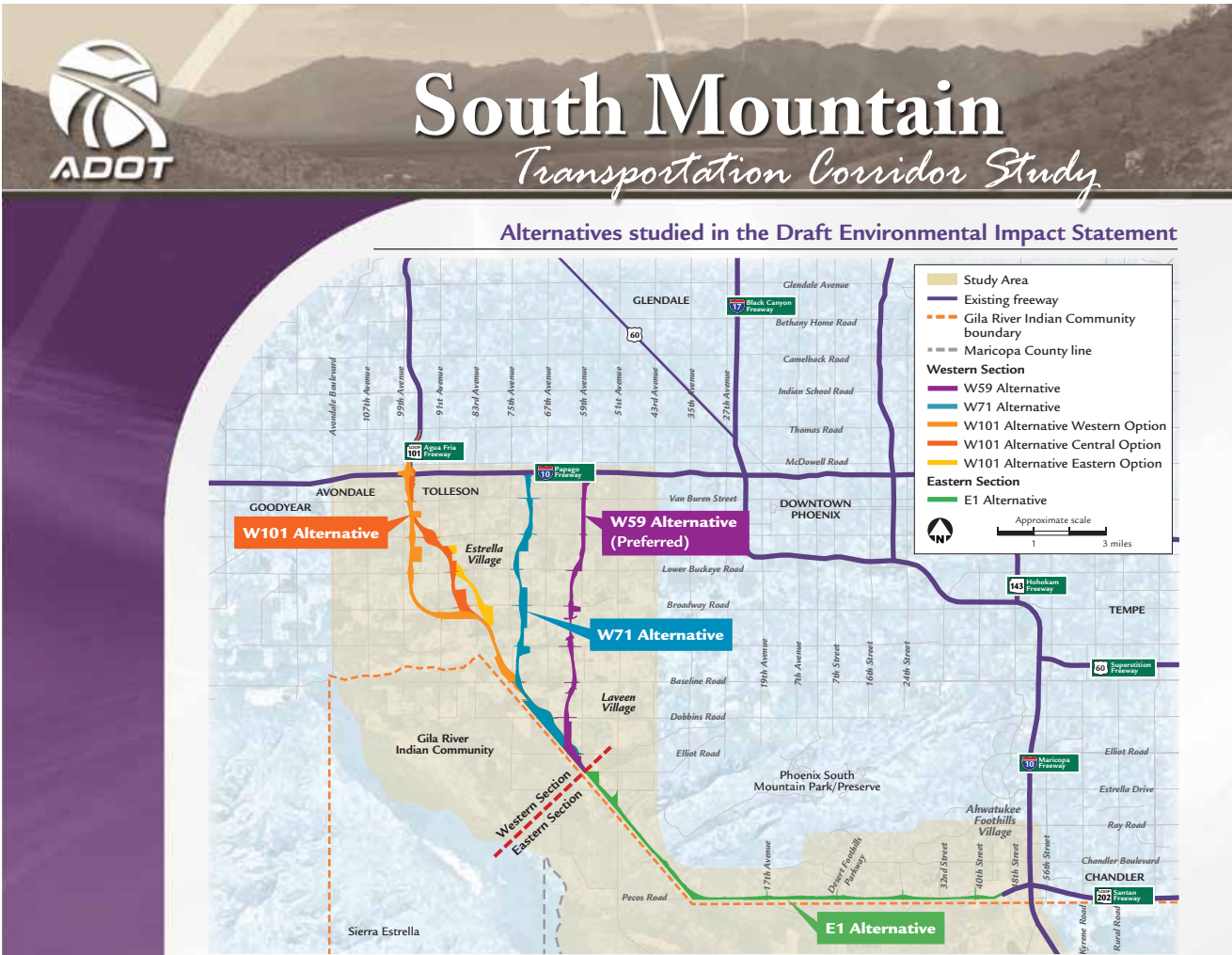
Cómo Contactarnos

Si usted tiene cualquier pregunta o comentarios acerca del Estudio del Pasillo de Transporte de South Mountain, por favor contacte a:

Línea Directa: 602.712.7006
Sitio web: www.SouthMountainFreeway.com
Fax: 602.385.1620
E-mail: ADOT@PolicyDevelopmentGroup.com
Correo: **South Mountain Corridor Study Team**
101 North 1st Avenue, Suite 1950
Phoenix, AZ 85003-1923

Mire adentro!
Información del estudio...





What is the status of the study?

The study team, led by the Arizona Department of Transportation and the Federal Highway Administration, continues to follow the federal process defined by the National Environmental Policy Act, to complete a Draft Environmental Impact Statement for the study. Currently, ADOT is revising the Administrative Draft EIS, and Location and Design Concept Report to include changes to the Maricopa Association of Governments' *Regional Transportation Plan*. These changes include reducing the overall "footprint" of the freeway to eight lanes (three general-purpose lanes and one HOV lane in each direction) and evaluating a revised connection with Interstate 10 at 59th Avenue.

Why have these changes occurred?

Maricopa County's half-cent sales tax for transportation projects, approved through

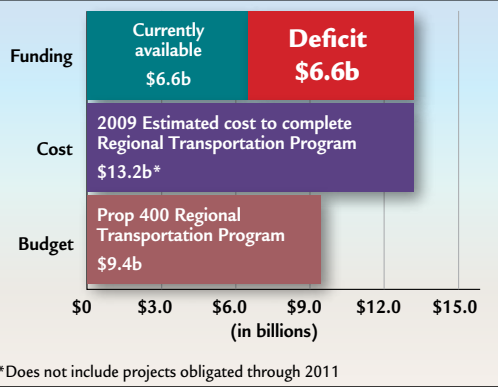
Proposition 400 in 2004, is the RTP's major funding source and provides more than half of the revenue.

Responding to the budget shortfall created by declining revenue, MAG began to study methods to reduce freeway project costs. Additionally, during the South Mountain Freeway study the public expressed concern about the number of proposed residential and business acquisitions and about some of the potential impacts of the proposed freeway. Acknowledging these community concerns and addressing declining revenues, strategies were examined to reduce impacts including project costs and needed right-of-way. For the South Mountain Freeway Study, this analysis resulted in two key changes:

- reduce the proposed freeway to eight lanes (from the previous 10-lane concept), thereby reducing the right-of-way needed; and
- shift the Western Section alignment between Lower Buckeye Road and I-10 to connect at 59th Avenue (rather than 55th Avenue).



South Mountain Transportation Corridor Study



Estimated freeway program costs

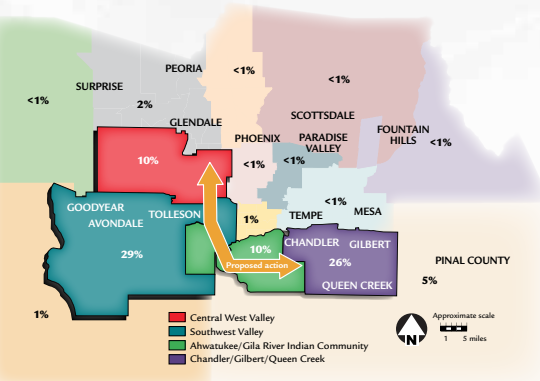
In October 2009, MAG's Regional Council voted to approve the revised regional plan which included these changes. For more information regarding the RTP, please visit the MAG Web site at www.mag.maricopa.gov.

What is the Draft Environmental Impact Statement?

The National Environmental Policy Act requires that EISs be prepared for all major federal actions (or those involving federal funding) that could significantly affect the environment. The initial assessment of significant environmental impacts is published as a Draft EIS for public and agency review and comment. In its *Purpose and Need* chapter, the Draft EIS documents the need(s) for the proposed project, describes what the purpose of the project is, and discusses the likely societal, transportation, and economic consequences of not implementing the proposed project.

Determination of what type of project would best meet the identified project purpose and need involves

examining and refining a range of appropriate alternatives (including nonfreeway alternatives) through use of an Alternatives Development process. The alternatives to be studied in detail (see map on the first page) includes an option of not implementing the project; this is known as the No Action Alternative. The Draft EIS also documents potential impacts of the alternatives to the social, economic and natural environment, and includes measures to avoid, reduce or otherwise mitigate impacts. Finally, Section 4(f) of the U.S. Department of Transportation Act seeks to protect the use of public recreational land, significant wildlife and waterfowl refuges, or historic resources by determining impacts and evaluating measures available to minimize impacts to these resources.



Addressing mobility needs in the MAG region

Seventy-five percent of vehicles forecast to use the proposed freeway were shown to have origins and/or destinations near the proposed South Mountain Freeway. A freeway would be used by vehicles from the east and west areas of the MAG region, and would address east-west mobility needs.

1983	1985	1988	1994	1996	1999	2001	Summary
The Maricopa Association of Governments (MAG) prepares planning studies for the Phoenix metropolitan area that identify corridors for an integrated freeway network.	Maricopa County voters approve a half-cent sales tax to fund the MAG's Regional Freeway System.	A Design Concept Report (DCR) and a state-level Environmental Assessment (EA) are completed for the South Mountain Freeway.	Due to a funding shortfall, ADOT identifies the South Mountain Freeway as an "unfunded segment."	A consortium of private companies proposes to build the South Mountain Freeway as a toll road. The consortium would later withdraw its proposal.	ADOT announces plans to resume completion of the Regional Freeway System, including an unspecified portion of the South Mountain Transportation Corridor.	ADOT begins preparing a new L/DCR and EIS to examine a broad range of alternatives to address the transportation needs in the southwest valley. Public input efforts begin.	The study collects information on issues and transportation corridors.



Since 2001, ADOT and FHWA have implemented an extensive public and agency outreach program. Next steps and future opportunities to participate in the study process are outlined in the graphic on this page.

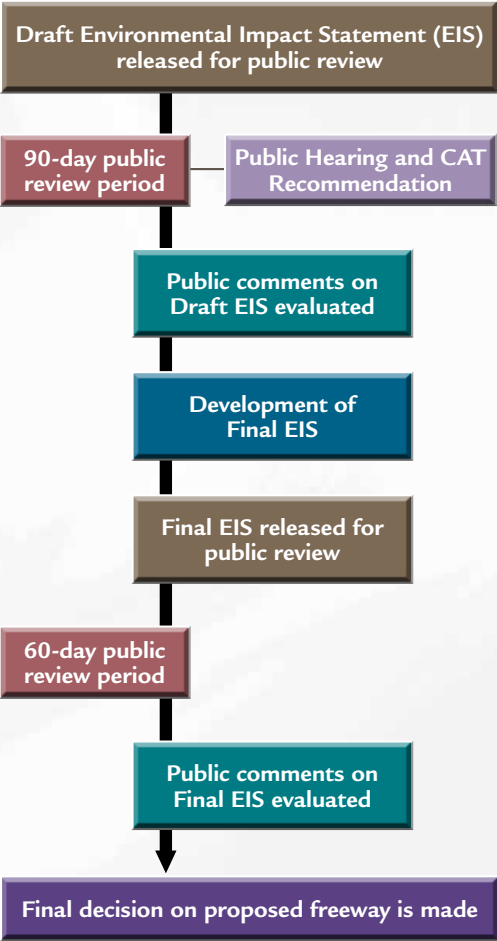
Citizens Advisory Team

Since 2002, ADOT and FHWA have worked with a Citizens Advisory Team that represents various groups in the South Mountain Freeway Study Area, holding approximately 56 meetings. Beginning in early 2010, the CAT will resume its work to review aspects of the proposed freeway and recommend whether it should be built. Following the public release of the Draft EIS, the CAT will provide a final recommendation of “action” or “no-action” for the proposed South Mountain Freeway.

Members of the community are welcome to attend the CAT meetings; time is generally available at the end of each meeting for public comments and questions. The information to be discussed at these upcoming meetings, and the information presented at the previous meetings, can be found on the study Web site at www.SouthMountainFreeway.com or by calling the project hotline.

Upon completion of the Administrative Draft EIS, it will be reviewed by FHWA and other governmental agencies. Following federal approval for public release of the Draft EIS, at least one public hearing will be held with an associated 90-day public comment period. The Final EIS will be available for public review during a 60-day comment period. After considering comments received on the Final EIS, FHWA will issue a Record of Decision. The Record of Decision will identify the selected alternative for the proposed project. If a build alternative is selected, MAG will allocate funding. In addition, ADOT and FHWA will continue to seek input from the public, agencies, and jurisdictions regarding the proposed freeway through the design phase and construction, if a build alternative is selected.

What are the next steps?



We are here

Summer/Fall 2001	Fall/Winter 2001	Fall 2003	Fall 2004	Fall 2005	June 2006	Fall 2009	2010 >>>>	
Study team establishes baseline information and on the transportation project.	The study team determines that there is a purpose and need to continue the study.	ADOT, FHWA and the U.S. Army Corps of Engineers concur on the three build alternatives plus options. These are carried forward into the Draft EIS for more detailed analysis.	Voters approve funding MAG's <i>Regional Transportation Plan</i> - including the South Mountain Freeway.	Public information meetings held. Expansive public input efforts continue throughout the study.	ADOT announces the W55 (55th Avenue) Alternative as the "preliminary preferred alternative" based on community input, economic impacts, environmental factors, and traffic analysis.	MAG revises the RTP to include changes to South Mountain Freeway to include reducing the freeway to eight lanes and shifting the Western Section alignment to 59th Avenue (W59).	Publication of Draft EIS and public hearing(s).	Expected final decision on the South Mountain Freeway.

For more information regarding this study, please visit the study Web site at www.SouthMountainFreeway.com.

South Mountain
Transportation Corridor Study

3200 East Camelback Road
Suite 350
Phoenix, AZ 85018

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For more information regarding this study, please visit the study Web site at www.SouthMountainFreeway.com.

How to Contact Us

If you have any questions or comments about the South Mountain Transportation Corridor Study, please contact:

- Hotline:** 602.712.7006
Web site: www.SouthMountainFreeway.com
Fax: 602.522.7707
E-mail: ADOT@hdrinc.com
Mail: South Mountain Corridor Study Team
3200 East Camelback Road, Suite 350
Phoenix, AZ 85018

This document is available in Spanish by calling 602.712.7006.
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ADOT Project No. 202L MA 054 H5764 01L
Federal Project No. NH 202-D(ADV)



South Mountain

Estudio del Corredor de Transportación

Alternativas estudiadas en el Borrador de la Declaración de Impacto de Ambiental

¿Qué es el estatus del estudio?

El equipo del estudio, dirigido por el Departamento de Arizona de Transportación (ADOT) y la Administración Federal de Carreteras (FHWA), continúa siguiendo el proceso federal definido por la Acta Ambiental Nacional de Política (NEPA), para completar un Borrador de Declaración de Impacto Ambiental (EIS) para el estudio. Actualmente, ADOT esta revisando el Borrador Administrativo del EIS, y el Reporte de la Ubicación y Concepto de Diseño para incluir los cambios en el *Plan Regional de Transportación* de la Asociación de Gobiernos de Maricopa (MAG). Estos cambios incluyen la reducción de la “huella” general de la autopista a ocho carriles (tres carriles de uso general y un carril de HOV en cada dirección) y la evaluación de una conexión revisada con la Interestatal 10 en la Avenida 59.

¿Por qué han ocurrido estos cambios?

Los impuestos de ventas de medio-centavo del Condado de Maricopa Condado para proyectos de transportación, aprobado por la Proposición 400 en el 2004, son la fuente

mayor de fondos para el Plan Regional de Transportación y proporciona más que la mitad de los ingresos.

Respondiendo a la insuficiencia de presupuestos creados por los ingresos disminuidos, MAG comenzó a estudiar métodos para reducir costos de proyectos de autopistas. Adicionalmente, durante el estudio de la Autopista South Mountain el público expresó preocupación por el número de adquisiciones residenciales propuestas de negocios y acerca de algunos de los impactos potenciales de la autopista propuesta. Reconociendo estas preocupaciones de la comunidad y dirigiendo los ingresos disminuidos, estrategias fueron examinadas para reducir los impactos incluyendo los costos del proyecto y la necesidad de derecho de paso. Para el Estudio del South Mountain, este análisis resulto en dos cambios clave:

- reducir la autopista propuesta a ocho carriles (del concepto anterior de 10 carriles), con lo cual reduciendo el derecho de paso necesitado; y
- cambiar la alineación Occidental de la Sección entre la Calle Lower Buckeye y I-10 para conectar la Avenida 59 (en lugar de la Avenida 55).

ON THE MOVE

PARTNERS IN PROGRESS

febrero de 2010

South Mountain

Estudio del Corredor de Transportación

Fondos

Actualmente Disponible
\$6.6b

Déficit
\$6.6b

Costos

2009 Costo Estimado para completar el Programa Regional de Transportación
\$13.2b*

Presupuesto

Prop 400 Programa Regional de Transportación
\$9.4b

\$0 \$3.0 \$6.0 \$9.0 \$12.0 \$15.0

(en miles de billones)

*No incluye a proyectos obligados hasta el 2011

Fuente: Asociación de Gobiernos de Maricopa, 2009

Costos estimados de programas de autopistas

En octubre del 2009, el Consejo Regional de MAG votó para aprobar el plan revisado regional que incluyó estos cambios. Para más información con respecto al RTP, visite por favor el sitio web de MAG en www.mag.maricopa.gov.

¿Qué es el Borrador de Declaración de Impacto Ambiental?

La Acta Política Nacional Ambiental exige que las Declaraciones de Impacto Ambientales sean preparadas para todas las acciones federales principales (o las involucradas con fondos federales) que podrían afectar significativamente al medio ambiente. La evaluación inicial de los impactos ambientales significativos esta publicada como un Borrador de EIS para la revision y comentario del público y de la agencia. En el capítulo de *Propósito y Necesidad*, el Borrador de EIS documenta la(s) necesidad(es) del proyecto propuesto, describe el propósito del proyecto, y discute la probabilidad de consecuencias de la sociedad, el transporte, y la economía si no se implementa el proyecto propuesto.

Determinación del tipo de proyecto que podría satisfacer mejor el propósito y la necesidad del proyecto identificado consiste en examinar y refinar una serie de alternativas

Dirigiendo Necesidades de movilidad en la región de MAG

El setenta y cinco por ciento de vehículos pronosticados para utilizar la autopista propuesta fueron mostrados de tener orígenes y/o destinos cerca de la Autopista South Mountain. Una autopista sería utilizada para vehículos de las áreas orientales y occidentales de la región de MAG, y dirigiría las necesidades de movilidad del este-oeste.

1983	1985	1988	1994	1996	1999	2001	Verano Otoño 2002
La Asociación de Maricopa de Gobiernos (MAG) prepara estudios de planeación para el área metropolitana de Phoenix que identifica corredores para una red integrada de autopistas.	Los votantes del Condado de Maricopa aprueban un impuesto de ventas de medio-centavo para financiar el Sistema Regional de Autopistas de MAG.	Un Reporte del Concepto del Diseño (DCR) y una Evaluación Ambiental (EA) del nivel del estado son completados para la Autopista South Mountain.	Debido a una insuficiencia de fondos, ADOT identifica a la Autopista South Mountain como un “segmento no financiado.”	Un consorcio de empresas privadas propone construir la Autopista South Mountain como una carretera de peaje. El consorcio luego retiraría su propuesta.	ADOT anuncia planes para reasumir terminación del Sistema Regional de Autopistas, inclusive una porción inespecifica del Corredor de Transportación de South Mountain.	ADOT empieza a preparar un nuevo L/DCR y EIS para examinar un amplio espectro de alternativas para dirigir las necesidades de transportación en el sudoeste del valle. Los esfuerzos de opiniones públicas empiezan.	El equipo del estudio colecciona información de línea y asunto en el corredor de transportación

Pa



pasos y oportunidades futuras de participar en el proceso del estudio están resumados en el gráfico de esta página.

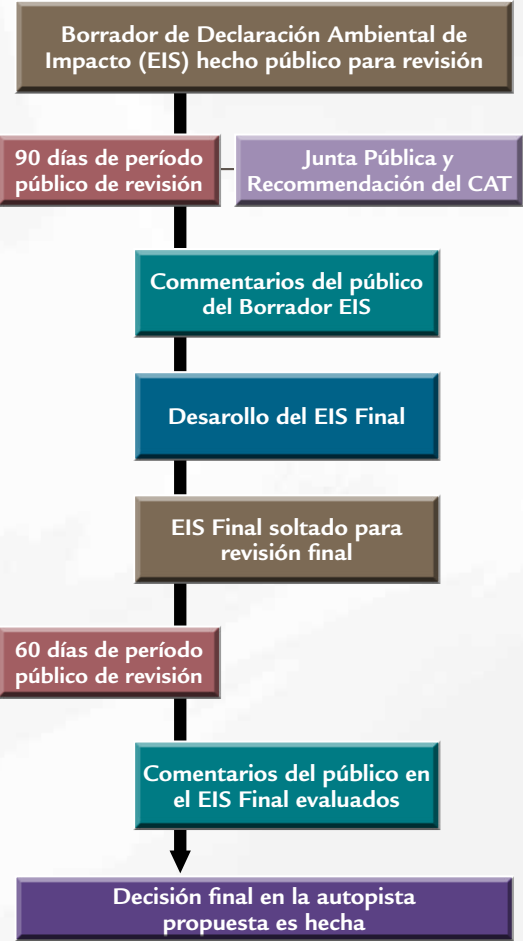
Equipo Consultivo de Ciudadanos

Desde el 2002, ADOT y FHWA han trabajado con un Equipo Consultivo de Ciudadanos (CAT) que representa a varios grupos del Área de Estudio de la Autopista South Mountain, se tuvieron aproximadamente 56 reuniones. A partir de principios del 2010, el CAT reanudar su labor para examinar los aspectos de la autopista propuesta y recomendar si debe ser construido. Tras el lanzamiento público del Borrador de EIS, el CAT elevará una recomendación final de “acción” o de “no acción” para el proyecto propuesto de la Autopista South Mountain.

Los miembros de la comunidad están invitados a asistir a las reuniones del CAT; en general el tiempo está disponible al final de cada reunión para comentarios y preguntas del público. La información que se discutirá en estas próximas reuniones, y la información presentada en las reuniones anteriores, se puede encontrar en el sitio del estudio de web en www.SouthMountainFreeway.com o llamando a la línea directa del proyecto.

Al finalizar el Borrador de EIS de Administración, será revisado por FHWA y otras agencias gubernamentales. Después de la aprobación federal para el lanzamiento público del Borrador de EIS, por lo menos una junta pública se llevará a cabo con un período asociado de 90 días para comentarios del público. El EIS Final estará disponible para revisión pública durante un periodo de 60 días para comentarios. Después de considerar los comentarios recibidos sobre el EIS Final, FHWA emitirá un Récord de Decisión. El Récord de Decisión identificará la alternativa seleccionada para el proyecto propuesto. Si una alternativa construida es seleccionada, MAG asignará fondos. Además, ADOT y FHWA continuarán a buscar la opinión del público, de las agencias, y de las jurisdicciones con respecto a la autopista propuesta durante la fase de diseño y construcción, si una alternativa de construcción es seleccionada.

¿Qué es los próximos pasos?



Año/Evento	Otoño/Invierno 2001	Otoño 2003	Otoño 2004	Otoño 2005	junio 2006	Otoño 2009	2010	>>>>
del elecciona ón de intos ador de ación.	El equipo del estudio determina que hay un propósito y necesidad de continuar el estudio.	ADOT, FHWA y el Army Corps de los Estados Unidos de Ingenieros están de acuerdo con las tres alternativas de construir más opciones. Estos son llevados hacia adelante en el Borrador EIS para análisis más detallado.	Los votantes aprueban la financiación del Plan Regional de Transportación de MAG – incluyendo a la Autopista South Mountain.	Se tuvieron reuniones públicas de información. Esfuerzos de opinión pública expansivos continúan a través del estudio.	ADOT anuncia la Alternativa (la Avenida 55) W55 como la “alternativa preliminar preferida” basada en la opinión de la comunidad, impactos económicos, factores ambientales, y en análisis del tráfico.	MAG revisa el RTP para incluir los cambios a la Autopista South Mountain para incluir la reducción de la autopista de ocho carriles y cambiar la alineación de la Sección Occidental a la Avenida 59 (W59).	La publicación del Borrador EIS y juntas públicas.	La decisión final esperada sobre la Autopista South Mountain.

Para más información con respecto a este estudio, visita por favor el sitio web del estudio en www.SouthMountainFreeway.com.

South Mountain
Estudio del Corredor de Transportación

3200 East Camelback Road
Suite 350
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Cómo Contactarnos

Si usted tiene cualquier pregunta o comentarios acerca del Estudio del Corredor de Transportación de South Mountain, por favor contacte:

- Línea directa: 602.712.7006
- Sitio web: www.SouthMountainFreeway.com
- Fax: 602.522.7707
- Correo electrónico: ADOT@hdrinc.com
- Dirección: South Mountain Corridor Study Team
3200 East Camelback Road, Suite 350
Phoenix, AZ 85018

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SOUTH MOUNTAIN FREEWAY 59TH AVENUE CONNECTION MEETING

Your property may be impacted!

Please join us for a public information meeting to discuss how the proposed South Mountain Freeway connection at 59th Avenue and Interstate 10 might affect you and your property.

February 10, 2010
6 P.M.—8 P.M.
Presentation at 6:15 P.M.
Sunridge Elementary School
Cafeteria
6244 W. Roosevelt Street
Phoenix, AZ

The purpose of the meeting is to provide an overview of the study and the proposed connection at 59th Avenue, discuss the right-of-way processes and schedule, and provide the opportunity for members of the community to ask questions and provide input. A brief presentation regarding the recommendations will be made at the meeting, followed by an open house where representatives from the study team will be present to answer questions.

For additional study and meeting information or to submit comments in writing, please contact ADOT c/o Heather Honsberger, HDR Engineering, Inc., 3200 E. Camelback Rd., Ste 350, Phoenix, AZ 85018; e-mail: ADOT@hdrinc.com; phone: 602.712.7006; or fax: 602.522.7707. Written comments should be submitted by February 24, 2010.

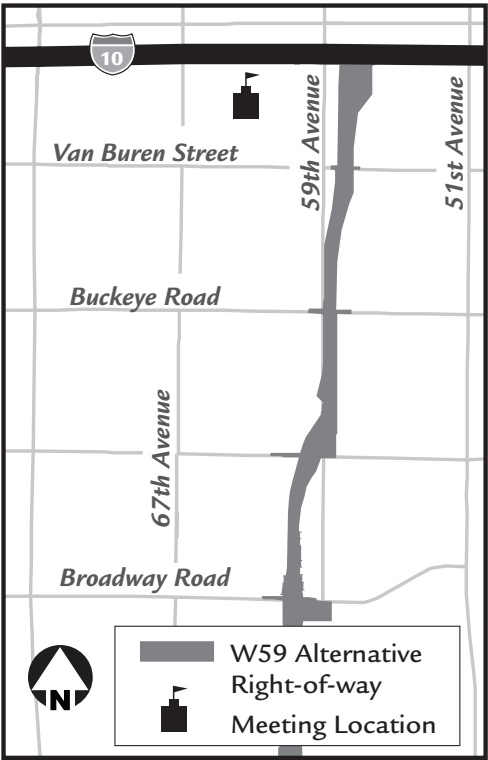
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For more information, please visit www.SouthMountainFreeway.com

ADOT Project No. 202L MA 054 H5764 01L

Federal Project No. NH-202-D(ADY)
February 2010



AUTOPISTA SOUTH MOUNTAIN REUNIÓN DE LA CONEXIÓN DE LA AVENIDA 59

¡Su propiedad puede ser impactada!

Acompañenos por favor para una reunión de información pública para discutir cómo la conexión propuesta de la Autopista South Mountain en la Avenida 59 y la Interestatal 10 quizás le afecten a usted y su propiedad.

10 de febrero de 2010
6 P.M.—8 P.M.
Presentación a las 6:15 P.M.
Sunridge Elementary School
Cafetería
6244 W. Roosevelt Street
Phoenix, AZ

El propósito de la reunión es de proporcionar una vista general del estudio y la conexión propuesta en la Avenida 59, discutir los procesos del derecho de paso y el programa, y proporcionar la oportunidad para miembros de la comunidad de hacer preguntas y proporcionar su opinión. Una presentación breve con respecto a las recomendaciones será hecha en la reunión, seguida por una casa abierta donde representantes del equipo de estudio estarán presentes para contestar preguntas.

Para información adicional del estudio y la reunión o para presentar comentarios por escrito, por favor contacte a ADOT c/o Heather Honsberger, HDR Engineering, Inc., 3200 E. Camelback Rd., Ste 350, Phoenix, AZ 85018. Correo electrónico ADOT@hdrinc.com; tel: 602.712.7006; o fax: 602.522.7707. Los comentarios por escrito deberán ser presentados antes del 24 de febrero de 2010.

Acta de los ciudadanos americanos con limitaciones físicas (ADA): las personas con alguna limitación física pueden solicitar adaptación razonable tal como un intérprete en lenguaje de signos, llamando al 602.712.7006. Las solicitudes deben ser presentadas lo antes posible para organizar el alojamiento. Este documento está disponible en formatos alternativos contactando a Heather Honsberger al número telefónico descrito arriba.

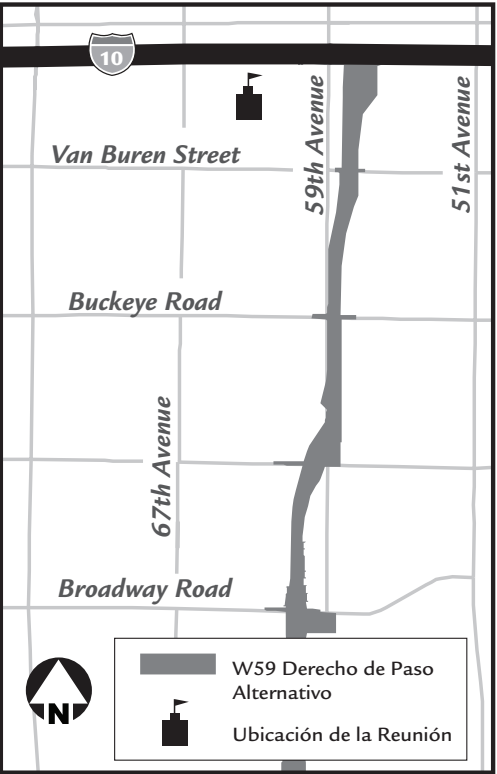
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Para más información, por favor visite a www.SouthMountainFreeway.com

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No. de Proyecto ADOT 202L MA 054 H5764 01L

No. de Proyecto Federal NH-202-D(ADY)
febrero del 2010



South Mountain

Transportation Corridor Study

PUBLIC INFORMATION MEETING

FEBRUARY 10, 2010
6 P.M.-8 P.M.
PRESENTATION AT 6:15 P.M.

Sunridge Elementary School Cafeteria
6244 W. Roosevelt Street
Phoenix, AZ

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Study Update!

SOUTH MOUNTAIN FREEWAY UPDATE

59th Avenue Connection Meeting

The Arizona Department of Transportation and the Federal Highway Administration continue to study the proposed South Mountain Freeway and invite you to attend a public meeting to learn about recent changes to the proposed connection with Interstate 10. In response to declining funding for regional projects, the Maricopa Association of Governments' Regional Council voted in October 2009 to approve the revised regional plan. The following changes were included for the South Mountain Freeway:

- Reduce the proposed freeway to eight lanes (from the previous 10-lane concept)
- Shift the Western Section alignment between Lower Buckeye Road and I-10 to connect at 59th Avenue (rather than 55th Avenue)

This public information meeting will be held to discuss how a South Mountain Freeway connection at 59th Avenue might affect you and your property. The purpose of the meeting is to provide an overview of the study and the proposed connection at 59th Avenue, discuss the study and right-of-way processes and schedule,

and provide the opportunity for members of the community to ask questions and provide input. A brief presentation regarding the recommendations will be made at the meeting, followed by an open house where representatives from the study team will be present to answer questions.

For additional study and meeting information or to submit comments in writing, please contact ADOT c/o Heather Honsberger, HDR Engineering, Inc., 3200 E. Camelback Rd., Ste 350, Phoenix, AZ 85018; e-mail: ADOT@hdrinc.com; phone: 602.712.7006; or fax: 602.522.7707. Written comments should be submitted by February 24, 2010.

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ADOT Project No. 202L MA 054 HS764 01L
Federal Project No. NH 202-D(ADY)

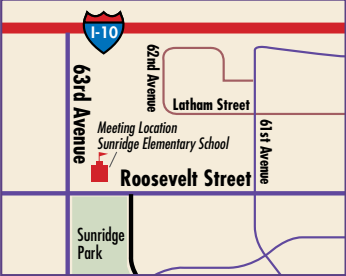
For more information regarding this study, please visit the study Web site at www.SouthMountainFreeway.com.

South Mountain

Estudio del Corredor de Transportación

REUNIÓN DE INFORMACIÓN PÚBLICA

10 DE FEBRERO, 2010
6 P.M.-8 P.M.
PRESENTACIÓN A LAS 6:15 P.M.



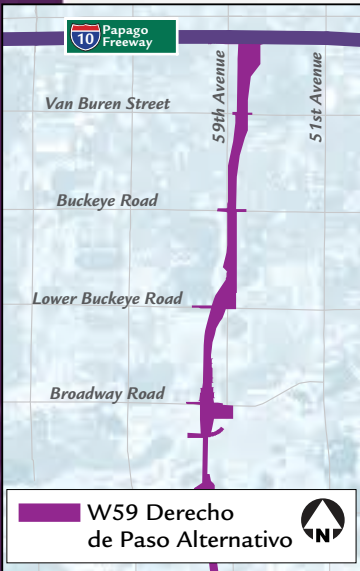
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¡Actualización del Estudio!

ACTUALIZACIÓN DE LA AUTOPISTA SOUTH MOUNTAIN

Reunión de la Conexión de la Avenida 59



El Departamento de Transporte de Arizona y la Administración Federal de Autopistas continúan estudiando la propuesta para la autopista South Mountain, y le invita a asistir a la reunión pública para aprender acerca de recientes cambios sobre la conexión propuesta con la Interestatal 10. En respuesta a fondos disminuyéndose para proyectos regionales, el Consejo Regional de la Asociación de Gobiernos de Maricopa, votó en octubre del 2009 para aprobar el plan regional revisado. Los siguientes cambios fueron incluidos para la autopista South Mountain:

- Reducir la autopista propuesta a ocho carriles (del concepto previo a 10-carriles)
- Mover el alineamiento de la sección oeste entre la Calle Lower Buckeye y la I-10 para conectar con la Avenida 59 (en lugar de la Avenida 55)




Esta reunión de información pública se realizará para discutir cómo una conexión de la autopista South Mountain con la Avenida 59 le pudiera afectar a usted y su propiedad. El propósito de la reunión es proporcionar una visión general del estudio y la conexión propuesta con la Avenida 59, discutir el estudio y los procesos del derecho de paso y el horario,

así como ofrecer la oportunidad a los miembros de la comunidad para hacer preguntas y proporcionar su opinión. Se dará una presentación breve de las recomendaciones en la reunión, después seguirá una casa abierta donde los representantes del equipo de estudio estarán presentes para responder a preguntas.

Para información adicional del estudio y la reunión o para presentar comentarios por escrito, por favor contacte a ADOT c/o Heather Honsberger, HDR Engineering, Inc., 3200 E. Camelback Rd., Ste 350, Phoenix, AZ 85018. Correo electrónico ADOT@hdrinc.com; tel: 602.712.7006; número de fax: 602.522.7707. Los comentarios por escrito deberán ser presentados antes del 24 de febrero, 2010.

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No. de Proyecto ADOT 202L MA 054 HS764 01L
No. de Proyecto Federal NH 202-D(ADY)

Para más información con respecto a este estudio, visite por favor el sitio web del estudio en www.SouthMountainFreeway.com.



**ARIZONA DEPARTMENT OF TRANSPORTATION
AND FEDERAL HIGHWAY ADMINISTRATION
PUBLIC INFORMATION MEETING**



**LOOP 202 SOUTH MOUNTAIN FREEWAY UPDATE
59th Avenue Connection Meeting**

The Arizona Department of Transportation and the Federal Highway Administration continue to study the proposed South Mountain Freeway and invite you to attend a public meeting to learn about recent changes to the proposed connection with Interstate 10. In response to declining funding for regional projects, the Maricopa Association of Governments' Regional Council voted in October 2009 to approve the revised regional plan. The following changes were included for the South Mountain Freeway:

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- Shift the Western Section alignment between Lower Buckeye Road and I-10 to connect at 59th Avenue (rather than 55th Avenue).

This public information meeting will be held to discuss how a South Mountain Freeway connection at 59th Avenue might affect you and your property. The purpose of the meeting is to provide an overview of the study and the proposed connection at 59th Avenue, discuss the study and right-of-way processes and schedule, and provide the opportunity for members of the community to ask questions and provide input. A brief presentation regarding the recommendations will be made at the meeting, followed by an open house where representatives from the study team will be present to answer questions.

For additional study and meeting information or to submit comments in writing, please contact ADOT c/o Heather Honsberger, HDR Engineering, Inc., 3200 E. Camelback Rd., Ste 350, Phoenix, AZ 85018; e-mail: ADOT@hdrinc.com; phone: 602.712.7006; or fax: 602.522.7707. Written comments should be submitted by February 24, 2010.

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Este documento está disponible en español llamando 602.712.7006.

JULIE KIEWER
ADOT Phoenix
District Engineer

MICHAEL BRUDER
ADOT
Project Manager

FLOYD ROEHRICH
ADOT
State Engineer

THIS NEWSPAPER NOTICE AND OTHER PROJECT INFORMATION ARE AVAILABLE AT
www.southmountainfreeway.com.

ADOT Project No. 202L MA 054 H5764 01L
Federal Project No. NH-202-D(ADY)

Arizona Republic – January 27 and February 3, 2010

Wednesday, February 10, 2010
6 p.m.—8 p.m.
Presentation at 6:15 p.m.
Sunridge Elementary School
Cafeteria
6244 W. Roosevelt Street
Phoenix, AZ



**ARIZONA DEPARTMENT OF TRANSPORTATION
AND FEDERAL HIGHWAY ADMINISTRATION**



PUBLIC INFORMATION MEETING

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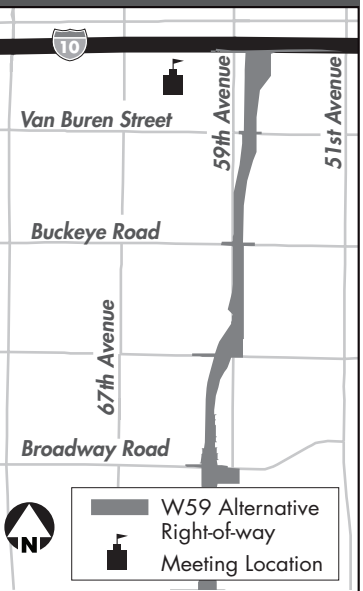
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ARIZONA DEPARTMENT OF TRANSPORTATION
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PUBLIC INFORMATION MEETING


LOOP 202

SOUTH MOUNTAIN FREEWAY UPDATE

59th Avenue Connection Meeting

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6 p.m.—8 p.m.
Presentation at 6:15 p.m.

Sunridge Elementary School
Cafeteria
6244 W. Roosevelt Street
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ADOT Project No. 202L MA 054 H5764 01L
Federal Project No. NH-202-D(ADY)

Prensa Hispana – January 27 and February 3, 2010

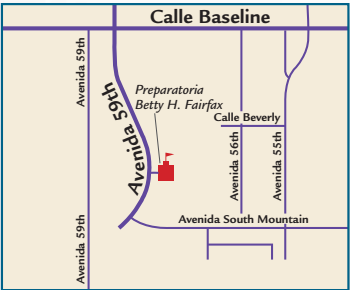
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South Mountain

Transportation Corridor Study

JUNTA DE INFORMACIÓN PÚBLICA

MARTES, 22 DE FEBRERO, 2011
6 P.M.—8 P.M.
PRESENTACIÓN A LAS 6:15 P.M.



Preparatoria Betty H. Fairfax
Cafetería, Edificio #600
8225 South 59th Avenue
Phoenix, AZ 85339

Actualización de Estudio de Área de Laveen!

PRSRT STD
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PHOENIX, AZ
PERMIT NO. 815

SOUTH MOUNTAIN FREEWAY UPDATE

February 2011

Proposed freeway alignment through Laveen

The Arizona Department of Transportation, the Federal Highway Administration and the Maricopa Association of Governments, in conjunction with the City of Phoenix, invite you to attend a public information meeting to learn about recent proposed options to the South Mountain Freeway through Laveen.

The purpose of this public information meeting is to present the W59 Alternative and two proposed options between Baseline and Elliot roads, from 63rd Avenue east to 61st Avenue. A brief presentation by the City of Phoenix regarding their recommendations will be

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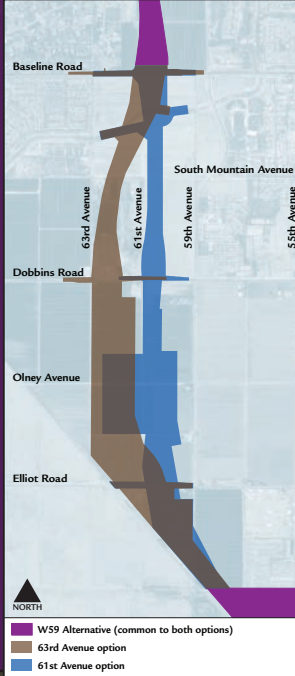
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South Mountain Corridor Team	E-mail: ADOT@hdrinc.com
3200 E. Camelback Rd., Ste 350	Phone: 602.712.7006
Phoenix, AZ 85018	Fax: 602.522.7707

Please submit written comments by March 8, 2011.

ADOT Project No. 202L MA 054 HS764 01L Federal Project No. NH 202-D(ADY)





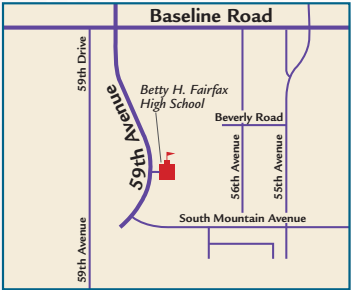
For more information regarding this study, please visit the study Web site at www.SouthMountainFreeway.com

South Mountain

Transportation Corridor Study

PUBLIC INFORMATION MEETING

TUESDAY, FEBRUARY 22, 2011
6 P.M.–8 P.M.
PRESENTATION AT 6:15 P.M.



Betty H. Fairfax High School
Cafeteria, Bldg. #600
8225 South 59th Avenue
Phoenix, AZ 85339

Laveen Area Study Update!

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INFORMACIÓN MÁS RECIENTE-AUTOPISTA 202 SOUTH MOUNTAIN

Febrero 2011



Alineamiento propuesto del autopistaa través de Laveen

El Departamento de Transporte de Arizona, la Administración Federal de Autopistas y la Asociación de Gobiernos de Maricopa, en conjunto con la Ciudad de Phoenix, le invitan para que asista a la junta de información pública para conocer las opciones más recientes que se han propuesto del autopista South Mountain a través de Laveen.

El propósito de esta junta pública informativa es presentar la alternativa W59 y 2 opciones que han sido propuestas entre las calles de Baseline y Elliot, desde la Ave 63 Este hacia la Ave 61. La Ciudad de Phoenix hará una presentación breve en la junta, de las recomendaciones por parte

Para información adicional de la junta y del estudio o presentar comentarios por escrito, favor contacte:

South Mountain Corridor Team	Correo electrónico: ADOT@hdrinc.com
3200 E. Camelback Rd., Ste 350	Teléfono: 602.712.7006
Phoenix, AZ 85018	Fax: 602.522.7707

Favor presentar comentarios por escrito antes del 8 de marzo, 2011.

Proyecto ADOT No. 202L MA 054 H5764 01L Proyecto Federal No. NH 202-D(ADY)

de la Ciudad. ADOT también proporcionará información en cuanto a opciones alternativas de la Ave 63 y la Ave 61. Una casa abierta se realizará despues de las presentaciones. Además, miembros de la comunidad tendrán la oportunidad de hacer preguntas y propias aportaciones durante la junta.

Acta de Ciudadanos Americanos con Limitación Física (ADA): Personas con limitación física pueden solicitar alguna adaptación razonable tal como un Intérprete en Lenguaje de Signos llamando al 602.712.7006. Cualquier solicitud debe ser hecha lo antes posible para ordenar cualquier adaptación. Este documento está disponible en formato alternativo o contactando al grupo encargado al 602.712.7006.

Descargo de responsabilidad: Este documento es una traducción del texto original escrito en inglés. Esta traducción no es oficial y no es vinculante a este estado o subdivisión política de este estado.



Para más información con respecto a este estudio, visite por favor el sitio web del estudio en www.SouthMountainFreeway.com

Z5 WEEKEND » FEBRUARY 5, 2011

Cavanaugh opposed the boycott and sent e-mails to members of both unions citing disappointment and concern about their actions. The e-mail led to a complaint by the Goodyear Police Officers Association alleging violations of the city charter and that the mayor used a political position to promote a private interest.

Former mayor

Cavanaugh supports Rassas, Freeman, four-year council candidate Jon Bohm and Antonucci. The former mayor has not yet contributed to campaigns or given political advice according to an e-mail sent to *The Arizona Republic*.

"I support them as a group because all our seek smaller and more responsive government," Cavanaugh said. "(They) will put the citizen first in contrast to the existing and recent council which placed our staff employees as government's first priority."

Rassas, whose business was boycotted in the summer, said support from Cavanaugh is an honor because the former mayor helped improve safety.

"His work to widen Interstate 10 means less lives are lost along that corridor," said Rassas.

ARIZONA DEPARTMENT OF TRANSPORTATION AND FEDERAL HIGHWAY ADMINISTRATION

PUBLIC INFORMATION MEETING

LOOP 202 SOUTH MOUNTAIN FREEWAY UPDATE Proposed Freeway Alignment through Laveen

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JULIE KLEWER
ADOT Phoenix Construction District Engineer

CHAUN HILL
ADOT Project Manager

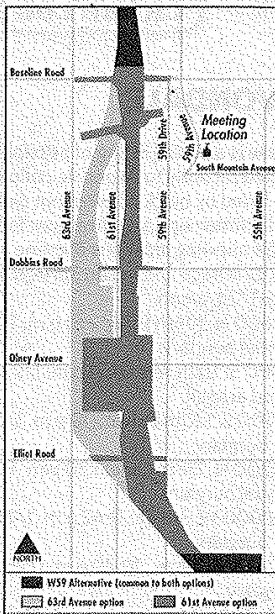
FLOYD ROEHRICH
ADOT State Engineer

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ADOT Project No. 202L MA 054 H5764 01L
Federal Project No. NH-202-D(ADT)

Arizona Republic - February 5, 2011 and LaVoz - February 11, 2011

11



SMCC Laveen | Spring 2011 Classes

Laveen Elementary School • 5001 W. Dobbin Rd. • 480.227.7854

LATE START CLASSES IN LAVEEN!

Business Plan and Business Start-Up	MTuWTh	5:40 pm - 9:30 pm	2/07/11 - 2/17/11	2cr
State Seminar: Contract Writing	MW	5:45 pm - 9:15 pm	5/02/11 - 5/13/11	5cr
Business Operations	MTuWTh	6:00 pm - 9:20 pm	2/21/11 - 3/03/11	2cr
Business Bookkeeping And Tax Preparation	MTuWTh	6:00 pm - 9:20 pm	4/11/11 - 4/14/11	1cr
Business Marketing And Advertising	MTuWTh	5:40 pm - 9:30 pm	3/21/11 - 3/31/11	2cr
Business Marketing And Advertising	Sa	8:00 am - 4:30 pm	2/05/11 - 3/12/11	2cr
Managing Employees	MTuWTh	6:00 pm - 9:20 pm	4/04/11 - 4/07/11	1cr
Managing Employees	Sa	8:00 am - 4:30 pm	3/26/11 - 4/09/11	1cr
Marketing For Small Business	Sa	8:00 am - 4:30 pm	4/23/11 - 5/21/11	2cr
Projects	MTuWTh	6:00 pm - 9:20 pm	4/25/11 - 4/28/11	1cr
Spanish II	MW	6:00 pm - 7:15 pm	3/21/11 - 5/13/11	1cr

- FINANCIAL AID WORKSHOP

at SMCC Technology Center — 2nd Floor
(Free Application for Federal Student Aid)

Questions? Don't see the
class you want?
CALL US!
480.227.7854

DDAY!

maricopa.edu

602.243.8135 (Spanish)



Tuition: \$71 per credit plus a one-time per semester \$15 registration fee for in-state Maricopa County residents. Additional fees may be applicable for out-of-state and out-of-county residents.

A8 LAVOZ VIERNES 11 DE FEBRERO DE 2011

COMUNIDAD

ARIZONA

El Departamento de Transporte de Arizona y la Administración Federal de Autoistas

El Departamento de Transporte de Arizona y la Administración Federal de Autoistas

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Piden apoyo para niño quemado

POR SAMUEL MURILLO

Familiares del menor Joe Anthony Fernández, de 11 años, quien convalece debido a quemaduras graves en

su cuerpo, establecieron una cuenta de banco para recaudar fondos para los gastos médicos.

El joven se encuentra en condición crítica en el Centro de Quemaduras de Arizona, donde fue ingresado el pasado 28 de enero luego de que sufriera quemaduras en el 95 por ciento de su cuerpo en un accidente en el traspaso de su casa en Youngtown.

De acuerdo con reportes, Joe Anthony se encontraba en una reunión familiar cuando ocurrió la tragedia.

El menor intentó echar gasolina a un quemador de gas provocando una llamarada que le produjo quemaduras serias en casi todo su cuerpo. Meses antes, en la misma cuadra del domicilio de la familia, un joven fue víctima de un accidente similar.

En ese caso, el menor Oscar Fuentes, de 14 años no sobrevivió.

Los familiares de Joe Anthony se encuentran

distrito John Roll y un ayudante de Giffords, Gabe Zimmerman. Está previsto que una nueva querrela reincorpore esas acusaciones de homicidio.



EL NIÑO JOE ANTHONY FERNÁNDEZ SE ENCUENTRA EN ESTADO CRÍTICO EN EL CENTRO DE QUEMADURAS DE ARIZONA EN PHOENIX.

consternados por el accidente y hasta el momento no han querido dar declaraciones a los medios.

Sin embargo, con apoyo de personal del Centro Médico del Condado Maricopa, accedieron a dar a conocer la apertura de una cuenta a nombre de Joe Anthony en el banco Wells Fargo. Si usted desea apoyar a esta familia, visite cualquier sucursal de Wells Fargo y entregue su donativo.

Contacte al reportero:
samuel.murillo@lavozarizona.com

Solamente

El periódico The Arizona
Republic del domingo

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APPENDIX 6-3

CITIZENS ADVISORY TEAM

Appendix 6-3, *Citizens Advisory Team*, includes examples of public questions submitted at SMCAT meetings, the criteria for evaluating alternatives developed by the SMCAT and the SMCAT letter to ADOT identifying the western section preferred build alternative.

Public Questions and Comments Received at SMCAT Meetings

The South Mountain Citizens Advisory Team began accepting public comments at the meeting held April 22, 2004. The summary below includes all meetings from that time through the April 27, 2006 meeting.

4-22-04

David Folts, Concerned Families along South Mountain Loop 202

Question: You state that the projected traffic for South Mountain Loop 202 would be 155,000 vehicles a day. Knowing this, is it possible to have up to 400 vehicles or more a minute traveling this road during heavy vehicle flow periods; i.e. 6-9 a.m. and 3-7 p.m.
Response: Theoretically, 400 cars per minute could use the ramp during rush hour, but there would be no cars throughout the day.

This additional technical information was provided after the meeting and will be distributed to the public at the next scheduled CAT meeting.

Based on computer traffic modeling calculated in 2001, it is estimated that a South Mountain Freeway would carry approximately 155,000 vehicles per day in 2025. This could equate to 39 vehicles per lane, per minute during the sing busiest hour of the day. To put this in perspective, 155,000 vehicles per day is the approximate level of traffic for I-10 between Ray Road and Warner today, in 2004.

Question: With the vehicle numbers and type from proposed I-10 reliever not being included at this specific time, would this have an improved effect on the air quality projections for the Environmental Impact Statement on this project? **Response:** We will use traffic numbers with the I-10 reliever corridor included in the model.

Question: Is I-10 reliever new? **Response:** Yes, part of the regional plan but needs to be developed through a similar planning process.

6-24-04

Shea Stickler, Citizen

Question: Since the onset of this project/committee, how many new homes have been sold and build between 38th Avenue to 99th Avenue north of Dobbins and South of I-10?
Question: How many homes are sold/built between each meeting; and by the time the project is defined, how much money will have been expended buying up newly sold land to make way for the route? **Response:** We are not sure.

Question: If this project is to be funded by a county sales tax; where is the county’s representation and what is its viewpoint? **Response:** Monthly Progress Team meetings are held and there are local and county representatives at those meetings. The intent of the CAT was to have representation from the general public.

J. Pima, Citizen

Question: At what point will the pursuit of “other” alternative routes be closed in the decision-making process? When will the draft report be published? **Response:** Draft EIS identifies preferred alternatives and final selection is the Record of Decision. Draft EIS for the West side would be early next year and full draft by end of 2005 depending on East side alternatives. The study has been boiled down to 3 reasonable build alternatives on the west side.

Comment: When my neighborhood does not show upon a map that is supposed to represent the route’s impact on my neighbors, you send the message that we aren’t important. **Response:** The team routinely updates aerial maps of the study area. Maps shown tonight were schematic and not intended to show every neighborhood. Technical analysis uses more detailed maps. West Side changes are happening rapidly and we work to stay current.

Chris Bale, Citizen

Question: Has the FHWA been involved in the design/construction of other non-interstate freeways? **Response:** Yes.

Question: Will this section of the 202 receive more funding from the Federal Government? If so, is this whole process being additionally held up because this freeway is I-10 to I-10? **Response:** The process makes this freeway eligible for federal money. Conducting a federal level EIS to make it eligible for federal money is a state decision. The Red Mountain and Santan freeways have all gone through NEPA process.

Tim, Citizen

Question: Do the traffic projections reflect the distribution of traffic bypassing Phoenix versus “internal” (within the county) traffic? Which use has priority in terms of routing (i.e., Pecos, Queen Creek, Riggs)? **Response:** Traffic numbers are for total traffic. We have estimated the percentage that is pass through vs. local. We have not studied traffic for Queen Creek or Riggs Road because they are not part of the current analysis.

Kent Oertle, Citizen

Question: We need a traffic study that is current in order to plan properly. How long would it take to complete a traffic analysis which includes 30-year population projects? Since it will take 10-15 years to complete, 30-year projections may not be enough. **Response:** In the past we have used 20-year projections and are now change to 25-year projections to meet traffic needs 20 years after the project is built. MAG is working to establish a model that can handle 2030. We do not have an estimate of when we will get the 2030 from MAG.

7-22-04

Ross Hendrix, Ahwatukee

Question: What percent is “pass through,” that is Tucson to California traffic?

Response: The great bulk of the traffic is local or regional traffic. MAG estimates that only about three percent of the traffic would be “pass through.”

9-23-04

Wilfred Wellington, Sacaton

Question: Is the same formula used in land appraisals on reservation lands? **Response:** The same formula is used to appraise land on or off the reservation.

Bill Ramsay, Phoenix

Question: 1) Please describe methodology used to calculate traffic volumes. 2) Is the resulting number a (a) mean or (b) median? **Response:** Information to be provided at the next meeting.

(Anonymous)

Question: What is the cost difference between at, above and below grade elevation? **Response:** Numerous factors determine construction costs. Typically, the least expensive is at grade and the most expense is depressed.

12-2-04

Larry Lee, Phoenix

Question: Is there a study to show us the crime statistics? **Response:** This is not traditionally studied in an EIS. However, this comment will be taken under consideration by the study team.

Question: Is there any thought to making use of light rail along the Pecos route? **Response:** Light rail corridors are identified by MAG and Valley Metro. Currently I-10 west is the only corridor being pursued.

Question: I heard Pecos has already been selected by ADOT. **Response:** This is not true.

David Folts, Ahwatukee

Question: Is it possible to use South Mountain as a secondary route to Canamex? **Response:** SR85 to US93 is under study as the Canamex.

Question: What percentage of commercial traffic would use South Mountain as a bypass? **Response:** Initial analysis shows about 10 percent, which is comparable to many current Valley freeways. We will continue to look at this issue and the information will be brought to this group.

Question: How many vehicles per minute can we expect? **Response:** The original projection was about 150,000 vehicles per day, and now we are looking at about 170,000. Peak hours are usually at about 10 percent of that figure.

Question: How many acres of South Mountain Park will be taken? **Response:** The original study showed 40-50 acres.

Question: What approvals would be needed to build a highway through South Mountain Park? Have any already given their approval? **Response:** FHWA would have to approve a 4(f). There would be many agencies involved including EPA and the Department of the Interior.

Question: How many feet wide will South Mountain Loop be including on and off ramps. **Response:** 800 feet is typical; 1800 feet if the area is skewed.

Question: Will air quality improve, get worse, or stay the same within a half-mile of the freeway? **Response:** Air quality will be analyzed in the EIS.

Bill Ramsay, Phoenix

Question: What is the total number of vehicles – commercial and private passenger – expressed as a percentage of the total number of vehicles on Maricopa County Freeways, that the South Mountain Freeway is expected to carry per day? **Response:** I don’t know. We will get back to you on this question.

1-27-05

David Folts, Concerned Families Along South Mountain Loop 202

Question: Many questions concerning the human environment were submitted and asked to be included in the EIS. Is there a section on the EIS for Human Environment? (lungs, asthma, crime pollutants ingested by living near and breathing this air for 20 years) If not, why? **Response:** Information not available at this meeting will address at the February meeting.

Question: If someone lived within a ¼ mile of this highway for 20 years, would he see decreased lung function from living so close to South Mountain Loop 202 being that this highway could be used as a bypass for commercial diesel traffic? **Response:** Information not available at this meeting will address at the February meeting.

Question: If you are certain as to where the intersections will be on the Ahwatukee section of proposed South Mountain Loop 202 where are the drawing showing all this? Sure you must have at least a single line AutoCAD drawing showing this proposed highway. Why is ADOT still showing proposed South Mountain Loop 202 as a yellow line on today’s handout and not a more detailed drawing? **Response:** The alternative shapes shown on the handout represent the technical study right-of-way requirements for each of the action alternatives. Preliminary geometry was used to determine these shapes for EIS study purposes. Final design of the freeway mainline and all interchanges cannot and will not be completed until after the study process has resulted in a record of decision on the EIS. Preliminary geometry will be presented in ADOT’s Location / Design Concept Report. Detailed geometry will be determined during final design and presented at that time.

Question: About ½ way down Pecos Road in Ahwatukee, there is a portable box 8’X12’ structure that resembles an Environmental Sampling station. 1) Did ADOT or an agent of ADOT put this structure here? 2) What specific functions are happening in this structure? **Response:** The box is a cell phone tower and has nothing to do with ADOT.

Question: With all the growth beyond the boundaries of loops 202 and 303 happening today (SanTan, Maricopa, etc.) why isn’t ADOT planning highways beyond these areas to stay ahead of the curve instead of shoe horning a highway into a heavily populated area? **Response:** The Regional Transportation Plan (Prop 400) adopted by the voters does include studies beyond the Loop 303.

Question: How close can this highway and interchanges be built to a home or school? Is there a buffer or minimum distance for any aspect of this highway that will border school or private homes? **Response:** Like to have a clear zone between road and end of right-of-way where possible. There is no standard or policy on the distance.

Question: Will hazardous cargo be allowed on this highway and if so will there be a plan/procedure in place to lessen or eliminate injuries or fatalities for spills or accidents? **Response:** We do not know at this time.

Question: Will the incidence of asthma increases in children living along ½ mile South Mountain Loop 202 and if so by what amount? **Response:** Information not available at this meeting will address at the February meeting.

Question: Will birth defects be more prevalent among pregnant women living within ½ mile of this highway and if so what would the most predominant birth defect? **Response:** Information not available at this meeting will address at the February meeting.

Question: Can you name some of the pollutants from this highway that would find its way into a human’s bloodstream and urine for people living within ½ mile of this highway? **Response:** Information not available at this meeting will be addressed at the February meeting.

Question: Because Ahwatukee schools are so close with one elementary school sitting alongside this proposed Highway what plans/procedures if any are in place to protect the children from adverse health effects from Highway pollution (diesel Exhaust) during high pollution advisories? Will the existing air filter system (HVAC) protect our children from PM 10 and PM 2.5? **Response:** Information not available at this meeting will address at the February meeting.

Question: Why aren’t any of these CAT meeting for proposed South Mountain Loop 202 being held in the village of Ahwatukee? After all these residents will also be directly affected in many ways from this highway. **Response:** The meetings are held in the central portion of the study area to be equally convenient to the southwest valley and Ahwatukee residents.

Question: How many acres of South Mountain Park will be taken to build this highway?
Response: The study team is still investigating the potential land needed from South Mountain Park/Preserve associated with all action alternatives. For reference purposes, the 1988 alignment required approximately 40-50 acres of land from South Mountain Park/Preserve.

Dave Vontersch

Question: So is it a done deal that Pecos Road west of I-10 will be the location for freeway development? Please place a stake in the ground as far as final alignment and schedule and stick to it, there seems to be excess mods, changes, amendments, waffling and/or supplements!
Response: A decision has not been made. ADOT is continuing to meet with Gila River Indian Community.

2-24-05

David Folts, Concerned Families Along South Mountain Loop 202

Question: On 4/6/02 Concerned Families Along South Mountain Loop 202 send 13 questions concerning the human environment via Registered Certified US mail through the US Postal Service to EPA, ADOT, FHWA, HDR Engineering, AZ Gov, etc. In this letter we asked to share all 13 Questions included in the South Mountain EIS. I have recently found out some or most of the above mentioned questions will not be included in the EIS. Why? What could be in these questions to where the answers wouldn't be included in the EIS. Please explain.
Response: The project team has received and reviewed Mr. Folts letter with 13 questions. There will be a response to the questions in the draft EIS.

Question: If proposed South Mountain Loop 202 is built through South Mountain Park would there be any attempt to block this highway view from people enjoying the vistas of this park?
Response: Visual impact is one of the technical studies currently underway. The findings of that study will be shared with the SMCAT.

Question: Are there plans to close and rebuild relocate Lagos Elementary School while will sit right alongside this highway and if so why?
Response: If there is a direct impact on the school, the team will identify the impact and then evaluate potential mitigation measures.

Question: With Lagos Elementary School sitting right alongside proposed South Mountain Loop 202 is there a sufficient indoor HVAC air filtration system in place to filter out PM 2.5 and PM 10 mostly from diesel exhaust so this cannot enter the lungs of our children?
Response: The project team does not have the information to address this issue.

Question: I am asking ADOT to include and publish the results from the following study in the EIS and to the SMCAT members: "Links in the Womb Chromosome Damage to Elevated Exposure to Polycyclic Aromatic Hydrocarbons," published in February's

Journal of Cancer Epidemiology Biomarkers and Prevention, authored by Frederica Perera, Director of Columbia University Center for Children's Environmental Health.
Response: The project team will review this study.

Question: Will the fuel line that resides along proposed South Mountain Loop 202 have to moved, reclassified or other infrastructure put in place because of this proposed highway?
Response: Utility conflicts and potential relocations are one of the technical studies currently underway. The findings of the study will be shared with the SMCAT.

Question: If proposed South Mountain Loop 202 is not built can the city turn the excess land along Pecos Road into a greenway with walking and biking trails for everyone to enjoy possibly connecting the above-mentioned hiking trail to a trail in South Mountain Park?
Response: The City of Phoenix would need to address this issue.

Question: Would the City of Phoenix City Council have to approve the transfer of land from South Mountain Park to build this highway?
Response: The City of Phoenix would need to address this issue.

Question: Why was all of the information on proposed South Mountain Loop 202 removed from ADOT's main web? Should someone deny this please see attached e-mail from ADOT and read the response aloud.
Response: The information was not removed from the ADOT website. However, a recent redesign of the ADOT website has made it difficult to find the website. The public is encouraged to use the address www.southmountainfreeway.com to obtain direct access to the website. ADOT staff has been notified of this.

3-24-05

David Folts, Concerned Families Along South Mountain Loop 202

Question: Which agency completes the paperwork and process of (4f) of using South Mountain Parkland for this proposed highway? Which branch and department is responsible to see this process along?
Response: For Arizona Department of Transportation projects, FHWA has ultimate authority to deal with Historical Sites and Parks.

Question: What safeguards are in place if North American Indian Artifacts are found? Will there be enough time allotted to properly reclaim these items?
Response: The process to address cultural resources includes several steps. 1) Archeologists research documentation followed by field visits to document findings. 2) The report is reviewed by all recognized tribes and federal and state agencies. 3) Additional testing is done by digging small trenches. 4) The team creates a data recovery plan and all recovered artifacts will be handled per the approved plan.

Question: It appears that ADOT will need more land then the additional 50 acres stated by ADOT earlier. Last week I was shown additional acreage on the west end of South Mountain Loop 202 being reserved as a right of way. How many more additional acres of

South Mountain Park will be needed then previously stated? **Response:** We are still looking at alternatives to minimize impacts to the park and will report back on the impacted acreage.

Question: How many cubic yards of soil must be removed from South Mountain Park as to construct this highway through South Mountain Park? **Response:** The number has been calculated but is not available tonight. We will post to the website.

Question: Will noise levels in the classrooms at Lagos school before and after highway construction? If levels are above Federal permissible limits what action is planned? **Response:** We will ask noise author to address when the noise analysis is presented.

Question: Since it is very possible for South Mountain Loop 202 to be used as a bypass around Phoenix with quite a bit of the traffic being trucks, is there a more specific study taking into account such as diesel soot/diesel exhaust finding its way into Ahwatukee residents lungs for a realistic span of 15-20 years, i.e., children growing up in this neighborhood? **Response:** We will have a detailed air quality presentation when the technical report is completed.

Question: Was part of the decision to build South Mountain Loop 202 at or above grade along Pecos Road made to achieve better air quality standards? Does elevated or depressed highway design ever affect the air quality in the immediate area? **Response:** We will discuss this issue when we have the detailed air quality presentation.

Question: Who if anyone will measure the turbidity of the water as mentioned by Ralph from ADOT? How often will the water be sampled and tested? Who forwards the results to the EPA? **Response:** Turbidity of water measures cloudiness and/or sedimentation. It is tested by qualified professionals as determined by a plan to be set up between the contractor and ADOT.

Question: Is the Sierra Club member still a member of the SMCAT Group? **Response:** Yes. They will be appointing a replacement for Chad Campbell who is no longer able to attend the meetings.

William Ramsay

Question: How was the study area (red border on draft dated January 2005) determined? **Response:** We used the purpose and need to identify a geographic area. Some technical reports will look outside the study area, i.e., air quality. Please identify the street that constitutes the study area in Ahwatukee (running East-West). **Response:** It is approximately ½ mile North of Pecos Road.

Question: What requirement does ADOT and FHWA have to notify residents within the study area? **Response:** We are required to notify within study area. There are established guidelines but not specific requirements.

Question: Are realtors obligated to notify individuals purchasing homes within the study area of the potential impact of the proposed project? **Response:** It is common practice if a realtor has knowledge of a project, they should disclose.

(Anonymous)

Question: Why do the alternatives have to be south of Pecos? **Response:** Have looked at US60 extension to the west but didn't meeting the purpose and need of regional mobility.

4-28-05

David Folts, Concerned Families along South Mountain Loop 202

Question: Why doesn't ADOT how (publish on South Mountain web page) all the public meetings that they host or attend month by month; i.e., HOA, Village Committee, etc. thus allowing the public a chance to attend? **Response:** Any ADOT-hosted meetings are posted on the website. The team is invited to other meetings to present information and/or answer questions, but attendance at these meetings is determined by the host organization and may not be appropriate for the general public to attend.

Question: Last week I heard a process described, I think it was part of the 4F process. I heard a statement that a visual check on the surface of the ground would be completed for Indian Artifacts which would include pottery, burial grounds, etc. With this area being so close to the Gila Nation. There is a better way to complete this. There is a multitude of tolls/devices that can sense many different masses or objects many feet below the surface. **Response:** We are consulting with the appropriate agencies regarding the best method to survey for and address any findings.

Question: Will any test wells, i.e. ground contamination be affected by the construction of South Mountain Loop 202? If so, what process is used to insure that future data can still be tracked? **Response:** We will have to follow-up with that information.

Question: If ADOT didn't use any acreage from Alta Ridge of South Mountain Park, how many acres would still be needed on the southwest region of South Mountain Park to construct the South Mountain Loop 202? **Response:** That is still under study and is dynamic. We are looking at tunnels.

Question: Will the cost per mile of South Mountain Loop 202 rule out a semi or fully depressed highway? **Response:** That is not a primary decision point.

Question: Would the cost of tunneling through South Mountain Park overrule this type of construction on South Mountain Loop 202? Who would make the decision that this tunneling project would be too expensive? **Response:** "Extraordinary" costs will be discussed with the Federal Highway Administration.

Question: If the decision is made not to build South Mountain Loop 202, what other plans are in place to improve existing highway traffic specifically the Broadway curve on I-10? **Response:** A study is underway from SR51 to Santan freeway. Current alternatives

are to build a CD roadway (parallel freeway system). The alternative assumes that the South Mountain freeway is built.

Question: Does the Police Department have any data that show the incidence of crime (density) along existing highways? If they do can they please let our organization know how to get this information. **Response:** Ms. Navida provided her contact information.

Larry Landry, Phoenix Resident

Question: Isn't it true that at the end of the process ADOT will present a draft EIS and FHWA will accept or not? Don't all the consultants work for ADOT? When will a North/South freeway alignment be recommended by ADOT?

5-26-05

David Folts, Concerned Families Along South Mountain Loop 202

Question: What approximate date will the draft EIS be published? **Response:** Fall of 2006, however, this is subject to change.

Question: How close will proposed South Mountain Loop 202 be to San Juan Drive in South Mountain Park? **Response:** We don't have dimensions, this will vary based on the alternatives, such as a cut-section or tunnel.

Question: How many acres of South Mountain Park are taken to build SMCAT Alternative 1? Include areas used for drainage, lighting and right-of-way areas. **Response:** Don't know at this time. This will be shown in the final analysis.

Question: Do the traffic flow volumes also include traffic from the I-10 Reliever? **Response:** Yes, the model includes projected traffic from I-10 reliever.

Question: Do the no-build traffic flow volumes take into account the improvements that are planned along I-10 that were discussed in last month's meeting? **Response:** Yes.

Question: At last month's meeting I asked about the Section 4(f) process and how the procedure of a visual check for American Indian Artifacts was insufficient way to complete this with all the instruments now available to identify certain materials underground. Why isn't ADOT FHWA and HDR Engineering using ground penetrating radar to identify any American Indian artifacts below the soil? Many of these tools sell for \$3000-\$4000 and many businesses perform this service in such a situation. I would like this question entered in the meeting minutes. **Response:** At this stage of the process research is performed and visual surface surveys. We don't do more until we are on the property.

Question: Does ADOT, FHWA or HDR Engineering do any geophysical surveys (ground penetrating radar) as a standard process before building a highway? If this is not a standard process what makes this tool necessary when designing and building a highway? **Response:** No. This is traditionally later in the process.

Question: You show projected traffic flows in 2025. Why not show the percent of cars and include the percent of trucks using South Mountain Loop 202 including the truck traffic from the I-10 Reliever? **Response:** This is the first phase of traffic information. More information is forthcoming.

Clayton Danzeisen, Danzeisen Dairy and Maricopa County Farm Bureau

Question: Who will make the final decision concerning the route South Mountain freeway will take? **Response:** This is a joint ADOT and FHWA decision.

Question: Can ADOT eliminate the line starting with GRIC right now? **Response:** Due to South Mountain Park, we have to look at all options as long as they are a possibility.

Question: Does the traffic model consider traffic coming through the valley from Quartzite, Tucson, or Flagstaff for instance? **Response:** Yes.

Question: Traffic model bubble – Does it work to have three lines? Such as, I-10 at Broadway 2003/no-build/build. **Response:** This is a good suggestion.

Question: Since the I-10 reliever will not be built until after South Mountain, wouldn't it be better to leave it out of the model? **Response:** Model looks at full build out at 2030.

William Ramsay

Question: If SMCAT concludes its meeting with the status of the South Mountain eastern terminus being undecided in the draft EIS, what public forum will be available for review and input on the final decision on the eastern alignment and terminus? **Response:** We would not say the CAT was finished with only a west side alternative. There would be ongoing public involvement.

Question: Is Lagos Elementary School officially considered Section 4(f)? **Response:** No. However, the ball fields and playgrounds are Section 4(f).

Question: If so, what neighborhoods surrounding Lagos are being considered as part of the Section 4(f) study? **Response:** Section 4(f) applies to a neighborhood only when it is eligible for historic designation.

6-23-05

David Folts, Concerned Families Along South Mountain Loop 202

Question: If this highway is built and audible levels measured in Lagos school are higher than federal law allows (noise from highway) what will be done to alleviate this potential problem? Will sound readings be taken before and after the highway is built? Will ongoing sound testing be completed as traffic continues to build years in the future? **Response:** The Draft EIS includes noise analysis and mitigation information. Noise readings are also taken after a freeway is built. The ADOT noise policy exceeds the federal guidelines. (ADOT allows less noise).

Question: At what point in the design or build out of a highway in Arizona is a survey done to find out what is under the earth/soil where the highway will sit? What type of readings are taken to see if rock, soil or other types of earth lie underground thus giving a clear picture on what must be removed for building highways. **Response:** During the EIS, geotechnical reports are reviewed. At the design phase, there is a complete report that includes borings.

Question: In a previous meeting I think possibly by HDR Engineering, they stated that 4 million cu. ft. of soil would need to be removed under one of the alternatives as the highway runs through South Mountain Park. What would ADOT or the contractor do with all this soil, gravel and rock where would it go? **Response:** The figure is 4 million cu. yards of soil. The contractor uses as much as possible within the project and makes the final determination on any remaining materials.

Question: Do the traffic volume maps take into account the price of gas/fuel one, two, ten and twenty years out? I ask this because the cost of fuel will have a very substantial effect on highway volumes as fuel reaches possible \$3 and \$4 a gallon price or beyond. **Response:** I don't believe this is an assumption, but will find out.

Comment: Don't forget to include the I-10 Reliever on the revised traffic volumes map. **Response:** This is included and appears on the copies of the maps, but unfortunately not on the map projected on the screen.

Comment: Two meetings ago a request was made for crime data in relation to existing highways. The SMCAT members were told there would be a six-month wait. Attached to this question are nine separate 2004 City of Phoenix crime density maps with major highways shown. Each map consists of separate crimes from homicide, auto theft, assault etc. Please make copies of these color key maps and hand them out to all the SMCAT members should they wish to view these. **Response:** We will do so with the caveat to members that there may or may not be a correlation of crime to freeways.

Matthew Alan Lord

Comment: I hope that the SMCAT does not decide to hold closed meetings. They are responsible for making decisions governing the taxpayer's money and residents' communities. While inaccurate reporting in the press is unfortunate, that is a risk we take by having a free press. As a researcher and as a citizen, I urge the SMCAT not to hold closed meetings. Perhaps a better response is to write to the editors of the offending news outlet so that they can ensure accurate reporting in the future. Thanks!

7-28-05

David Folts, Concerned Families Along South Mountain Loop 202

Question: Is it possible for the SMCAT to come up with alternative to no-build without having a continuous highway from east to west? **Response:** While such a vote is possible, constructing only half of the freeway will not be considered.

Question: Will the Co Nexus information gathered in the meetings be presented at public meetings other than the SM CAT meetings? **Response:** How the information will be presented has not been determined yet. However, some level of information will be included in the Draft EIS.

Question: Is it possible for a participant just not to vote if any of the answers do not fit his or her response? **Response:** Every member will vote on each question. However, each question will have a "don't know" option.

Question: Maybe the SMCAT members should frame the questions. **Response:** The questions will be framed by the members.

Question: ADOT made the statement that 25 tribes have been contacted about the cultural significance of South Mountain Park land. Can you please point out the land that is actually being considered and state why this land was selected for this process. What input if any will the 25 tribes have? **Response:** We do not know what land is significant to the individual tribes. That will be discussed during the consultation process.

Question: An archeological dig is happening in many areas where the new light rail transit where reside (sic). This present situation is finding North American Indian artifacts. Why isn't this being done along certain areas for South Mountain Loop 202? **Response:** During the study process, archeologists investigate previous studies within the potentially affected areas and perform non-ground disturbing field surveys. The determination of whether archeological digs are necessary or not would only be determined if a build alternative is selected. If digs are necessary, they would occur after this study process is complete.

William Ramsay

Question: Regarding voting model: Questions of safety should be deleted. 1. Safety is a given. Why wouldn't want safe highways and why would ADOT not automatically (not legible) into (not legible). 2. SMCAT members are not responsible for determining safety. Panel members are being asked to consider other topics that are more relevant, such as (not legible), relocation, etc. **Response:** The criteria used by the SuperRedTan CAT were developed by the CAT members. The relative operational safety of the alternatives was determined by the group to be important enough to vote on. Safety may or may not be an issue that this group will include in the criteria.

Charlotte Nahee

Comment: Most people in District 6 object to the freeway, but it is badly needed.

8-25-05

Alan Mann

Comment: My wife and I moved our family to Laveen in 1981, and have enjoyed raising our children in a rural setting. We know the changes are coming to our area. Laveen has

spent a lot of time and energy trying to plan for this. We would like to encourage you to choose the realignment for W55 to the west of the current proposal. To move to the east would destroy Laveen’s planning for a community. I would also support W71.

David Folts, Concerned Families Along South Mountain Loop 202

Question: What percentage of the 160,000 vehicles that are passing through South Mountain Park are trucks and what percentage are vehicles that are just passing through Phoenix? Please enter these questions in the EIS. **Response:** About 10 percent trucks; pass-through will be determined.

Comment: I would think it a good idea to allow a 10-minute discussion period before each Co Nexus vote so all the SMCAT members are up to speed on definitions and intent. **Response:** This is a good idea.

Question: Since South Mountain Loop 202 bypasses the center of the city and resides on the southern border, will South Mountain Loop 202 be the new Hazardous Cargo Route? If this is selected as a Hazardous Cargo Route will radioactive materials be allowed? Please describe some of the present hazardous cargo being transported on Hazardous Cargo Routes. Please enter this question in the EIS. **Response:** This was addressed as a previous CAT meeting and can be found in past meeting notes.

Question: Concerning particulate pollutions, are ultra fine particle (<0.1 to 2.5) microns predominantly derived from combustions of fossil fuels? Are these ultra fine particles a major component in vehicle emissions? **Question:** Do ultra fine particles (<0.1 to 2.5 microns) from vehicle emissions have a high content of potentially toxic hydrocarbons among all PM sources? Do ultra fine particles (<.01 to 2.5 microns) penetrate deeper into lung tissues than fine particles and if they do, can the particles trigger inflammation in the smaller airways leading to exacerbation of asthma and bronchitis? **Question:** If one had to relate living along this highway within 250 feet and being exposed to the highway traffic pollution, this would equate about to smoking how many cigarettes a day if any? Please enter this question in the EIS. **Response:** There will be a detailed air quality analysis coming.

Question: Can you name the interchanges on the west and south side of South Mountain Loop 202 that will be raised interchanges? How many feet above grade will the tallest one be? **Response:** Currently, all interchanges are planned with the freeway going over the arterial street. The freeway would be approximately 25 feet above the arterial street.

Matthew Mellor, Citizen of Laveen

Question: Noting the congestion on US60 in Mesa and Tempe, why is the South Mountain freeway following the same pattern of intersections at every mile? (Elliott, Dobbins, Baseline, etc.) **Response:** This is not yet determined and remains under ongoing coordination.

Question: Due to the rapid development of west side/Laveen communities, available parcels (with limited residential impact) are quickly being consumed, would a push out

date (for a recommendation) by this body make a recommendation more difficult and more out of date? **Response:** We try to provide the best information available.

W. William Foster

Question: Were developers along 55th Avenue notified of this 55th Avenue alignment? Why is new residential development allowed near these corridors when this has been planned for so long? **Response:** Developers were notified. ADOT can’t prohibit property purchases. Development is at the discretion of the cities. Once ADOT owns right-of-way, signs can be posted. Those that show “future home of South Mountain Freeway” are related to purchases from the original environmental assessment in 1988. ADOT has not purchase land for this project since this new process began.

9-22-05

Question: What if Santa Maria was registered as a historical community? **Response:** Since it may be eligible for listing as a historic community the study team must look to avoid affects on it, including taking any property from within the community.

Comment: With the economy the way it is, I would have nowhere to move. This would also disrupt my family.

Comment: Why does it take so long to find a short cut. I am concerned about moving traffic.

Question: I haven’t received any flyers on this. **Response:** This was not our intent. We hand deliver newsletters to the homes and businesses within the study area. We also announce public meetings in the newspaper. However, any person who signs in tonight will receive future newsletters via the mail

Comment: What is the time frame? **Response:** After January 1, 2006, ADOT will select a westside preferred alternative. In the spring, we will announce where we believe a freeway would be built, if a build alternative is selected. There will be a comment period, with a final decision announced in the summer of 2007.

Comment: There is a new home development in the 71st Avenue area.

Serena Grimm, 105 N Linus Dr. #2079, Avondale, AZ 85323

Comment: My understanding is that one of the proposed sites of the freeway will cross 71st and Superior Rd. There are new houses being built on Superior Rd. Currently they are only plot #'s. I have bought one of these houses. Could you please comment on the exact plot #'s that would be affected “bought up” to build the freeway. Please mail me an answer at the above address. Thank you

Diane Hernandez, Santa Maria

Comment: I will attend the Estrella Village Planning committee to get info on how to make Santa Maria a historical area. It is extremely sad to think that we will be separated

from our neighbors, not to mention the financial hardship. I built my home there on a piece of land my parents gave me. At 47 and a single parent, I would not want to start over. We are extremely interested in saving our community.

Ruben M. Garcia, Santa Maria

Comment: What type of safety procedures for health is ADOT going to take? And, what type of sound barriers will be put in place to protect our children and our health from pollution. Health/noise etc.

Amelia C. Hernandez, 7029 W. Lower Buckeye, Santa Maria

Comment: I am a 65 year old widow about to retire. I have been looking forward to being able to stay in my safe surrounding. For the first time I have conveniences close by. I work at Fowler District for 32 years. If my home is taken away it will be like killing me. My husband died there. I have planted pecan, fruit trees and many plants that deceased teachers and family and friends have given to me. I have a son that is mentally sick. Everybody in the neighborhood knows him, thus the safety issue. I have a 17 year old CPS teenager that lives in my home just recently. My home is a five bedroom, 2 baths and my daughter and husband live there too, all with health issues. My other son lives in the back house, which will help with my measly retirement check. If my home is taken away I will loose all of this. Santa Maria has been my home for 45 years and all of the community is more like an extended family than neighbors. All I can ask is that you seriously put yourself in my position and let your conscious and our dear Lord guide you in this important decision. Everyone there feels the same. P.S. I would be one of the first to go. Santa Maria is a very family oriented and also sort of a retirement community with the inheritance going to our children.

Patricia Franco, daughter of Manuel Franco, Santa Maria Community

Question: 1. Can’t you come up with other alternatives? Like building the freeway further south so it would go thru most of the desert, not communities that have been built here for more than 50 years. 2. Some people are hearing impaired. Is there any way to get microphones so we could hear better?

Frank Gonzales, Santa Maria

Question: This freeway going thru our township will disrupt our traditional way of life. Where will our residents relocate, especially our senior citizens? Properties everywhere are sky high. If this goes thru it causes a hardship on everyone including myself and family.

Alicia Brooks

Question: What will be the outcome if they decide to go through Santa Maria? I have lived there for 60 years. My father built the house I live in. Unfortunately, both my parents are deceased. They left the property to me. I will be retiring next year and looking forward to it. But, I can’t even think about it if I lose my home. I also work for the state and am on a fixed income.

Olivia Escobedo

Comment: I have lived in Santa Maria for 50 years. There’s a children’s Mexican dance group that practices in a house in Santa Maria. Kids from 5-18 years old, to help kids off streets and drugs. We perform in different places. We also take kids on trips. This year was Hawaii, Mexico and Washington D.C. All the kids would miss all this if we were to move.

David Folts, Concerned Families Along South Mountain Loop 202

Question: Shouldn’t the SMCAT group be allowed to schedule and decide on when they meet? After all aren’t they the ones making the recommendation by voting for or against this project? It almost seems ADOT is forcing this citizens group into a decision before all this information can be digested. **Response:** This was reviewed tonight.

Question: A question was asked last month. “Can you name the interchanges on the west and south side of S. Mt. Loop 202 that will be raised interchanges? How many feet above grade will the tallest one be”? The response was “Currently all interchanges are planned with the freeway going over the arterial street. The freeway would be 25 feet above the arterial street.” Please define where the measurement of 25 feet starts and stops, i.e. from the lower road surface to the lowest structural member of the bridge? **Response:** This will be addressed at the next meeting.

Question: Earlier, ADOT mentioned removing 4 million cubic yards of soil from S. Mtn. To make way for the highway as it passed through S. Mtn. Park. Will some or all of this 4 million cubic yards of soil and rocks be used to construct the elevated interchanges? **Response:** To the extent possible, fill material is used within the project.

Question: Is there a strong association between childhood leukemia and other childhood cancers from vehicle emissions in major highway corridors? Please use “Distance Weighted Traffic Density in Proximity to a Home is a Risk Factor for Leukemia and other childhood cancers”. This is a JAWMA study. Please enter this information in the S. Mtn. Loop EIS.

Question: Is the cancer risk higher for populations exposed within 2 kilometers off major freeway corridors and do mobile source emissions account for 90% of the cancer risk? Please use the MATES II Study when answering these questions and enter this in the S. Mtn. Loop EIS.

Question: Concerning particulate pollutions, are ultra fine particle (<0.1 to 2.5) microns predominantly derived from combustions of fossil fuels? Are these ultra fine particles a major component in vehicle emissions?

Question: Do ultra fine particles (<0.1 to 2.5 microns) from vehicle emissions have a high content of potentially toxic hydrocarbons among all PM sources? Do ultra fine particles (<.01 to 2.5 microns) penetrate deeper into lung tissues than fine particles and if they do, can the particles trigger inflammation in the smaller airways leading to exacerbation of asthma and bronchitis?

Question: If one had to relate living along this highway within 250 feet and being exposed to the highway traffic pollution, this would equate about to smoking how many cigarettes a day if any? Please enter this question in the EIS. **Response:** All particulate matter sources penetrate deeper. ADOT will have to determine if this appropriate to address in an EIS.

Question: Since South Mountain Loop 202 bypasses the center of the city and resides on the southern border, will South Mountain Loop 202 be the new Hazardous Cargo Route? If this is selected as a Hazardous Cargo Route will radioactive materials be allowed? Please describe some of the present hazardous cargo being transported on Hazardous Cargo Routes. Please enter this question in the EIS. **Response:** ADOT determines if a design feature makes a route a poor choice for hazardous cargo. Recent decisions for no HC include the I-10 tunnel, and a route over a river due to potential impacts to the river. If it is legal to haul the material and there is no exemption from ADOT, the material can be hauled on a freeway in general.

Comment: I would think it a good idea to allow a 10-minute discussion period before each CoNexus vote so all the SMCAT members are up to speed on definitions and intent. **Response:** Yes, we will allow time for discussion prior to the evaluation.

Question: Can you name the interchanges on the west and south side of South Mountain Loop 202 that will be raised interchanges? How many feet above grade will the tallest one be? **Response:** This will be discussed in the design report.

Question: What percentage of the 160,000 vehicles that are passing through South Mountain Park are trucks and what percentage are vehicles that are just passing through Phoenix? Please enter these questions in the EIS. **Response:** This will be discussed in the traffic operations report.

10-20-05

William Ramsay

Question: What organization is responsible for rendering the records of decision?
Response: FHWA.

Question: At what point of the design phase would a “no Build” decision be made?
Response: At the record of decision.

Question: What would be the primary factor or considerations involved in a “no build” decision? **Response:** These are the same factors used in evaluating the other alternatives.

David Folts, Concerned families along SM & Loop 202

Question: If the new quiet asphalt is used in the construction of Loop 202, will this cause sound abatement walls to be much shorter or not constructed at all? After all, ADOT only

has to meet certain sound criteria and if it is met, why build walls? **Response:** This will be part of the noise technical report.

Question: Can ADOT explain sound abatement techniques on the elevated interchanges planned for S. Mt. Loop 202 as it passes through Ahwatukee. Will sound abatement walls be used on the elevated interchanges and if so how tall will the walls be? How many feet higher will the sound abatement walls be then the elevated interchanges? **Response:** This will be part of the noise technical report.

Question: Can ADOT supply 3 artists renderings of 3 typical elevated interchanges in Ahwatukee. Please provide elevations and show any sound abatement walls on other sound abatement design techniques. **Response:** We will forward this suggestion to ADOT for their consideration.

Question: A question was asked last week about the height of the elevated interchanges being measured from the surface of the grade/road under the structure. This question was asked because ADOT staked the height of the bridges would be 25 feet. What will be the highest point of the elevated highway in feet measured from the surface/grade of the highway? **Response:** Typical heights on arterials are about 25 feet. At railroad tracks, heights are about 30 feet.

Question: ADOT & HDR stated in the past that they would take photos (not video) of present housing and development then superimpose the complete highway alignment (all alignments West End) over the actual photo maps. This would show the best and latest birds eye view of this project on present day development. Does ADOT already have something similar to this? **Response:** This information is forthcoming in the video mentioned previously.

Question: Is a hard copy of the summary from the previous SMCAT meeting as shown on S. Mt. Corridor study web page given to each SMCAT member? (specifically answers to questions from the public gallery and SMCAT members) **Response:** Yes.

Question: During heavy rains in the summer, quite a bit of rain runoff will be collected in the drainage canal on Pecos Rd. The north or south side of S. Mt. Loop 202. What will be the retention time in days that standing water will sit in the collection canals during a 3 inch rain over 24 hours? How, if at all, will this water be released and where will it flow to, along the Ahwatukee section of S. Mt. Loop 202. **Response:** We are not able to answer this question at this time.

Question: The drainage channel that resides alongside the Ahwatukee section of S. Mt. Loop has the ability to hold what total volume of water in gallons from 51st Ave. to 40th Street? Will this standing water be treated to insure it doesn’t become a mosquito breeding ground for such diseases as West Nile Fever? **Response:** We do not have the technical experts in attendance.

Question: What % of the 4 million cubic yards removed from S. Mt. Park be used to construct the elevated interchanges on S. Mt Loop 202? **Response:** This requires an analysis of the material removed to determine if it appropriate for this use.

Question: How many feet out from the very center of the interchanges will the highway elevation start? What is the average, minimum and maximum rise over run in feet as you close in, then leave the interchange? **Response:** The maximum allowable grade is three percent, or three feet per one hundred feet.

Question: What is the deepest depression in feet used on Route 60 as it passed through Phoenix, Chandler, Tempe and Mesa? **Response:** The deepest depression in that area is 25 feet deep; however, some areas are only partially depressed and are at about 20-21 feet.

Question: If S. Mt. Loop 202 was fully depressed i.e. (60 feet depressed from grade) would this have the affect of giving Ahwatukee residents cleaner air? If so, why? **Response:** There will be an air quality technical report later in this process.

Question: If a change in design is made to fully depress S. Mt. Loop 202 as it runs south of Ahwatukee, would this have a tendency to force a new EIS or require more study and data gathering time for the existing EIS? **Response:** As long as the information is part of the draft EIS, a new EIS would not be required.

Jason Fifield (I am a homeowner near 83rd Ave and Lower Buckeye Rd.)

Comment: I am curious as to the studies that have been done in regards to growth in the West Valley. Are the growth projections being considered current (what are the date of the projection studies/figures)? I've seen in certain media that the West Side is expected to add upwards of 2+ million people in the next 15-20 years. I am concerned that any proposed routes east of 99th Ave. are very shortsighted of the coming West Side growth. Many of the West Side residents will be commuting to jobs on the East Side and with the explosive growth on the West Side there are certain to be many new jobs created that East Valley residents will commute to. Also, I know the committee has talked about semi-trucks using the South Mt. Fwy. as a bypass around downtown. With all the growth and increased traffic on I-10 is the committee factoring in all the other regular travelers passing thru Phoenix who would likely choose this new route over I-10. **Response:** We have MAG 2000 census data, and where appropriate will use the new 2005 data when we receive

11-3-05

William Ramsay

Question: The City of Phoenix completed, around 2001, and at a cost of nearly \$60 Million, a water and sanitary sewer project along Pecos Road west of 24th St. There has been no mention of how ADOT will treat tax. Please elaborate on how the proposed South Mountain Loop, using Pecos Road as the eastern alignment, will affect the City of

Phoenix's water system. **Response:** This is a repeat question. Further information will be available in the utility report.

David Folts, Concerned Families Along S. Mt. Loop 202

Question: In previous meetings ADOT & FHWA has sat about 15 feet away of their own table. Why are they now seated with the SMCAT members? Will the ADOT & FHWA people sitting at the SMCAT table be also voting on S. Mt. Loop along with the remainder of the Advisory Team? **Response:** They are sitting at the table so that they can better answer CAT questions. At the onset of the meeting, I asked CAT members if they would like ADOT and FHWA to return to the table and they agreed. ADOT and FHWA will not be at the table during the evaluation process.

Question: Will ADOT or FHWA do any form of underground radar mapping for Native Cultural Sights along S. Mt. Loop 202, also along the washes that will have increased flow as they travel away from S. Mt. Loop 202? Wouldn't it be better to locate and properly move the cultural finds beforehand than disturb it and try to deal with this after the fact? **Response:** This is a repeat question.

Question: I have heard that somewhere between 30 to 65 acres of land will be taken from S. Mt. Park for S. Mt. Loop 202. The most recent plans show how many acres are to be taken from S. Mt. Loop 202. **Response:** This information is in a forthcoming report.

Question: Why aren't the people of Laveen, Tolleson Ahwatukee and the other communities along S. Mt. Loop 202 given the same consideration when building highways through their community? This question specifically concerns the design of depressed highways in heavy residential areas. **Response:** We are looking at options for depressing the freeway in all communities where feasible.

Question: How many wells are in the path of S. Mt. Loop 202? How many wells will be redrilled to replace the wells that will be put out of service? Is part of SRP's recent well expansion happening because of the above-mentioned questions? **Response:** The number of wells is recorded in the technical reports, but I don't recall these numbers.

Question: Can ADOT show 2 artist renderings of the elevated interchanges with the sound and noise abatement techniques that will be used to lessen impact to the human environment? **Response:** This is a repeat question. We don't have a graphic for noise.

Question: Can ADOT show 3 (artist renderings) examples of what the elevated interchanges will look like along S. Mt. Loop 202? **Response:** This is a repeat question. There are some visuals coming and we will talk with ADOT about the renderings.

Question: In Nevada a school was relocated away from a highway that was going to have lanes added. This decision was made in federal court partly due to air standards within a few 100 feet of the highway. Does this court ruling have any affect on schools that will reside along S. Mt. Loop 202? **Response:** As stated earlier, this information was

given to HDR and copies forwarded to ADOT and FHWA. These issues are being considered and further information will be included in the air report.

Larry Lee, Foothills Mountain Ranch, Resident

Question: Just north of the church at 24th St. there is a dry well - - - this area floods. I do not see any accommodation for that flooding. **Response:** This site is not specifically included in the report.

Question: Also, what impact will commercial business and an additional casino (to match the freeway traffic) have on noise, crime, pollution and general way of life for Ahwatukee? **Response:** We know of no plans for an additional casino or any commercial business development planned in this area.

Question: Will hazardous material travel on this highway? Why can't trucks use I-8 to avoid Phoenix? **Response:** This is a repeat question.

12-1-05

Larry Lee

Comment: If Gila River is requesting frontage roads and access to the loop 202, then they definitely are showing that they want and need the road. GRIC wants commercial development, Ahwatukee does not want any significant commercial development. If GRIC wants commercial then GRIC should take the road, otherwise give GRIC no access and no frontage road. We do not want another casino along Pecos/202. No casino!

Question: I believe about 7 schools are directly affected by this proposed highway. What are all of the dangers to our kids? Pollution, noise, air. Road closures, what about accidents where large vehicles like trucks, 18 wheelers carrying whatever, fuel, hazardous material seems that the kids would be in very serious danger. Isn't route I-8 and 85 for trucks? If 202 is a truck route, why are the trucks not using the route we already gave them? NO BUILD. **Response:** SR85 is a truck route and signed as such.

Question: 24th ramps turning 24th into a main artery and what are the issues to affect Estrella Elementary School. Will all of 24th need to be widened and will 24th and Chandler need to be enlarged? How do we handle traffic if a road closure occurs near 24th street? Will traffic route to Liberty Lane, this will affect 3 schools. **Response:** This was previously discussed.

William Ramsay

Question: Have any comprehensive studies been conducted on the impact to surface streets adjoining the proposed freeway when the freeway becomes closed due to an accident? For example, what would be the impact on 40th St., 24th St., and Chandler Blvd. If the proposed east 202 loop is closed at 40th St.? Where would traffic be routed? Have extra studies – air, noise gas pollution, been evaluated under these conditions? The study AWA in question includes Ahwatukee, Avondale, Laveen and Tolleson. **Response:** Typically, this is not done.

Question: What role does Maricopa Association of Governments play in the decision to proceed with the South Mtn Loop 202? If FHWA is the ultimate decision maker, what is MAG's role? **Response:** MAG has input into the process; however, a freeway is an ADOT-FHWA decision. ADOT and MAG share regional transportation planning responsibilities. Proposition 400 is based on the Regional Transportation Plan, which considers 55th Avenue the approved location for the west side alignment. If W71 or W101 are selected, these locations must go to MAG for approval by the regional council.

Comment: If advocates of the of the proposed South Mountain Loop 202 are so certain we must have this project, why are they willing to wait the better part of TWO DECADES for a solution? This project is too future oriented as to be irrelevant to current Maricopa County residents.

David Foltz

Question: How many of the new homeowners identified in the right of way for S. Mt. Loop 202 (highway edge to the red line) along Pecos Road have been notified by ADOT on policy procedure or protocol for having their homes acquired? **Response:** This question has been directed to ADOT right-of-way.

Question: What is the additional cost to fully depress vs. partially depressed highway per mile for the entire highway called South Mt. Loop 202? **Response:** These figures are in the process of being completed.

Question: Is it possible that many of homes identified in ADOT maps in mid Novembers public meetings located in the Right of Way (Edge of S. Mt. Loop 202 and the Red line) in Ahwatukee will not be purchased after all. If not, why? Would this same rule exist for the selected west side route? **Response:** The final number is yet to be determined. The facility is being designed to a level to define the right-of way needed to construct it. It should not be assumed that significant change to right-of-way will occur after receipt of the environmental approval. (A CAT member requested receiving these numbers with and without a 32nd Street interchange.)

Question: If Pecos Rd. is left open during the construction of proposed S. Mt. Loop, would this also be a more expensive option as fully depressing S. Mt. Loop 202? **Response:** This aspect of implementation comes further into the design process.

Comment: Please show the major utilities as they presently aren't along proposed (Pecos Rd.) S. Mt. Loop 202 alignment and what utilities need to be moved including any gas or fuel lines. **Response:** This information will be part of the utility report.

Comment: I implore ADOT to please use underground radar mapping to identify and locate any cultural finds where soil will be removed to construct proposed S. Mt Loop 202 through identified Native American Indian cultural or sacred areas!

1-5-06

Melanie Pai, PARC – Protecting Arizona’s Resources and Children

Comment: CAT takes community representation from homeowners associations, but excludes participation from organizations such as PARC which represents hundreds of citizens, from multiple communities, including those NOT represented by an HOA. PARC, Protecting Arizona’s Resources and Children, is formally requesting participation in the SMCAT meetings. PARC has requested a comprehensive, cumulative health study of ambient air quality and pollutions effects on children attending schools of similar proximity as those 9,000 students attending school, including preschool, adjacent to the Pecos alignment.

Question: This SMCAT meeting location is not conducive to wide-spread citizen involvement. There is no voice amplification system, no ability for those who are not members of an HOA board to participate. How many citizens in apartments or non-HOA communities are participating the SMCAT meetings and in what capacity? Is it the view of ADOT that persons must own a home in order to participate in this process?

Response: CAT representation considers full coverage of the study area, including non-HOA organizations representing Valley-wide interests. Determination of future representation (additions or changes) is the subject of the CAT. The SMCAT meetings are open to public attendance for the purposes of observation only. The SMCAT has responsibility to determine the level of, public participation and whether it is warranted at this time. The SMCAT has elected to allow the public to attend meetings and to draft questions and comments for SMCAT consideration. Regarding the location, the SMCAT has determined it is adequate for SMCAT needs. Ways to improve voice amplification will be considered. Only 2 of the 22 members are HOA representatives. The others represent planning organizations, communities, or regional organizations. Home ownership is not required for membership.

Question: In telephone conference my organization has held with ADEQ, there was no mention of the Children’s Environmental Health Program personnel having any involvement with the ADOT planning processes. It is my understanding that state law and ADOT’s own defined process requires participation from this particular sub-group of ADEQ and organizations such as PACR, a citizen group comprised of those concerned about children attending school in such close proximity to the freeway. What efforts have been made to include PARC and the Children’s Environmental Health personnel from ADEQ? **Response:** ADOT is obligated to follow the process as set forth by the National Environmental Policy Act. The process allows for public input and public disclosure as implemented by the federal lead agency, Federal Highway Administration. ADEQ has been invited to participate in the process from the project outset through the agency scoping process.

Question: The American Academy of Pediatrics has concluded that freeways in close proximity to schools has a severe and clearly measurable impact on children’s health. How do the EPA EIS requirements account for these? What measures has ADOT taken to

solicit participation from the American Lung Association, the American Academy of Pediatrics, and other organizations who could provide pertinent information on these relevant topics? **Response:** Data provided to the project team is reviewed and determined for applicability to the scope of the study. Consideration of input from such organizations is undertaken through issuance of Notice of Intent in the Federal Register, public and agency scoping, on-going coordination with public and agencies, data collection when conducting impact analyses, and public disclosure in accordance with the National Environmental Policy Act.

Question: PARC, www.protectazchildren.org, has begun a petition due to the broadbased opposition to the freeway’s close proximity to nine thousand students at nine schools. With such strong opposition by so many residents along the proposed Pecos alignment, and beyond, why are there not more specific data models being used to show citizens the levels of concentration of cancer-causing agents, respiratory irritants, etc., by their effects on the body? **Response:** The question is noted and has been taken under consideration.

Question: In California, building a freeway of such close proximity to schools as the proposed Pecos alignment would not be deemed legal at this juncture due to new legislation created to protect children. How has ADOT processes, reviewed, analyzed and considered these types of progress in development legislation for relevance in similar situations, such as the Pecos alignment? **Response:** The comment is noted and the details of the claim are under consideration. ADOT will follow the NEPA process and all pertinent environmental procedures when considering the comment and related question.

Question: Protection Arizona’s Resources and Children formed specifically because ADOT was not receptive to our comments as individual citizens with regard to concerns about the health and well being of children attending school in close proximity to freeways. What recourse do individual citizens have on a continued basis, other than submitting comment cards, to ensure their voices will be heard with regard to pertinent issues? **Response:** Public comment can be provided through many venues such as the ADOT website. The public will have the opportunity to formally comment when the Draft Environmental Impact Statement is issued, which is anticipated to occur in late 2006.

Question: Are NEPA guidelines always deemed to be sufficient to gauge the needs of the community as it pertains to the health and safety of its citizens? Have there been prior instances where ADOT has taken additional measures, in addition to those defined in the NEPA process in order to protect the health and safety of persons in the community? **Response:** NEPA is required when a federally-funded project or a project that has a federal nexus is proposed. ADOT has worked with local jurisdictions and other agencies on project-related enhancements not deemed mitigation.

Question: How many schools will be located in a ½-1 miles proximity to each of the schools in the west side per each of the west-side proposed alignments? How many daycares? How many elder care facilities? **Response:** Some of these issues are covered in

the Social Conditions report, which is available on the website (www.southmountainfreeway.com).

Question: The USEPA – Health Assessment Document for Diesel Engine Exhaust (2002) details specific impacts for children in residential areas and schools. What information and research data from sources such as these are included in the EIS? Does ADOT acknowledge that diesel engine exhaust poses a health risk to children attending school in close proximity to freeways? **Response:** ADOT has worked with local jurisdictions and other agencies on project-related enhancements not deemed mitigation. Air quality impacts are assessed by ADOT based upon federally established guidelines, as established by the Environmental Protection Agency in accordance with Clean Air Act.

William Ramsay

Question: Please clarify the status of Gila River Indian Community representatives on SMCAT. Is GRIC and related stakeholders – “alottees” – still represented? **Response:** GRIC representation is currently being researched. All communications with GRIC are through the ADOT Director’s office at this time.

Question: Have any formal studies been conducted on the impact of dust to residential areas adjoining the proposed South Mountain Freeway created by blasting, excavating, grading, and razing of existing structures? What hazards exist in the dust? How many residents of Ahwatukee, Avondale, Tolleson, and Laveen would be impacted? What steps would ADOT take to mitigate this impact? **Response:** Studies relative to the impact of dust on neighboring communities are regulated under the Clean Air Act. The control of construction-related dust is regulated and permitted by Maricopa County and the contractor would be responsible for permit adherence. Dust-related impacts are defined under the Clean Air Act and are measured by size of particulate matter (PM10 and PM2.5). Assessment of the number of residents affected by construction-related activities is not within to the scope of the study. Measures to mitigate will be defined in part by the Maricopa County permitting activities.

David Folts, Concerned Families Along South Mountain Loop 202

Question: Will constructing South Mountain Loop 202 substantially lessen grid lock (lessening exhaust emissions, pollution) on Broadway Curve I-10, Rte 17, Loop 101, Rte. 51 and if not, shouldn’t improvements be made on the highways where the problems exist? Please include this question in the EIS. **Response:** Assessment of purpose and need for the South Mountain Freeway project takes into account all other planned transportation improvements (freeway and non-freeway). The assessment concluded that even with all such improvements, a need and a purpose for the South Mountain Freeway project exists.

Question: With proposed I-10 Reliever connection being made to proposed South Mountain Loop 202 and purposely constructed to relive commercial traffic to South

Mountain Loop 202, why isn’t the effects from the volume of traffic from I-10 Reliever included in the South Mountain Loop 202 Environmental Impact Statement? With this added traffic from the I-10 Reliever increases from levels of vehicular exhaust along South Mountain Loop 202 would increase wouldn’t this show more accurate data then without? **Response:** The I-10 Reliever (SR 801) proposed project is not for the purposes cited in the question. The South Mountain Freeway project does take into account the proposed SR 801 project.

Question: When construction starts on near or around West Van Buren WQARF is it possible for some of this contamination could travel to other aquifers or wells? Please include this question in the EIS. **Response:** Guidelines for disposal hazardous materials if encountered are set forth by federal regulation.

Question: If contamination does travel from the HDR Engineering identified Van Buren WQARF to other aquifers or wells isn’t the proper way to check for this is through digging test wells and not through the monitoring process described earlier in this meeting. Please enter this question in the EIS Statement. **Response:** The characteristics of the WQARF site are well-documented and known. If it is determined that test wells are warranted, that will be presented in the EIS.

Question: Are the contaminants mentioned by HDR Engineering (Trichloroethelene, Dichlorethelene, etc.) above the U.S. limits for drinking water standards. If so, what are the present limits? Please enter this question in the South Mountain Loop EIS. **Response:** This data is not pertinent to the scope of the study.

Question: Could the contaminants mentioned by HDR Engineering in the (DEC, TCE, etc.) be considered liquid organics and if they are liquid organics, would they have a tendency to rest at the very bottom of the water hole? If they reside at the bottom of the water table can they be reduced or removed? Please describe how this process works. **Response:** This data is not pertinent to the scope of the study.

Question: Are the contaminants found in the WQARF Van Buren Site as identified by HDR Engineering considered carcinogens using U.S. or CA standards? Is one of the contaminants found in the WQARF Van Buren Site Perchlorethylene? Please enter this question in the South Mountain Loop 202 EIS. **Response:** This data is not pertinent to the scope of the study.

Question: A representative of HDR Engineering identified a WQARF site that had potential pesticides and herbicides in the water table. He also stated that the above mentioned HDR Rep also stated that many of these compounds break down on their own. What length of time is required for these contaminants to break down to 50 percent of original value in below grade water tables? Please identify each contaminant the start value and time required per contaminant. Please put this question in the South Mountain Loop 202 EIS. **Response:** This data is not pertinent to the scope of the study.

Question: What is the highest permissible noise measurement allowed in a resident’s back yard once a highway is built? If the noise level is above this what action is taken to reduce this noise and what is the maximum time allowed for ADOT to remedy this situation? **Response:** Procedures to address post-construction activities and responsibilities were described at the meeting and will be presented in the EIS.

Question: What will be the average height of the wall on the north side of South Mountain Loop 202 between 32nd and 40th Street? How was this determined?
Response: This information would be determined in design if a build alternative were approved.

Question: Will rubberized asphalt be used on South Mountain Loop 202 as it passes though Ahwatukee and if it is will this shorten the highway walls in Ahwatukee neighborhoods? **Response:** Rubberized asphalt is planned. It is premature to assess affects of such a measure on wall heights.

Question: Because South Mountain Loop 202 will serve as a natural bypass for commercial traffic around Phoenix could this highway be one of the noisiest in AZ or the U.S and if this is the case shouldn’t this highway be the example for proper noise mitigation? **Response:** ADOT’s Noise Policy is used in determination of noise mitigation. ADOT’s policy is more stringent than current federal guidelines.

Question: How is highway noise mitigated on elevated sections of highway as in South Mountain Loop 202? **Response:** It will be done in accordance with ADOT Noise Policy as described in the meeting.

Question: Is it possible to point, put or bounce noise in a commercial area away from a residential area, i.e. noise is directed away from homes along a highway to a store parking lot or where factories reside. **Response:** This issue was previously discussed.

Question: What are allowable noise standards of AZ and U.S. along highways? If a homeowner thinks the noise level in his yard is above allowable limits, who will test and at what time frame must this be done? Does ADOT oversee the above-mentioned testing and pay the contractor who measures this noise? **Response:** Noise standards will be presented in the EIS. Procedures to address post-construction activities and responsibilities were described at the meeting and will be presented in the EIS.

Question: As traffic increases along South Mountain Loop 202 years after it is built will the noise also increase? If the noise does in fact increase who would the homeowner contact and if levels are found above allowable limits how long would it be before noise mitigation techniques were implemented? Are db measurement then taken again to est. noise reduction? What is the average time frame for the above-mentioned process?
Response: Noise barriers when determined to be warranted are based upon volumes projected to occur during the design year, in this case, 2030.

Question: I heard mentioned that FHWA will not provide funds for a highway project that will not connect from the east to the west, i.e. the west side of the highway stops at South Mountain Park the east side of the highway stops at South Mountain Park. Who from the FHWA made this decision? **Response:** The issue of logical termini and independent utility is a function of the National Environmental Policy Act.

Question: When considering build vs. no-build, be sure to include the effects on air quality. **Response:** Comment noted.

Ralph Guariglio

Question: 1) Will there be any restrictions on hazardous material (dangerous goods) on hazardous waste transportation on this freeway? 2) What happens to all the earth that will be removed from South Mountain and from the other areas where the freeway might be constructed/depressed? **Response:** Restrictions for transporting hazardous materials are not planned for on the South Mountain Freeway. The freeway is designed generally with a goal to balance cut and fill. If excess material occurs, it will be disposed of at approved disposal sites.

Teri Pinkstaff

Comment: How much of our tax dollars has and will be wasted determining the route of a highway that may then be determined to no-build. What a waste to put the cart before the horse. **Response:** Comment noted.

Daniel D. Pinkstaff, 17010 S. 34th Street

Comment: Another giant government boondoggle, start talking to the Indians now! Why does ADOT go public with this information when it’s incomplete? ADOT employees appear to be rude misinformed and uncaring. **Response:** Comment noted.

1-19-06

Beginning with the January 19, 2006 meeting, written comments and questions from the public are accepted at SMCAT meetings and if time permits, new questions may be read and addressed at the end of the meeting at which they are submitted. Following the meeting, the SMCAT receives a typed copy of the comments, which will also be provided to the public at the subsequent meeting. At the request of the SMCAT, these issues may be added to the next agenda.

Responses shown were provided at the February 2, 2006 meeting at the request of the SMCAT.

Brian Smith

1. What biological species are identified within the project area that are endangered and/or protected (specifically)?

2. Are you saying there is no significant movement of species between So. Mountain and the Estrella Mts? **Response:** There are no migration corridors, but there are movements of wildlife.

Greta Rogers

1. Will the meetings (future) be publicly noticed and open to all, including the one with Gov. Wm. Rhodes, GRIC? **Response:** Public meetings are posted. Staff and other internal meetings are not open to the public.
2. Why NOW are you devoting meeting agendas to West Side routes and not the entire plan I-10E to I-10W (no defined terminus to date); This reflects planned avoidance of Pecos.
3. “Impossible to measure ozone” in project corridor; can measure CO2 emissions from vehicles at locations chosen and CO2 must be addressed regionally.” Why don’t you reveal EPA requirements – They’re known and established and Phoenix area on notice for compliance of P. 10 by end of 2006 and now due to exceedence of compliance and impossible goal to attain (notice to ADEQ by EPA 12/05). **Response:** We will provide an answer to this question during the air quality presentation.

William Ramsay

NEPA requires all cumulative impacts of a proposed project to be examined in the EIS process. The I-10 reliever must be considered in the EIS process as it will be connected to the proposed South Mountain Loop 202, and both are connected and interrelated.

David Folts, Concerned Families Along S Mt Loop 202

1. During the summary of Cultural Resources you mentioned reporting on impacts to prehistoric sites. Please define what a prehistoric site is.
2. Is there a required release rate (flow, gpm) over area when directing rainwater, runoff to lower area? If there is, what is this rate and what engineering principles are used to control this rate. **Response:** I will need to review this with our technical people.
3. I can’t understand why many of the planned construction schedules for highways in the extreme south and east of Phoenix (area, SanTan, etc.) don’t start until the years 2020 through 2030 instead of planning and making the alignments now. Construction for the above mentioned areas should start before the end of decade to avoid severe traffic problems a.k.a. staying ahead of the curve.
4. If ADOT builds the west side of proposed S Mt Loop 202 first, then years later build the Ahwatukee portion of this highway would it require another EIS? How long does this Environmental Impact Statement stay in effect? Is there a time frame this entire project must be completed by according to laws concerning EIS policy?
5. If traffic (S MT Loop 202) was diverted from existing regional existing air monitors wouldn’t this benefit? What is referred to as Regional Air Quality scores?

6. I have heard mention of Particulate Matter 10 being measured and possible being reduced in future air data along with being included in proposed S Mt Loop 202. Aren’t PM2.5 reading to be included in the EIS? Also, why wasn’t there a discussion on PM2.5 with projects on same? **Response:** We will provide an answer to this question during the air quality presentation.
7. It appears that the majority of 202 that runs between 10 and Loop 101 running west along southern edge of Chandler is fully depressed or semi-depressed. Ho and why was this design and build decision made?
8. During the EIS presentation of Cultural Resources, Mark Brodbeck from HDR Engineering state they do surveys to ensure cultural sites are found before construction begins. How are the surveys done and how would this be handled i.e. North America Native Artifacts be found if they were only inches below the surface of the soil? Will any attempt made to find out if artifacts reside just below the soil?

2-2-06

Responses shown were provided at the February 2, 2006 meeting at the request of the SMCAT.

Larry Lee, citizen concerns

1. Have NEPA and SEPA concerns been addressed? How has the pollution data evolved in the past 20 to 25 years since this freeway was originally proposed? What health issues have evolved or changed in the last 20 to 25 years that could affect the EIS?
2. What study has ADOT performed regarding traffic issues on surface streets when highway closures occur?
3. Since ADOT has been made aware of the connector between the proposed Loop 202 and the Canamex Highway, how does that connector impact the EIS and the communities involved?
4. As it pertains to noise...has the SMCAT been educated on scientific methods for evaluating noise pollution? Does the SMCAT know what the decibel numbers actually represent such as a hearing test? –Comparison test, wave carry tests at distances and elevations, etc...?
5. Has there been a study regarding numbers of drunk drivers associated with casino locations?

William Richardson

I’ve seen constructions costs ranging from \$900 million to \$1.3 billion, but this does not include 1) additional purchase of right-of-way land, 2) relocation costs of displaced businesses and residences, and 3) relocation of utilities. Can ADOT provide some

guidance on total estimated costs using an historical relationship of construction costs to total costs? For example, if in similar projects construction costs were 50% of the total cost, then the projected total cost for South Mountain Freeway would be in the \$1.8 to \$2.6 billion.

David Fultz, Concerned Families Along South Mountain Loop 202

1. This question is in regard to comment on public question. To allow public questions to be read out loud just stay true to your schedule and reserve 15-30 minutes for these questions to be read. If the schedule states the last 30 minutes, 8:30-9:00, are for questions, then stop the meeting and read the questions. If there is still time left then continue with the meeting or adjourn.
2. You were discussing changes to W71 and how this property wasn't considered 4(f) because there were plans to put a gate around the land with a lock around the entrance gate. What specific reason changes the 4(f) status when the above process happens (gates and locks)?
3. I have heard that as South Mountain Loop passes through South Mountain Park it will cut into the national hiking trail on the west side of South Mountain Park. If this trail is in fact taken to build this highway, will anything be done to reroute it?
4. What governing body or person will make the decision if South Mountain Loop 202 becomes a hazardous cargo route? Is this covered on the EIS?
5. If some of the SMCAT members do not agree with any of the three alignments on the west side of South Mountain Loop 202 will they be allowed to vote no-build?
6. Will there be a direct up or down vote on the three alignments from the SMCAT or will the evaluation scoring criteria be used to select the alignment?
7. With the weighted criteria used during the evaluation process wouldn't a person have to make all of his scores weighted as not to lesson the value of his vote/score.

2-23-06

The SMCAT did not request responses to the public comments shown below.

**Melanie Pai, PARC Protecting Arizona's Resources & Children
www.protectazchildren.org**

1. **Question:** What involvement has the Arizona department of public health had to this process?
2. **Question:** What year was the ADEQ permit to build issued? The permit addresses health concerns and other factors which should be considered prior to permitting and building of the freeway. If MSAT research shows new concerns, should the permit be re-evaluated?

David Fultz, Concerned Families Along South Mountain Loop 202

1. **Question:** What percent of funding for the cost then west side of South Mountain Loop 202 will be Federal? State and ½ cent sales tax. If there is a difference in the funding from each of the above mentioned sources from East to West, please state the separate totals.
2. **Comment:** Please show on a map the channels that will be used when releasing rain water along the entire length of South Mountain Loop 202. Include average annual rainfall, rain storms occurring in short period of time i.e. 4 hours during the summer and fall. Also include the effects from 100 year rainfall, i.e. worst individual rainfall in a 100 year time frame. Please include flow rates total accumulation and show where this occurs on the above mentioned map. Please include this information in the South Mountain Loop EIS.
3. **Question:** Is PM 2.5 also required to be tracked for the South Mountain Loop 202 EIS? If so, where are the reading and statistics for PM (2.5)? Is most of the particulate in PM 2.5 in the Phoenix area from vehicle exhaust?
4. **Question:** If no build option is selected, could some of the funding (non sales tax \$ Maricopa) be diverted to other ADOT projects in SE and Northern Maricopa, Pinal and Yavapi Counties? Would this also bring the schedules in so the above mentioned highways and transportation projects could be built sooner than some of the projected dates of 2025-2030?
5. **Question:** Why is PM 10 so harmful to humans? What organs get the most exposure to PM 10?
6. **Question:** Why is PM 2.5 so harmful to humans? What are some of the harmful effects to human tissue and health (longterm) from exposure to PM 2.5? What organs get the most exposure to PM 2.5?
7. **Question:** Aren't the EPA model's ADOT and HDR Engineering are using showing potential projected incorrect in this instance. I mention this because South Mountain Loop 202 has the potential to serve as a commercial bypass around Phoenix. If this is the case, wouldn't a higher degree of particulate be in the air within a 3 mile ribbon along this highway?
8. **Comment:** A real injustice was done when PM 2.5 wasn't discussed including pie charts and graphics during the 2/23/06 SMCAT Meeting. Examining only PM 10 and then pointing out that only 2.1% was due to on road vehicle exhaust improperly showed greater Phoenix air issues. Please cover PM 2.5 as thoroughly as you did PM 10 as to inform the populace to reduce the above mentioned level of pollutants to live a healthy and full life.
9. **Question:** If the smaller particles (less that 1 micron) are the most dangerous to your health, why not show the levels/measurements that reside in out air? What are the ill

effects on human health when exposed to particles from vehicle exhaust less than 1 micron in diameter?

3-2-06

Time permitted for all questions and comments to be read to the CAT. Responses shown were provided during the March 2, 2006 meeting.

David Fultz, Concerned Families Along South Mountain Loop 202

1. **Question:** Can the SMCAT team make a recommendation not to be selected as a hazardous cargo route for South Mountain Loop 202? **Response:** The CAT can make this recommendation, however, this is an ADOT decision.
2. **Question:** When doing the cost evaluation during the 3/2/06 SMCAT meeting wouldn't this criteria have to be used for all other future transportation issues to be fair to Ahwatukee residents? **Response:** The intent of the criteria is to use it for both the west and east sides.
3. **Question:** Using past history can you show SMCAT members to most to least expensive criteria items for building a highway, i.e. 1) land, 2) asphalt, 3) labor? **Response:** (Edwards asked the CAT if they would like to receive this information, and members indicated that they did not require this information.)
4. **Question:** In mid-November of 2002 ADOT held meetings showing the alignment, latest design and right-of-way for South Mountain Loop 202. Also shown were homes that were needed for this latest design to work. Is there a law in place where ADOT must tell the homeowners identified in the right-of-way if their homes will be demolished/purchased or if they will be left intact? **Response:** Once a corridor is adopted by the Regional Transportation Board, ADOT has 18 months to initiate a right-of-way purchase.
5. **Question:** Can you let the SMCAT members know of a proposed highway called the National Freight Corridor (i.e. from Tallahassee to San Diego) and how this would affect the air quality and traffic conditions in greater Phoenix area. **Response:** (Edwards asked the CAT if they would like to receive this information, and members indicated that they did not require this information.)
6. **Comment:** As of 2:00 p.m. the day of the SMCAT meeting 3/2/06 I didn't see the summary (meeting minutes) posted. I felt this is unfair for the public that would attend the SMCAT meetings. Please put some procedure or policy in place to at least let the public find out what happened at the last meeting before attending the next.
7. **Question:** On the South Mountain Loop 202 corridor study web page ADOT states, "Typically, the reported number of homes and businesses goes down as the study progresses, the locations affected may change as well." What does this last statement mean for Ahwatukee homes that fall inside the present right-of-way for South

Mountain Loop 202? **Response:** (Mike Bruder explained as follows:) As we move forward with the design process, the right-of-way is further refined. Effectually, we attempt to show the worst case scenario – that with the most right-of-way.

8. **Question:** Can the SMCAT members abstain from voting if they do not agree with any of the three alignments rather than the no-build option? **Response:** Once a CAT member begins the evaluation process, they must complete it. However, a CAT member could opt out of the evaluation entirely.

William Ramsay

Comment: SMCAT members should not be evaluating westside alternatives based on accounting costs (those direct costs such as material and labor). Instead, SMCAT members should be evaluating alternatives based on economic costs, specifically, externalities and social costs impacting communities as a result of the proposed freeway. The same evaluation criteria should be applied to considering the eastern alignment. Accounting costs, along with safety considerations, are beyond the scope and control of SMCAT.

3-30-06

The response shown was provided at the April 6, 2006 meeting at the request of the SMCAT.

David Fultz, Concerned Families Along South Mountain Loop 202

1. Who authored i.e. group or company the VISSIM Software for the microsimulation traffic flows shown at the 3/30/06 SMCAT meeting? Did a branch of government or department pay a company to develop this software? **Response:** VISSIM is the latest simulation package used around the country. It's development was partially financed through the federal government, a university in Florida, and ITE, the Institute of Transportation
1. HDR and MAG have shown total daily traffic flows on the three west side alignments so they must have a good idea on traffic flows at certain times of the day. What would the vehicles per minute weekdays be at 7, 8, and 9 a.m. and 4, 5, and 6 p.m. on the three alignments on the west side of South Mountain Loop 202 in the years 2006, 2010, 2020, and 2030?
2. Do the traffic and population projections MAG has shown in today's meetings take in the effect of increasing property values and the availability and cost of water? Also, isn't this the same group (MAG) that stated only 10% of overall traffic on this natural bypass (South Mountain Loop 202) will be truck traffic?
3. On the last west side ADOT meetings concerning the I-10 reliever, a map was shown with the points of connection from (west side) South Mountain Loop 202 to route 85. Is this the same route 85 that will be designated for an International Freight Corridor called Canamex?

4-6-06

The SMCAT did not request responses to the public comments shown below.

Dave Swisher, Mountain Park Community Church

When a church is in the right away and cannot be relocated to an existing facility, how is the purchase, construction and relocation handled by ADOT?

David Folts, Concerned Families Along South Mountain Loop 202

1. Can ADOT state the name and number of the law that they have quoted where ADOT or another governmental body has 18 months to decide when to purchase real estate identified in the South Mountain Loop ADOT right-of-way zone?
2. An ADOT relocation expert (Dave) stated that they have used one company/person for the last 20 years for appraisal values. Why is this, are his reports of higher quality, is this a process that goes out to bid or quoted on?
3. Under Public Comment Summary, a rep from Gunn Communications stated that questions or comments submitted were taken from respondents with a Tolleson ZIP code. What happened to the questions asked by the public who had ZIP codes outside Tolleson who attended these meetings?
4. During ADOT's final review, you showed how the Draft Criteria would be shown in pairs i.e. (noise reduction) vs. (overall cost of highway). Why not just let the SMCAT members assign a value of each criteria individually?
5. Under Public Comments, if a person who attended one of the meetings shown under the Public Comment Presentation submitted five questions/comments either for or against the proposed highway would that be counted as five pro or con highway?
6. Is there a minimum distance a highway can be constructed to a home? Please use the shoulder of a planned highway when giving measurements for any policies, rules or laws that exist for the above question.
7. How close has ADOT constructed a highway to a home in the past that it has not purchased, condemned?
8. If the costs were deemed too high to acquire the additional property/real estate shown, is the right-of-way zones shown on ADOT November '05 meetings. Would ADOT then abandon these plans and then just build a two or three lane highway regardless of how near structures (homes) are to this proposed highway?

4-27-06

There were no public comments received during this meeting.

**SMCAT Members FINAL
South Mountain Freeway Evaluation Criteria
4-27-06**

Alternative Modes/Multi-modal

The corridor provides for existing and future transit opportunities, park & ride facilities, and multi-use trails. (MULTIMODAL)

Design Obsolescence

The design provides for 2030 average daily traffic at a level of service D or better while providing for community access. (OBSOLETE)

Noise

Noise levels in proximity to the freeway should remain low and unobtrusive to normal everyday life and not exceed 64 dB. (NOISE)

Ecological

Does not disrupt wildlife habitat and connectivity, native vegetation, or natural water flow. (ECOLOGICAL)

Visual

The freeway and its traffic is not visible from grade, any visible component of the concrete structure is mitigated through landscape and architectural design. (VISUAL)

Community Cohesion

The selected alternative provides the necessary regional transportation capacity while providing the needed safe community connectivity at appropriate locations, and does not create a physical, psychological, or economic barrier. (COHESION)

Displacement

Freeway alignment will disrupt or displace the minimum number of homes, businesses, schools, and parks. (DISPLACEMENT)

Design and Operations

Maximize operational efficiency and minimize congestion at freeway system interchanges and improve functionality of regional freeway and street systems. (OPERATIONS)

Project Cost

Cost should be a consideration: total cost of constructing the freeway is assessed with the gains and losses to the affected communities. (COST)

Quality of Life

The freeway will not interfere with everyday life while allowing convenient accessibility to community facilities with minimal impact to residential areas. (QUALITY)

Air Quality

The design and location of any new freeway built will maximize traffic flow and minimize the impact to regional air quality. (AIR)

**South Mountain Transportation Corridor Study
Citizen Advisory Team**

April 27, 2006

Mr. Victor Mendez
Director
Arizona Department of Transportation
205 South 17th Avenue
Phoenix, AZ 85007

Dear Mr. Mendez:

In November 2001, the Arizona Department of Transportation formed a Citizen Advisory Team (CAT) to examine the issues and alternatives for the South Mountain Transportation Corridor Environmental Impact Statement. As members of this group, we were asked to communicate with citizens in our communities, neighborhood groups and stakeholder organizations to advise ADOT on how best to communicate with citizens in this area. We were also asked to provide feedback regarding the technical and environmental issues associated with the alternatives developed and evaluated with this project.

After 39 meetings over the last 4 ½ years and numerous presentations we completed an evaluation process to determine which Westside alternative we would prefer if a build option is ultimately chosen. Our group will be discussing whether or not the freeway should be built later this year.

The criteria we used to determine a preferred Westside alternative included:

- Alternative Modes/Multi-Modal
- Design Obsolescence
- Noise
- Ecological
- Visual
- Community Cohesion
- Displacement
- Design and Operations
- Project Cost
- Quality of Life
- Air Quality

On April 27, 2006, the members of the South Mountain CAT reached a decision to recommend the W101 as the preferred alternative for the Westside.

Using a computer assisted decision making process; W101 scored the highest as indicated on the attached graph. Although W101 was not the unanimous preference of the group, it was the team's recommendation.

However, we express concern with the impacts to the communities surrounding the W101 corridor. We want to continue to work with ADOT to discuss the three W101 options in order to minimize these impacts as much as possible

Our next process will be to evaluate the Eastside alternative(s) and a final recommendation of build or no-build for the South Mountain Freeway.

Sincerely,

David Shafferty - City of Tempe

Stefan Boschen, NFA

David D. Williams

Clayton Thompson

Edgar Ben

Ricky Eastman

Alvin K. French

Donald L. Jones

Jim D. Bester

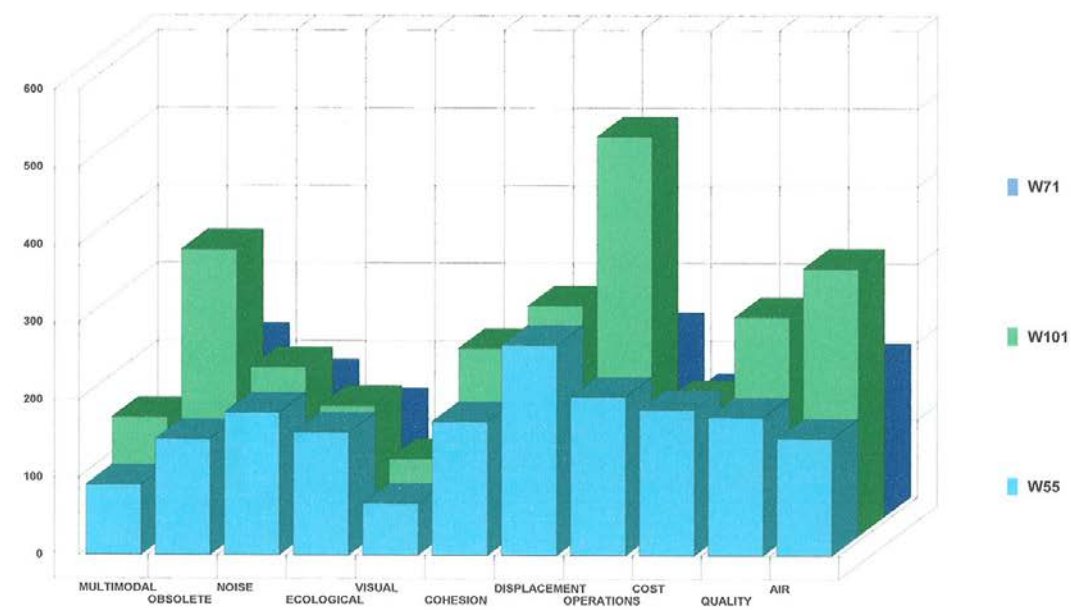
Laurel C. Pratt

JD B

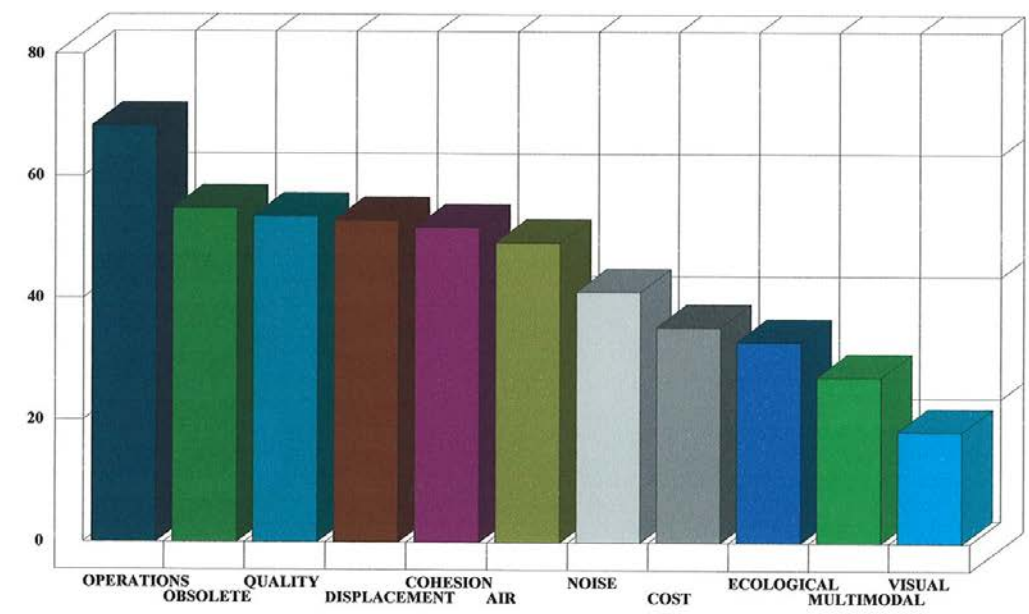
R.A. "Rock" Argaalright

Michael Goodman

Evaluation Results



Importance



	MULTIMODAL	OBSOLETE	NOISE	ECOLOGICAL	VISUAL	COHESION	DISPLACEMENT	OPERATIONS
W55	205.73	339.11	416.65	358.91	152.12	390.55	614.79	464.22
W71	185.15	504.52	397.99	314.05	185.30	476.47	518.98	536.43
W101	345.62	835.36	491.27	378.85	224.03	546.77	670.68	1165.71
Importance	27.23	54.75	41.16	33.00	18.31	51.70	52.85	68.28

	COST	QUALITY	AIR	Performance	Worth
W55	427.56	404.13	342.24	42.20	4116.01
W71	358.08	444.55	446.40	44.00	4367.95
W101	395.50	638.53	781.21	63.07	6473.53
Importance	35.38	53.50	49.25		