## **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 statues 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 form 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 face, 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.

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DATED\_\_\_\_\_

Attachments Appendices A, B, and C Department of Transportation ARIZONA DOT

(Signature of Authorized Official)

#### 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

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appropriate, including, but not limited to:

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 tae 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 of 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.

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- as it or the Federal Highway Administration may determine to be
  - (a) withholding of payments to the contractor under the contract until the contractor complies and/or (b) cancellation, termination or suspension of the contract

#### 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 reenter 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, permitee, 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, permitee, 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, permitee, 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

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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, permitee, 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.

- and beneficiaries of State highway programs.
- 3. levels.
- recipients of Federal-aid funds.
- requirements.
- 6. Conduct training on Title VI and related statutes for State program and civil rights officials.
- and, where appropriate, in languages other than English.
- 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 within a period not to exceed 90 days.

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

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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,

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

4. Conduct Title VI reviews of cities, counties, consultant contractors, suppliers, universities, colleges, planning agencies, and other

5. Review State program directives in coordination with State program officials and, where applicable, include Title VI and related

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

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

reducing to writing the remedial action agreed to be necessary,

#### COMPLAINTS PROCESS

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 fe been filed.
- An explanation of the actions ADO 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.

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• Other agencies (state, local, or federal) with which the complaint has

• An explanation of the actions ADOT has taken or proposed to resolve

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.

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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.
- 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 disadvantaged.

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• 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

reach out and encourage the participation of the transportation

#### **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:

- languages and alternative formats.
- impacted and potentially impacted persons.
- 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:

- consultant contracts.
- Monitor prequalification requirements to ensure they are equally applied to all firms.
- environmental justices issues are addressed.

#### Contracts and Specifications

The Title VI Coordinator is responsible for the following with respect to bidding construction contracts:

• 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

• 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

Monitor activities to ensure minority and low-income populations are

• Monitoring the selection process to ensure Disadvantaged Business Enterprises (DBE's) have the maximum opportunity to participate in

• Monitor scopes-of-work, when feasible, to ensure Title VI and

- 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, transit which will result
- transportation, social, and other beyond mobility
- out and to ensure participation of the transportation disadvantaged
- the members
- 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

- 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

disability of those who will benefit from projects and, specifically, the mobility benefits such as pedestrian, bicycles, automobiles, and

• Effects of transportation programs within the community:

• Process for public participation, specifically discussing efforts to reach • Composition of advisory boards having an impact on transportation programs, indicating the race, ethnicity, gender, age and disability of

• A listing of all complaints, claims and lawsuits alleging discrimination Process for identifying and eliminating procedures which result in

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 training conducted during the year will be reported in the annual element.



## 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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Section III	Information for Businesses, I Nonprofit Organizations
	Moving Costs Actual Cost Move or Estimat Personal Property Losses Searching Expenses Reestablishment Expenses Fixed Payment (In Lieu)

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# 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** Farm operator's support. Nonprofit Organization State law.

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.

3

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

A public or private entity that has established its nonprofit status under applicable Federal or









7 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 · Packing and unpacking personal property. Disconnecting and reconnecting household · Temporary storage of personal property. · Insurance while property is in storage or transit. Transfer of telephone service and other similar · Other expenses considered eligible by the All expenses must be considered necessary and reasonable by the Agency and supported by paid receipts or other evidence of expenses incurred. 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 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 reloca-





Decent, Safe and Sanitary\*

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:

- good repair.
- system.
- drainage system.
- stove and refrigerator.
- at ground level.

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.

· Be structurally sound, weathertight, and in

· 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

 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

 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

· Have unobstructed egress to safe, open space

· 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.



# 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.



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.

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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.

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.

16			
Example of A Price Differential Payment Computation	Assume that the Agency purchases your for \$100,000. After a thorough study of the able comparable residential properties or market, the Agency determines that a co replacement property will cost \$116,500. purchase a DSS replacement property for \$116,500, you will be eligible for a price of payment of \$16,500; see Example A.	property ne avail- n the open mparable If you or differential	Example
	If you purchase a DSS replacement prop costing more than \$116,500, you pay the as shown in Example B. If your purchase less than \$116,500 the price differential p will be based on your actual cost; see Ex The price differential payment you will re depends on how much you actually spen replacement dwelling as shown in the fol examples:	perty e difference e price is payment cample C. ceive nd on a llowing	Acqu. \$700,00
Agency's Computation	Cost of Comparable Replacement Acquisition Price of Your Property Maximum Price Differential Payment	\$116,500 - <u>100.000</u> <b>\$ 16,500</b>	- La
Example A	Actual Cost of Replacement Property (Same Purchase Price as Comparable) Acquisition Price of Your Property Price Differential Payment	\$116,500 - <u>100,000</u> <b>\$ 16,500</b>	Displacement Property
Example B	Actual Cost of Replacement Property Acquisition Price of Your Property Difference Maximum Price Differential Payment You Are Responsible For This Amount	\$125,000 - <u>100,000</u> \$ 25,000 - <u>16,500</u> \$ 8,500	
Example C	Actual Cost of Replacement Property Acquisition Price of Your Property Your Price Differential Payment is (Payment based on your actual cost)	\$114.000 - <u>100.000</u> <b>\$ 14,000</b>	







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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 utilties, (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.

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 your-

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

Displaced owners who are interested in renting a replacement property should contact the Agency for a complete explanation of this option since the



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 expences 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**

Required Downpayment	Example 1	Example 2	Example 3
	\$5,000	\$5,000	\$4,500
Total Amount Needed	+ <u>950</u>	+ <u>950</u>	+ <u>750</u>
	\$5,950	\$5,950	\$5,250
Agency Downpayment Paymen	t - <u>4.800</u>	- <u>5,250</u>	- <u>5,250</u>
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.

program, you will be so informed by the relocation counselor, who will thoroughly explain the program.



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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.

29

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.



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.

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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 conconcerning 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





35 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 Transportation if Necessary Assure the Availability of a Comparable Property in Advance of Displacement Provide Current Listing of Comparable 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 Provide Counseling to Minimize Hardships



# Your Right of Appeal

(but solely at your own expense).

review.





Owners or tenants may be paid on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a

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



**Two Ways** to Move Your Enterprise 41

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.

42 Displaced businesses, farms, and nonprofit Direct organizations may be eligible for a payment for the actual direct loss of tangible personal Losses of property which is incurred as a result of the Tangible move or discontinuance of the operation. This payment will be based upon the value of the Personal item for continued use at the displacement site less the proceeds from its sale or the estimated Property 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

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.
- Installation of exterior advertising signs, not to 3. exceed \$1,500.
- 4. The cost of installing utilities from the right-ofway 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, feasability 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.
- The estimated increased costs of operation at 10. 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)

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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 dis-placed.\*

#### Example:



\$18,500 AVERAGE:

Year

Displaced

\$16,500 + \$18,500 = \$35,000 ÷ 2 = \$17,500

\$17,500 = 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

☆ U.S.G.P.O.: 1990- 261+350/27003

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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 <u>INSTR</u> PART 2. DUST CONTROL PERMIT APPLICATION <u>FORM</u> PART 3. DUST CONTROL PERMIT APPLICATION <u>DUST</u> CONTROL PERMIT APPLICATION <u>P</u>ART AND <u>P</u>AR

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Important rule changes effective March 2008 ..... Frequently Asked Questions (FAQs) .....

### PART 1. DUST CONTROL PERMIT APPLICATION INSTR

Α.	Instructions for completing the Dust Control Permit A Applicant Information instructions
	Project Information instructions
Β.	Instructions for completing the Dust Control Permit A
	Dust Control Plan general information
	Dust Control Plan Control Measures instructions
С.	Appendix: Additional information on Key Topics
	Glossary of Terms
	Applicable Maricopa County Air Pollution Control
	Project information sign
	Soil texture and type classification summary
	Soil texture and type map summary
	Additional assistance
	Dust suppressants summary
	Examples for correctly completing Part 3 – Dust (

#### PART 2. DUST CONTROL PERMIT APPLICATION FORM

Completeness Checklist
Applicant Information
Project Information

#### PART 3. DUST CONTROL PERMIT APPLICATION DUST

Categories	A – H Control Measures
Category I	Water, tables
Category J	Dust suppressants other than water, table

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).

Maricopa County Dust Control Permit Application Package - INSTRUCTIONS

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	IMPORTANT RULE CHANGES
	Maricopa County Air Pollution Control Regulations Rule 310 "Fugitiv "Permit Requirements" introduced the following requirements in ea
	<ol> <li>Dust Control Coordinator         A Dust Control Coordinator is required to be on-site at all for any site of five or more acres of disturbed surface are permit (Rule 310, Section 310). The contact information provided in Question #5 of Part 2 of the Dust Control Per     </li> </ol>
	2. Dust Control Training Classes
	Comprehensive Dust Control Training: The Dust Control Coordinator is required to successfu Training Class at least once every three years.
	Basic Dust Control Training: Site superintendents or other designated on-site repre- with more than one acre of disturbed surface area, is Control Training Class at least once every three years
	All water truck drivers and water pull drivers must success at least once every three years.
	More information on these training classes can be found <u>www.maricopa.gov/aq/divisions/compliance/dust/dust_cc</u> Division web site.
	3. Visible emissions beyond property line Rule 310, Section 303.1 requires that the owner and/or of cause, suffer, or allow visible emissions of particulate ma line within which the emissions are generated. Section 3 operations conducted within 25 feet of the property line.
Maricopa County Dust Control Permit Application Package – INSTRUCTIONS Page 2 of 42	4. Subcontractor Registration A requirement of Rule 200 (Permit Requirements) is Subd submit the Dust Control Permit Application in the role of generating operations at a site that is subject to a Marico register with the MCAQD (Rule 200, Section 306) and pay 312. The subcontractor shall have its registration number dust-generating operations and the registration number having to be asked by the public. The registration and \$ the One Stop Shop, 501 N. 44 <sup>th</sup> Street, Suite 200, Phoeni Subcontractor Registration requirements, submittal and on http://www.maricopa.gov/aq/divisions/compliance/dust/s
	Maricopa County Dust Control Permit Application Package – INSTRUCTIONS

## EFFECTIVE MARCH 2008

ve Dust from Dust-Generating Operations" and Rule 200 arly 2008 that you should be aware of:

Il times during primary dust-generating operations ea that is subject to a Maricopa County dust control n for the Dust Control Coordinator(s) must be ermit Application.

ully complete a Comprehensive Dust Control

resentatives of the permit holder, if present at a site required to successfully complete a Basic Dust S.

ccessfully complete a Basic Dust Control Training

by calling the Training Line at 602-372-1467 or at: ontrol training on the MCAQD's Dust Compliance

operator of a dust generating operation shall not atter, including fugitive dust, beyond the property 303.2 does provide an exception for dust-generating

accontractor Registration. Subcontractors do not "Applicant" but subcontractors engaged in dustopa County dust control permit are required to ay an annual fee as specified in Rule 280, Section er readily accessible on-site while conducting any must be visible and readable by the public without \$50.00 fee can be submitted by mail or in person at nix, AZ 85008. Additional information on current fees can be found at <u>'subcontractorRegistration.aspx</u>

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### 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
- Re-application: Dust Control permits are valid for one year from the date of approval. If the project still has a disturbed Β. 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 44<sup>th</sup> Street, Suite 200 in Phoenix, or download it from http://www.maricopa.gov/ag/divisions/compliance/dust/resources.aspx
- 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 guestions 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. <u>Review the Completeness Checklist</u>: (see the first page of the Dust Control Permit Application Form, p. 23)
- Submit the completed permit application: When submitting the completed application to the One Stop Shop at 501 North 44<sup>th</sup> 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: <u>http://www.maricopa.gov/aq/divisions/permit\_engineering/permit\_fees.aspx</u>

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.

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## 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

### 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 PM<sub>10</sub> 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 guestion 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 <u>http://www.maricopa.gov/aq/divisions/compliance/dust/resources.aspx</u> 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 guestion 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.

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Include information regarding the property owner/developer, if different from the Applicant.

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#### 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.

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#### 16. Project Site Drawing

Maricopa County uses a project site drawing to delineate boo is not held responsible for another's work. It is used as a re however be as accurate as possible. The drawing should be Application Form contains an example of what this drawing s minimum elements:

- Entire project site boundaries
- Area(s) to be disturbed with linear dimensions, usua roads, parking, driveways, and storage)
- Nearest main crossroads
- North arrow
- Access Point(s) Planned exit locations onto paved

#### 17. Is this a Re-application?

A permit is valid for 1 year after the date of approval. The review and processing (not including time for postal delivery permit. You must re-apply for a permit more than 14 calend

#### 18. Estimated Project Start Date

Before Dust-Generating Operations may occur the permit me for review and processing of the permit application (not inclu

Project Start Date and Project Completion Date (next question work load. This information is also used to determine if the operation is taking place at the project location. If this is a

#### **19. Estimated Project Completion Date**

The answer to this question may be a date beyond the last e acceptable and encouraged to enter the actual Estimated Priperiod or some other modification. See Estimated Project St

#### 20. List of Soil Designations from Appendix F

#### Soil Texture

Rule 310, Section 402.5 requires a Dust Control Plan for con maintenance and repair done under a block permit) to include

- Soil texture naturally present at the dust-generating
- Soil texture to be imported onto the dust-generating

The information to answer this questions may be obtained for Regulations or attach a copy of a geotechnical report if the s see the "Appendix – Additional Information on Key Topics" of

#### 21. Asbestos NESHAP Notification requirements

Any Project that includes demolition or renovation of any exi pertain to the Project. Question #21, including all of its subwhether or not there are any existing asbestos NESHAP issue Control Permit can be issued. A separate notification and fer required. More information on the NESHAP Notification prog <u>http://www.maricopa.gov/aq/divisions/compliance/air/asbes</u> <u>http://www.maricopa.gov/aq/divisions/permit\_engineering/p</u>

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bundaries between separate projects, so one permit holder eference, so it does not need to be to scale. It should a no larger than $8\frac{1}{2}$ " x 11". The Dust Control Permit should contain (see page 26), including the following
ally in feet (including staging areas, stockpiles, access and haul
areas accessible to the public
re-application process may take up to 14 calendar days for y) and must be approved <b>prior</b> to the expiration of the old dar days before the original permit expires.
ust be approved, which may take up to 14 calendar days uding time for postal delivery).
ion) are used by Maricopa County to schedule inspection same project is on-going or a subsequent dust-generating re-application provide the original start date of the project.
effective date of the permit that is being applied for; it is roject Completion Date, not the end date of the permit start Date (previous question) as well.
nstruction projects one acre or larger (except for routine de the following information:
operation
g operation
rom Appendix F of the Maricopa County Air Pollution Control site has been tested. For more detail on soil textures and types on page 15.
S
sisting facilities must address asbestos NESHAP issues that p-questions, must be fully completed to demonstrate ues and compliance with applicable rules before a Dust ee for demolition and/or renovation activities may be gram and fees can be found at: <u>stos_neshap/Default.aspx</u> and <u>permit_fees.aspx</u> respectively.
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## 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/ag/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, 4<sup>th</sup> 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:

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#### Parcel Sale Notification

Form requires applicant name and address, parcel(s) sold, d

#### 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.

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late sold,	and buyer	name and	address.
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#### 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/ft<sup>2</sup> 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/ft<sup>2</sup> 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/ag/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

#### Unpaved Staging Areas, Unpaved Parking Areas, and Unpaved Material Storage Areas A.1

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.

#### Unpaved Access Areas/Haul Roads A.2

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 dustgenerating 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.

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#### **During Active Operations** B.2

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 occurring but the site has not been permanently stabilized? How will you control wind generated dust?
- B.4 the Dust-Generating Operation if finished for a period of 30 days or longer

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, 4<sup>th</sup> Floor, or you can download the form from: http://www.maricopa.gov/ag/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?

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.

Bulk Material Stacking, Loading, and Unloading Operations C.4 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 dustgenerating 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:

Maricopa County Dust Control Permit Application Package – INSTRUCTIONS

How are you going to stabilize your site during non-work hours including any and all times there are no active operations

# Permanent Stabilization of Disturbed Surface Areas required within ten days following the completion of

How will the open areas of the site be permanently stabilized? How will the site be stabilized if construction is halted?

#### C.3 Hauling/Transporting within the Boundaries of the Work Site and Crossing and/or accessing a Paved Area

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#### 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 <u>immediately</u> 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 great to be used in the "nonattainment area" and some control measur area" is an area designated by the Environmental Protection Ager based upon data collected through air quality monitoring.

Maricopa County does not meet the national ambient air quality si County is considered a nonattainment area for  $PM_{10}$ . The general nonattainment area is as follows: Salt River Mountains on the sou the southwest, White Tank Mountains on the west, and Superstition nonattainment area includes all cities within this geographical bout

What has been done to address a possible wind event when no or

#### I. Water

For categories A-H in Part 3 of the Dust Control Permit Application measure, you must describe the size and number of pieces of the and number of pieces of equipment that you will use to <u>apply</u> the

<u>Soil Rating.</u> For the purpose of completing the minimum wa from the four ratings categories in the Appendix F Soil Map clay, silty clay, and sandy clay while the Moderate rating inc additional information to assist in determining soil rating)

<u>Water supply</u> means how water will be <u>supplied</u> to the site. not limited to, metered hydrant, water tower, and water po

<u>Water application system</u> means how water will be <u>applied</u> t system include, but are not limited to, hoses, water truck, w

Minimum water availability means water supply in conjuncti

- A minimum water availability table is included for dif "apply water" is chosen as a dust control measure.
- Each minimum water availability table lists the minir the duration of the project for dust control and com
- Use each minimum water availability table to determ will use to supply the water and to apply the water.

Regardless of the minimum amount of water that you have availa supply and water application, in no case shall you exceed 20% op the Maricopa County Air Pollution Control Regulation. (See an on http://www.maricopa.gov/aq/divisions/planning\_analysis/Adopted

#### J. Dust Suppressants other than water

Although water is a dust suppressant, the information required by not include information on water supply and water application sys

The information required by Table J in Part 3 of the Dust Control I use. Fill out the applicable areas in Table J in Part 3 of the Dust C environmental impacts and approvals or certifications related to a product specification(s) and application sheet(s) or label instruction

Different types of soil require more intensive water use or the use meet the requirements of Rule 310. Brief descriptions of dust sup Additional Information on Key Topics" in the next segment of these

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ater than 25 m.p.h. In category H, some control measures are es are to be used in the "attainment area". A "nonattainment ncy (EPA) as exceeding national ambient air quality standards
tandards for particulate matter ( $PM_{10}$ ). Consequently, Maricopa I geographical boundary of Maricopa County's $PM_{10}$ ith, Phoenix Mountains on the northwest, Estrella Mountains on on Mountains on the east. Maricopa County's $PM_{10}$ undary.
ne is on-site, such as on a weekend or a holiday?
n, for which you choose to "apply water" as a dust control e equipment that you will use to <u>supply</u> the water, and the size water.
ater availability tables, soil types have been simplified into two rating categories. A Severe rating includes cludes all other soil types. (See pages 15-17 for
Equipment options for water supply include, but are nd.
to the site. Equipment options for water application vater pull, and water buffalo.
on with water application system.
fferent construction phases to be used in Part 3 where
mum amount of water that you must have available for paction in severe and moderate soil types.
nine the size and number for the equipment that you
able to your site or on your site and regardless of your water bacity. Test methods for opacity can be found in Appendix C of line version of Appendix C at dRules.aspx )
y Table J in Part 3 in the Dust Control Permit Application should stems.
Permit Application is for all other dust suppressants that you Control Permit Application. Be sure to attach information on ippropriate and safe use for ground application. Also, attach ons.
e of water in combination with dust suppressants, in order to ppressants and related information can be found in "Appendix – se instructions.

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## 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 (CaCO<sub>3</sub>) 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)

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### 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
- 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.

#### **Textural Triangle**



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 )

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• Text stating: "Dust complaints? Call Maricopa County Air Quality Department – (Insert the accurate Maricopa County

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Major Division					Typical Description	
Coarse- Grained Soils (less than 50% passes No. 200 sieve)		Clean Gravels (less than 5% passes No. 200 sieve)		GW	Well graded gravels, gravel-sand mixtures or sand-gravel-cobble mixtures	
	Gravels (50% or less of course fraction passes No. 4 sieve)			GP	Poorly graded gravels, gravel-sand mixtures, or sand-gravel-cobble mixture	
		Gravels With Fines	Limits plot below "A" line & hatched zone on plasticity chart	GM	Silty gravels, gravel-sand-silt mixtures	
		(more than 12% passes No. 200 sieve)	Limits plot above "A" line & hatched zone on plasticity chart	GC	Clayey gravels, gravel-sand-clay mixtur	
		Cle	Clean Sands		Well graded sands, gravelly sands	
		(less than 5% passes No. 200 sieve)		SP	Poorly graded sands, gravelly sands	
	Sands (more than 50% of course fraction passes No. 4 sieve)	Sands With Fines	Limits plot below "A" line & hatched zone on plasticity chart	SM	Silty sands, sand-silt mixtures	
		(more than 12% passes No. 200 sieve)	Limits plot above "A" line & hatched zone on plasticity chart	SC	Clayey sands, sand-clay mixtures	
	Silts	Silts Of Low Plasticity (liquid limit less than 50)		ML	Inorganic silts, clayey silts with slight plasticity	
Fine- Grained	(limits plot below A line & hatched zone on plasticity chart)	Silts Of High Plasticity (liquid limit more than 50)		MH	Inorganic silts of high plasticity, silty soils, elastic silts	
(50% or more passes No. 200 sieve)	Clays	Clays Of (liquid I	Clays Of Low Plasticity (liquid limit less than 50)		Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, sil clays, lean clays	
	(limits plot above "A" line & hatched zone on plasticity chart) Clays Of (liquid lin		High Plasticity mit more than 50)	СН	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/ag/divisions/planning\_analysis/rules/docs/AppendixF-0404.pdf ) designates soil texture ratings within the PM<sub>10</sub> nonattainment area. See page 13 for more information regarding the PM<sub>10</sub> 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 PM<sub>10</sub>. 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.

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## 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	<ul> <li>Low hydraulic conductivity (the rate at which water can flow through the soil)</li> <li>Retains water</li> <li>Hardens in heat of summer</li> <li>Warms-up slower in spring</li> </ul>	Apply water Or Apply water and a dust suppressant
Orange	Moderate	Loam Silty Loam Clay Loam Sandy Clay	ML MH	<ul> <li>Retains more water than sandy soil</li> <li>Drains well</li> <li>Easier to work than clay</li> </ul>	Apply water Or Apply water and a dust suppressant
Green	Slight	Very Fine Sandy Loam	SW SP SM SC	<ul> <li>Retains more water than sandy soil</li> <li>Drains well</li> <li>Easier to work than clay</li> </ul>	Apply water
Light Yellow	Very Slight	Fine Sand Coarse Sand	GW GP GM GC	<ul> <li>High hydraulic conductivity (the rate at which water can flow through the soil)</li> <li>Tends not to compact</li> </ul>	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:
  - O Sample Dust Control Logs
  - O Applications
  - O Other Forms

O Informational brochure

- can be found at www.maricopa.gov/ag/divisions/compliance/dust/resources.aspx
- Information on current fees can be found on the MCAQD's web site: www.maricopa.gov/ag/divisions/permit engineering/permit fees.aspx
- not covered in the application package may be obtained on the MCAQD website at http://www.maricopa.gov/ag/divisions/compliance/air/asbestos\_neshap/Default.aspx
- 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
- period have passed: www.maricopa.gov/materials/Document Request/public record request.asp
- at: http://www.maricopa.gov/ag/divisions/compliance/dust/Default.aspx

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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

• Maricopa County Air Pollution Control Regulations Rule 200 (Permit Requirements) and Rule 310 (Fugitive Dust

Document Request Forms, in the event the permit and application are not received after the processing and mail Assistance in completing the application may be available by calling the Training Line at 602-372-1467 or online

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#### 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.

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		EXAMPLI	FOR USE OF THE "NOT APPLI	CABLE" OP	TION
Z.1	<u>Operations</u>				
 P [	C Apply water	· (Fill out Cat	egory I, "Water" on pp. 37-41)		
P	<b>C</b> Pave (Choos	se one of the f	ollowing): Beginning of Project*	During Pro	oject* End of Project*
		fy additional p	imary control measure(s) that will be in pla	ice prior to pavir	
P	C Limit vehicle space provid number of e	etr ded This is emp	an INCORRECT EXAMPLE.		no more than 15 m.p.h. In the s/haul roads each day (including and a description of how vehicle
	speeds will t	WHY?	If a Control Measure is "not a ust provide an explanation for	applicable" why.	
	<b>C</b> Cease opera	atio		5	re.
Р	C Other:				
				$\rightarrow$	
, explain					
	why this sub-catego	ory and its con	trol measures are not applicable	+ }	
	why this sub-catego	ory and its con	trol measures are not applicable		
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•	why this sub-catege	ory and its con	trol measures are not applicable		•
•	Operations	ory and its con	trol measures are not applicable/		•
● Z.1	Operations	ory and its con	trol measures are not applicable		•
Z.1	Operations	(Fill out Cate	gory I, "Water" on pp. 37-41)		
• 	Operations         C       Apply water         C       Pave (Choos)	(Fill out Cate se one of the fo	itrol measures are not applicable       N/2         itrol measures		oject*
<b>Z</b> .1 P [ P [	Operations     C Apply water     C Pave (Choos     *Must specif	CFill out Cate Se one of the for fy additional pr	#gory I, "Water" on pp. 37-41)         >llowing):       Beginning of Project*         imary control measure(s) that will be in plan	During Pro	Dject* End of Project*
<b>.</b> 	Operations         C Apply water         C Pave (Choos *Must specif         C Limit vehicle         C Limit vehicle	(Fill out Cate se one of the fi fy additional pr trips to	#gory I, "Water" on pp. 37-41)         >llowing):       Beginning of Project*         imary control measure(s) that will be in planet.	During Pro	oject* End of Project*
<b>7</b> .1 P [ P [ P [	Operations     C Apply water     C Pave (Choos     *Must specif     C Limit vehicle     space provid     number of e	(Fill out Cate se one of the for fy additional pr e trips to ded, list ti employee TI		During Pro	oject* End of Project* Ig to no more than 15 m.p.h. In the reas/haul roads each day (including s) and a description of how vehicle
<b>7</b> .1 P [ P [ P [	Operations         C Apply water         C Pave (Choos *Must specif         C Limit vehicle space provid number of e speeds will b	(Fill out Cate se one of the for fy additional price e trips to ded, list ti employee be restrict www.	egory I, "Water" on pp. 37-41) billowing): Beginning of Project* imary control measure(s) that will be in plate his is a CORRECT EXAMPLE of a impleted "not applicable" state ith a full explanation	During Pro	oject* End of Project* ng to no more than 15 m.p.h. In the reas/haul roads each day (including s) and a description of how vehicle
<b>Z</b> .1 ] P [ ] P [	Operations         C Apply water         C Pave (Choos *Must specif         C Limit vehicle space provid number of e speeds will text	• (Fill out Cate se one of the fi fy additional pr ded, list ti employee be restrict ww	egory I, "Water" on pp. 37-41) Dilowing): Beginning of Project* imary control measure(s) that will be in plant his is a CORRECT EXAMPLE of a impleted "not applicable" state ith a full explanation.	During Pro	Dject* End of Project* Ig to no more than 15 m.p.h. In the reas/haul roads each day (including s) and a description of how vehicle
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EXAMPLES FOR CORRECTLY CO	OMPLETING PART 3 – DUST CONTROL P	LAN (continued)
	EXAMPLE FOR USE OF CHECKBOXES	
Z.1 <u>Operations</u>		
P C Apply water (Fill out Cat	tegory I, "Water" on pp. 37-41)	
P C Pave (Choose one of the *Must specify additional p	following): Beginning of Project* During primary control measure(s) that will be in place prior to pa	Project* End of Project* aving
P C Limit vehicle trips to space provided, list t pumber of employee	his is an INCORRECT EXAMPLE.	to no more than 15 m.p.h. In the reas/haul roads each day (including s) and a description of how vehicle
speeds will be restrict	VHY? If a Control Measure checkbox is lacked out it CANNOT be used.	
Cease operations, NC		isure.
P C Other:		
Or, explain why this sub-category and its con	ntrol measures are not applicable	
•		
Z.1 Operations		
Apply water (Fill out Cat	tegory I, "Water" on pp. 37-41)	
P C Pave (Choose one of the *Must specify additional p	following): Beginning of Project* During primary control measure(s) that will be in place prior to pa	Project* End of Project* aving
P C imit vehicl		more than 15 m.p.h. In the aul roads each day (including
speeds will Control available	Measure checkboxes and avoid using no e Control Measure checkboxes and avoid using no	on-
Cease opera		
C Other:		
Or, explain why this sub-category and its co	ntrol measures are not applicable	
Maricopa County Dust Control Permit Application F	Package – INSTRUCTIONS	Page 20 of 42

### EXAMPLES FOR CORRECTLY COMPLETING PART 3 -

There are two main types of tables (with multiple variations) used in the Following is an example of each of the main two table types and how to

## CATEGORY I. WATER, EXAMPLE 1:

Soil Texture	Project Phase - Staging/Parking Including Landscaping
Rating	Total Acres Disturbed
Severe	0 - 2 acres
(clay, silty	2 - 10 acres
clay, sandy	10 - 100 acres
ciay)	> 100 acres
Moderate	0 - 2 acres
(all other	2 - 10 acres
classifications)	10 - 100 acres
	> 100 delles
verage Daily D	isturbance in Acres <u>&amp; Acres</u> Num
<u>Supply</u>	Quantity and Size
Metered Hy	drant <u>(1) 2"</u>
Water Tow	
Water Pond	
Off-Site	
Other	
ample 1, Illustr	ation:
1. Assume	the project has a disturbed area of 8 acres for staging
2. Begin w Acres Di	th the second line under the headings in the table ab sturbed in the Severe, Soil Texture Rating field.
3. Followin means t project r (3,500 g	this to the Minimum Water Available column on the nat even if an amount of water toward the lower end nust have the availability of water, along with the equ allons per day), should conditions demand the higher
4. The tota as well a	water needed and its distribution must now be reflect s the quantity and size of the water application method
	-

- DUST CONTROL PLAN (cont	tinued)
e "Category I. Water" portion of Part 3 o use each:	s of the Application.
Areas/Storage Areas	
Minimum Water Available	
375 - 750 gallons per day	
750 - 3,500 gallons per day	
3,500 - 35,000 gallons per day	
225 - 400 gallons per day	
400 - 2,250 gallons per day	
> 22,500 gallons per day	
ber of Gallons per day $750 - 3$	.500 aal/dau
Application	Quantity and Sizo
Hose	
	(I) 2,000 gui
Water Buffalo	
Other	
, storage and some parking with a seve	ere soil rating.
ove. This selection shows a range of 2	– 10 acres of Total
right gives a range of 750 – 3 500 gallo	ons per day. This
of the range is being used (750 gallons	per day) the
ipment to apply it, up to the highest en application.	d of the range
cted in the quantity and size of the wate	er supply methods
ods that you enter in their respective co	lumns.
	Page 21 of 42

		Project Phase	- Mass Grading	
	Soil Texture	(Includes	basements)	
	Rating	Minimum Water Available (November – February)	Minimum Water (March – Oc	r Available stober)
	Severe (clay, silty clay, sandy clay)	5,000 gallons per acre per day and 30 gallons per cubic yard of material moved	10,000 gallons per and 30 gallons per cubic yard	acre per day of material moved
	Moderate (all other classifications)	5,000 gallons per acre per day and 30 gallons per cubic yard of material moved	10,000 gallons per and 30 gallons per cubic yard	acre per day of material moved
verage	Daily Disturbance	e in Acres <u>10 Acres</u> Number of G	allons per acre per day <u>1</u>	.0,000 gal/acre/day
aily Min	imum Water Ava	ilability <u>100,000 gallons per day</u>	<u> 1ND 90,000 gallon</u>	<u>s for materíal moved</u>
lumber	of Acres Disturb	ed) × (Number of Gallons per acre per day)		Quantity and Size
	rod Lludropt	$\frac{\text{Outantity and Size}}{(4) \circ 7}$		Quantity and Size
	ered Hydrant		Hose Water Truck	(2) 5000 age
Wate	er Pond	(1) 700.000 gal	Water Pull	(3) 10.000 gal
Off-S	Site	<u></u>	Water Buffalo	<u> </u>
Othe	r		Other	
<ol> <li>As the second sec</li></ol>	ssume the project in October time Dacres x 10,000 000 cubic yards otal water need f he total water need s well as the qua	It entails grading 10 acres and all 10 acres are to period. Additionally, 3,000 cubic yards of mater gallons per acre per day = 100,000 gallons per x 30 gallons per cubic yard = 90,000 gallons for for all five days = 590,000 gallons eded and its distribution must now be reflected nutty and size of the water application methods to	be graded each day for fiv lat are to be removed over day for all 10 acres, AND the five day period in the quantity and size of that you enter in their respe	re days during the March the five days. the water supply methods rctive columns.



Maricopa County Air Quality Department

## PART 2 DUST CONTROL PERMIT APPLICATION FORM

	For Offic	e U
District #		Dat
Permit #		Ар
Fee Paid/Acreage		Cro

## IS MY APPLICATION COMPLETE?

	Dust Control Pe appropriate, in bo	ermit Application	on Form: Complet and Project Inform	ely answ nation ar	wer all qu reas of th	uestions; fill ne Form. Att	in all blanl ach a cop	ks and ch y of the F	eck boxes as Project Site Drawir	ng.
2.	<b>Dust Control PI</b> Plan with your ap category; a prima sub-category is n to Rule 310, Sect	an: Rule 310, Se plication. You main ry and contingen ot applicable mus ion 402 describing	ection 402 (Dust Co ay submit Part 3 o ncy control measur st be provided. Alt g all dust control r	ontrol Pl f this ap e must b ernately neasures	an requir oplication de choser d, you ma s to be us	rements) rec after compl n for each on ny submit yo sed during t	uires the s etely filling an explar ur own Du ne project	submissic in every nation of ist Contro	on of a Dust Contr category or sub- why the category of Plan that confor	rol or rms
3.	<b>Fee Payment:</b> If referenced above FAQ #3 in the ins by mail. When su	lave the appropri- , see the MCAQD structions. Fees o ubmitting the app	iate fee ready whe website: <u>www.m</u> can be paid with a lication in person	n subm <u>aricopa.</u> check o the fees	itting the <u>gov/aq/d</u> r money may also	completed livisions/peri order when o be paid wi	permit app <u>mit_engine</u> submittino h a credit	blication t <u>eering/pe</u> the app card or c	o the One Stop Sl <u>rmit_fees.aspx</u> or lication in person :ash.	hop or
Applicar	nt Informat	<b>ion</b> (See Instru	uctions page 5)							
an 1 Apr	Arizona will be	verified with th	he Arizona Corpo before a perm	bration	Commis be issue	ssion or otl	ner applic	able res	sources	
Relationship	b to property (Che	ck all that apply):	:							
Propert	y Owner	Gener	al/Prime Contracto	or		Developer		Lessee	e	
Type of Enti	ity: ation Lim <sup>:</sup>	ited Liability Com	pany or Partnershi	p [	Sole P	roprietor		ividual	Governme	ent
Name:					_					
Address:										
City:						State:		Zip:		
Phone:				Fax:						
	ess:									
E-Mail Addro		the same as abov	ve):							
E-Mail Addro Local Mailin	g Address (if not t									
E-Mail Addro Local Mailin Contractor L	g Address (if not i License Number:									
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E-Mail Addro Local Mailin Contractor L	g Address (if not t									
E-Mail Addru Local Mailin Contractor L	g Address (if not i License Number:									

Property Owner	General/Prime Contractor		Developer	ι	essee	
Type of Entity:						
Corporation Limited	I Liability Company or Partnership	Sole Pr	oprietor	Individ	ual	Government
Name:						
Address:						
City:			State:	Zi	p:	
Phone:		Fax:				
E-Mail Address:						
Local Mailing Address (if not the	same as above):					
Contractor License Number:						

Return all applications to: One Stop Shop 501 N. 44<sup>th</sup> Street, Suite 200 Phoenix, Arizona 85008 Phone (602) 372-1071 Fax (602) 372-1078

lse Only	
te Issued	
proved By	
oss Streets	

Type of Entity:		<b>_</b>		
Corporation	ted Liability Company or Partnership	Sole Proprietor	Individual	Government
Name:				
Address:		_		
City:		State:	Zip:	
Phone:	Fax	:		
State of Incorporation or Regi	stration:			
3. Applicant Preside	ent/Owner:			
Name:				
Address:				
City:		State:	Zip:	
Phone:	Fax			
4. Property Owner/	Developer, if not Applicant	:		
Corporation	ted Liability Company or Partnership	Sole Proprietor	Individual	Government
Name:				
Address:				
City:		State:	Zip:	
Phone:	Fax	:		
Contact Person:				
<ul> <li>Dust Control Coo         <ul> <li>At least one Dus for any site with control of PM<sub>10</sub> e</li> </ul> </li> </ul>	rdinator: t Control Coordinator is required to be five acres or more of disturbed surfac emissions from dust-generating operati	on-site at all times duri e area subject to a pern ions	ng primary dust-gene nit issued by the Con	erating operations trol Officer requiring
List additional Du	ust Control Coordinators on a separate	e sheet of paper and incl	ude following this sh	eet
Name:				
Title:	Company Name:		1	
On-Site Phone:	Mobile:		Fax:	
E-mail Address:				
Dust Control Badge ID Numbe	er:	Expiration Da	te:	
6. Primary Project (	Contact:			
<ul> <li>Provide a Primar Officer requiring</li> <li>State if the Prima</li> </ul>	y Project Contact for all sites with a di control of PM <sub>10</sub> emissions from dust-g ary Project Contact is already referenc	sturbed surface area sul enerating operations ed in Ouestion #5 above	bject to a permit issu	ed by the Control
Name:				
Title:	Company Name			
On Site Phone:	Mobile:		Fax:	
	inobile.			
E-mail Address:				

A Responsible Official of the Applicant is the person who will be contacted or named in any enforcement action initiated by the Marciopa County Air Quality Department or the Marciopa County Airomey's Office. Pursuant to Aude 310, Section 401.3, the signature on the Dust Control Permit Application of the project.   Ar Responsible Official of the Applicant is the updative on the Dust Control Permit and for ensuring that control measures are implemented throughout the project site and during the duration of the project.   Ar Learn 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 litense.   I bready certify that, based on information and builef formation, Project Information, and the Dust Control Permit Application, including Applicant Information, Project Information, and the Dust Control Permit Application for any other than Signatory):   Signature: Title:   8. Application completed by (if other than Signatory): Signature:   Writed Name: Title:   8. Application completed by (if other than Signatory): Signature:   Signature: Title:   8. Application completed by (if other than Signatory): Signature:   Signature: Title:   8. Application completed by (if other than Signatory): Signature:   Signature: Title:   8. Application completed by (if other than Signatory): Signature:   Signature: Title:   9. Name of Project: Signature:   10. Project Location: (if address is not available, complete Other Location Information as fully as possible)   Suffers: Sin	7 Certification by a Responsible Of	fficial of the Applican	+·				
<form></form>	A Responsible Official of the Applicant is t action initiated by the Maricopa County Ai Pursuant to Rule 310, Section 401.3, the s agreement to accept responsibility for me that control measures are implemented th	the person who will be con ir Quality Department or the signature on the Dust Con the ting the conditions of the proughout the project site	tacted or nan he Maricopa C trol Permit Ap e Dust Contro and during th	ned in any County Att pplication I Permit an ne duration	enforce orney's shall cor nd for ei n of the	ement Office nstitut nsurin projec	:e g :t.
Interply cartify that, based on information and belief formed after reasonable inquiry, the statements and information in the Dust Control Penn, are interply cartify that, based on information, neuroper information, and the Dust Control Pian, are interply cartify that, based on information, including Applicant Information, Project Information, and the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information in the Dust Control Pian, are interply cartify that, based on information possible below)   County Assessors Parcel Number(s):   Warrel Alandomines:   11. Project Location by Township (N or S), Range (E or W), Section (1-36):   Township:   23. Will a basement or underground parking be excavated?   24. Will building occur on a pre-existing pad/prepared pad?	Arizona Revised Statute § 13-2704 makes to a public servant in connection with an a	; it a criminal offense to kr application for any benefit	nowingly mak t, privilege, or	e a false n license.	naterial	stater	nent
Signature:   Printed Name:   B. Application completed by (if other than Signatory):   Signature:   Printed Name:   Printed Name: <tr< th=""><th>I hereby certify that, based on information and the Dust Control Permit Application, including A true, accurate, and complete.</th><th>belief formed after reasonabl opplicant Information, Project</th><th>e inquiry, the si Information, ar</th><th>tatements and the Dust</th><th>nd inforr Control F</th><th>nation Plan, ar</th><th>in Te</th></tr<>	I hereby certify that, based on information and the Dust Control Permit Application, including A true, accurate, and complete.	belief formed after reasonabl opplicant Information, Project	e inquiry, the si Information, ar	tatements and the Dust	nd inforr Control F	nation Plan, ar	in Te
Printed Name: Title:   8. Application completed by (if other than Signatory):   Signature:   Printed Name:   Printed N	Signature:						
8. Application completed by (if other than Signatory):   Signature:   Printed Name:	Printed Name:	Title:					
Signature: Title   Printed Name: Title   Printed Name: Fax:   E-mail Address: Fax:   E-mail Address: E-mail Address:   Competed Information (See Instructions page 6) P. Name of Project:   10. Project Location: (If address is not available, complete Other Location information as fully as possible)   Address:	8. Application completed by (if othe	er than Signatory):					
Printed Name: Title   Printed Name: Fax:   Email Address: <b>roject Information</b> (See Instructions page 6) <b>9. Name of Project: 10. Project Location:</b> (If address is not available, complete Other Location information as fully as possible)   Address:   "Ity:   'state:   Address:   "Ity:   'state:   Address:   'state:   'state:   'state:   Address:   'state:   'st	Signature:						
Phone: Fax:   Try intermediation: (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   Verset Major Cross Street North/South:   Vearest Major Cross Street North/South:   Stater Plan Community Number(s):   County Assessor's Parcel Number(s):   Stater Plan Community Number(s):   11. Project Location by Township (N or S), Range (E or W), Section (1-36):   Township:   13. Will a basement or underground parking be excavated?   Veas   14. Will building occur on a pre-existing pad/prepared pad?   15. Size of Project:   Stimated cubic yards of Bulk Material	Printed Name:	Title					
E-mail Address:   P. Name of Project:   10. Project Location: (If address is not available, complete Other Location information as fully as possible)   Address:   City:   Istie: AZ   Values of Algorithm of Cross Street North/South:   Nearest Major Cross Street North/South:   Nearest Major Cross Street East/West:   Is this location: Unincorporated Area (County)   Incorporated Area (City) Other Location information: (If address is not available provide all information possible below) County Assessor's Parcel Number(s):   Wasessor's Parcel Number(s):   Bager Plan Community Number(s):   Caller Plan Community Number(s):   Range:   Section:   13. Will a basement or underground parking be excavated?   Yes   No   14. Will building occur on a pre-existing pad/prepared pad?   Yes   No   15. Size of Project:   Estimated ares to be graded:   Estimated cubic yards of Bulk Material:   Estimated cubic yards of Bulk Material:   Estimated cubic yards of Bulk Material:   Estimated cubic yards of Inport Bulk Material:   Estimated unit will be disturbed throuphoreut the duration of this Permit, including staging areas, stockpiles, access and haul roads, barking, driveways, as well as temporary storage yards:	Phone:	Fax:					
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County Assessor's Parcel Number(s): Waster 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? Yes No 14. Will building occur on a pre-existing pad/prepared pad? Yes No 15. Size of Project: 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 import Bulk Material: Estimated cubic yards of export Bulk Material: Estimated cubic yards of expo	City: Nearest Major Cross Street North/South: Nearest Major Cross Street East/West: Is this location: Unincorporated Other Location information: (If address	Area (County)	te: AZ	Zip ed Area (Ci ble below)	r: ty)		
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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?   Yes   No     14. Will building occur on a pre-existing pad/prepared pad?   Yes   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:   Total acres that will be disturbed throughout the duration of this Permit, including staging areas, stockpiles, access and haul roads, barking, driveways, as well as temporary storage yards:   Coopa County Dust Control Permit Application Package - APPLICATION FORM	Master Plan Community Number(s):						
11. Project Location by Township (N or S), Range (E or W), Section (1-36):         Township:       Range:       Section:         12. Brief Project Description:       Section:         13. Will a basement or underground parking be excavated?       Yes       No         14. Will building occur on a pre-existing pad/prepared pad?       Yes       No         15. Size of Project:       Stimated acres to be graded:       Section:         Estimated cubic yards of Bulk Material to be moved within the boundaries of the project:       Section:         Estimated cubic yards of export Bulk Material:       Section:         Total acres that will be disturbed throughout the duration of this Permit, including staging areas, stockpiles, access and haul roads, barking, driveways, as well as temporary storage yards:       Page 25 of 42	Geographic Coordinates:						
Township: Range: Section:     12. Brief Project Description:     13. Will a basement or underground parking be excavated? Yes     14. Will building occur on a pre-existing pad/prepared pad?     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:  Estimated cubic yards of export Bulk Material:    Estimated cubic yards of export Bulk Material:  Estimated cubic yards of export Bulk Material:	11. Project Location by Township (N	I or S), Range (E or W	/), Section (	(1-36):			
12. Brief Project Description:         13. Will a basement or underground parking be excavated?       Yes         14. Will building occur on a pre-existing pad/prepared pad?       Yes         15. Size of Project:       No         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:         Estimated cubic yards of export Bulk Material:       Estimated cubic yards of export Bulk Material:         Estimated cubic yards of sport Bulk Material:       Estimated cubic yards of export Bulk Material:         Estimated cubic yards of export Bulk Material:       Estimated cubic yards of export Bulk Material:         Estimated cubic yards of export Bulk Material:       Estimated cubic yards of export Bulk Material:         Estimated cubic yards of export 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, barking, driveways, as well as temporary storage yards:         Export County Dust Control Permit Application Package – APPLICATION FORM       Page 25 of 42	Township: Range	:	Sectio	on:			
13. Will a basement or underground parking be excavated?       Yes       No         14. Will building occur on a pre-existing pad/prepared pad?       Yes       No         15. Size of Project:       No         Estimated acres to be graded:       Estimated cubic yards of Bulk Material to be moved within the boundaries of the project:       Stimated cubic yards of import Bulk Material:         Estimated cubic yards of export Bulk Material:       Stimated cubic yards of export Bulk Material:       Stimated cubic yards of export Bulk Material:         Copa County Dust Control Permit Application Package - APPLICATION FORM       Page 25 of 42	12. Brief Project Description:						
14. Will building occur on a pre-existing pad/prepared pad?       Yes       No         15. Size of Project:       Similar and stress to be graded:       Similar and stress to be graded:         Estimated cubic yards of Bulk Material to be moved within the boundaries of the project:       Similar and stress to be graded:         Estimated cubic yards of import Bulk Material:       Similar and stress that will be disturbed throughout the duration of this Permit, including staging areas, stockpiles, access and haul roads, barking, driveways, as well as temporary storage yards:         Copa County Dust Control Permit Application Package – APPLICATION FORM       Page 25 of 42	13. Will a basement or underground	parking be excavate	d?		Yes		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, boarking, driveways, as well as temporary storage yards:         copa County Dust Control Permit Application Package – APPLICATION FORM	14. Will building occur on a pre-exis	ting pad/prepared pa	ad?		Yes		No
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, barking, driveways, as well as temporary storage yards: Copa County Dust Control Permit Application Package – APPLICATION FORM Page 25 of 42	15. Size of Project:						
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, boarking, driveways, as well as temporary storage yards: Copa County Dust Control Permit Application Package – APPLICATION FORM Page 25 of 42	Estimated acres to be graded:						
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, barking, driveways, as well as temporary storage yards: Copa County Dust Control Permit Application Package – APPLICATION FORM Page 25 of 42	Estimated cubic yards of Bulk Material to be moved	within the boundaries of the	project:				
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, barking, driveways, as well as temporary storage yards: Copa County Dust Control Permit Application Package – APPLICATION FORM Page 25 of 42	Estimated cubic yards of import Bulk Material:						
Total acres that will be disturbed throughout the duration of this Permit, including staging areas, stockpiles, access and haul roads, barking, driveways, as well as temporary storage yards: copa County Dust Control Permit Application Package – APPLICATION FORM Page 25 of 42	Estimated cubic yards of export Bulk Material:						
copa County Dust Control Permit Application Package – APPLICATION FORM Page 25 of 42	Total acres that will be disturbed throughout the du parking, driveways, as well as temporary storage ya	rration of this Permit, including ards:	g staging areas	, stockpiles,	access a	and hau	ul roads,
	icopa County Dust Control Permit Application Package – A	APPLICATION FORM					Page 25 of 4

ttach a separate page (81/2 × 11	") with a drawing showing	all of the following element	nts:
<ul> <li>Entire project site</li> <li>Area to be disturl (including state)</li> <li>Nearest main cro</li> <li>North arrow</li> </ul>	e boundaries bed with <b>linear dimensior</b> ging areas, stockpiles, acce ssroads	is and haul roads, parking	, driveways, and storage)
<ul> <li>Access Point(s) –</li> </ul>	Planned exit locations onto	paved areas accessible to	the public
xample (simplified, not to scale):	Project Boundary		+
100'	• <u> </u>		North Nearest Main Crossroads Access Point(s)
	150'		
7 Is this a Re-application		oue Dormit #	
permit is valid for 1 year after the da view and processing (not includ d permit. You must re-apply for 8. Estimated Project Star	No No No No No No No No No No	plication process may t ery) and must be appro calendar days before th If this is a re-application	take up to 14 calendar days for oved prior to the expiration of the ne original permit expires. , list the original project start date:
<ul> <li>permit is valid for 1 year after the daview and processing (not includ d permit. You must re-apply for</li> <li>8. Estimated Project Start</li> <li>9. Estimated Project Compermit:</li> <li>0. List Soil Designations fin Regulations or, if attack</li> <li>For construction projects one acree in the table below which soil textu work site (if applicable). If the soit table and you should attach a copperent is the table day should attach a copperent been tested, then use Appendix F</li> </ul>	No No No No No No No No No No	plication process may t ery) and must be appro- calendar days before the If this is a re-application ay/year), the date may be laricopa County Air te geotechnical replication e work site and which soil tested, then you should r ng logs) to this application Pollution Control Regulatio	The solution complete the table below.
<ul> <li>permit is valid for 1 year after the daview and processing (not includ d permit. You must re-apply for</li> <li>8. Estimated Project Start</li> <li>9. Estimated Project Compermit:</li> <li>0. List Soil Designations for Regulations or, if attack</li> <li>For construction projects one acree in the table below which soil textu work site (if applicable). If the soit table and you should attach a copperent tested, then use Appendix F</li> <li>Texture of soil naturally preserved.</li> </ul>	No No No No No No No No No No	plication process may tery) and must be appro- calendar days before the appro- calendar days before the appro- calendar days before the application ap	Take up to 14 calendar days for oved prior to the expiration of the ne original permit expires. , list the original project start date: beyond the one year duration of the <b>Pollution Control</b> <b>port, check here</b> done under a block permit, designate texture will be imported onto the ely on the test results to complete the n. If the soil on the work site has not ons to complete the table below. <b>to be imported onto work site</b>
<ul> <li>permit is valid for 1 year after the daview and processing (not includ d permit. You must re-apply for</li> <li>8. Estimated Project Start</li> <li>9. Estimated Project Compermit:</li> <li>0. List Soil Designations for Regulations or, if attack</li> <li>For construction projects one acree in the table below which soil textu work site (if applicable). If the soit table and you should attach a coppeen tested, then use Appendix F</li> <li>Texture of soil naturally pre</li> </ul>	No No No No No No No No No No	plication process may tery) and must be appro- calendar days before the lf this is a re-application ay/year), the date may be laricopa County Ain te geotechnical repaire work site and which soil tested, then you should r ng logs) to this application Pollution Control Regulation I texture of soil	The solid of the s
<ul> <li>permit is valid for 1 year after the daview and processing (not includ d permit. You must re-apply for</li> <li>8. Estimated Project Start</li> <li>9. Estimated Project Compermit:</li> <li>0. List Soil Designations fin Regulations or, if attact</li> <li>For construction projects one acre in the table below which soil textu work site (if applicable). If the soit table and you should attach a coppendix F</li> <li>Texture of soil naturally pre</li> </ul>	No No No No No No No No No No	plication process may tery) and must be appro- calendar days before the appro- calendar days before the appro- calendar days before the approximation of the application of the date may be application and the application apply the date may be application appl	Transformed and the second

21. /	Asbestos NESHAP Notification requirements:
	SEPARATE notification and fee
	activities may
Qı Co m	uestions concerning the Asbestos NESHAP regulation should b pordinator at 602-506-6708 or 602-506-0421. Forms, contact ay be obtained at: <u>http://www.maricopa.gov/aq/divisions/con</u>
Be of de Ac m	e advised that Maricopa County has been delegated regulatory Maricopa County, including within all city boundaries containe emolition or renovation (defined below) must be inspected by tt (AHERA) Building Inspector. There is no waiver of this requ ust be performed within the 12 months preceding commencer
Demo handlin	Dition: The wrecking or taking out of any load-supporting s g operations or the intentional burning of a facility.
Renor Asbesto	vation: Altering a facility or one or more facility componen os Containing Material (RACM) from a facility component.
21a.	Does the Project include demolition or reno
21b.	If "Yes", provide all requested information for Questions 211 Description of demolition/renovation activi
21c.	Has the property <u>ever</u> been used as a ranch industrial purpose?
21d.	Is there a guesthouse, more than one livable done in conjunction with another property
	If " <b>Yes</b> " to either Question 21c <b>or</b> 21d then skip Question 2 211 as the residential property exemption does not apply, If " <b>No</b> " to both Question 21c <b>and</b> 21d, continue and answer
21e.	Is this a residential property?
21f.	Description of each structure:
21g.	Has an asbestos inspection been conducted within the last 12 months before the time of If "Yes", provide requested information for Question 21h.
21h.	Date of AHERA inspection:
21i.	Has a 10-Day NESHAP Notification been sul
	If "Yes", provide all requested information for Questions 21
	If "No", you need to file the appropriate form(s)
	referenced above.
21j.	10-Day NESHAP Notification submittal date
21k.	10-Day NESHAP Notification number: ASBC
211.	10-Day NESHAP Notification submitted by:
	For Central Offic
Demolit	ion Notification number on file:
Kenova	tion Notification number on file:
Schean	eu uays or operation:
Follow	10:

Maricopa County Dust Control Permit Application Package – APPLICATION FORM

(ansi	ver <b>all</b> subparts of Qu	uestion 21 below)	
e foi	demolition/	renovation	
be r	equired.		
e refer	red to the Maricopa C	County's Asbestos N	ESHAP
, regu	lations and additional	information not cov	vered below
ipiiano	ce/air/aspestos_nesna	ap/Derault.aspx	
jurisd	iction for all regulated	d facilities within the	boundaries
curre	ently certified Asbesto	s Hazard Emergenc	v Response
remei	nt based on the age o	f the facility. The in	ispection
ent o	f demolition or renova	ation activity.	
ructu	al member of a facili	ty together with any	<i>i</i> related
s in ar	way including the	stripping or remova	l of Regulated
, in ai	i way, moraning the	suppling of remove	r or nogulated
atic	n?	Yes	No
to 21	d. If "No", proceed t	o Part 3:	
ies:			
farr	n, business or a	ny other comr	nercial or
		Yes	No
e str	ucture on the p	roperty, or is v	vork being
ו the	e area?	Yes	No
e and	provide all requested	information for Que	estions 21f to
Quest	ion 21e.		
20031			
orma	tion for Questions 21	f to 211.	
onna		10211.	
bv a	n AHERA Certif	ied Buildina In	spector
sch	eduled activitie	es? Yes	No
"No"	proceed to Question	21i:	
mitt	ed?		
to 21	cu.		
the	efore, check onli	ne or call the Co	oordinator as
(Att	ach a copy):		
(provi	de name of the contr	actor individual etc	· )
(pi o ii			··)
Use	Only		
	Approved by:		
	Date approved:		
	Date contacted:		-
	Phone approval:		
	Date contacted:		
			Page 27 of

RICO3	Category A. Vehicles/Motorized Equipment (See Instructions page 10)
Maricopa County       Return all applications to: One Stop Shop         Air Quality Department       501 N. 44 <sup>th</sup> Street, Suite 200         Phoenix, Arizona 85008       Phone (602) 372-1071	A.1 Unpaved Staging Areas, Unpaved Parking Areas, and Unpaved Material Storage Areas P C Apply water (Fill out Category L, "Water" on pp. 37-41)
PART 3 DUST CONTROL PERMIT APPLICATION DUST CONTROL PLAN	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
DUST CONTROL PLAN (See Instructions pages 8-13, 19-22)	<ul> <li>P</li> <li>C Apply and maintain gravel, recycled asphalt, or other suitable material</li> <li>P</li> <li>C Apply and maintain dust suppressant(s), other than water (Fill out Category J, "Dust Suppressants other than water" on p. 42)</li> </ul>
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.	<b>P C</b> Limit vehicle trips to no more than 20 per day per road <b>AND</b> limit vehicle speeds to no more than 15 m.p.h. In the spa 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:
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.	P       C       Other:
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.	A.2 Unpaved Access Areas/Haul Roads
Categories and/or sub-categories that are not applicable:	P C Apply water (Fill out Category I, "Water" on pp. 37-41)
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"	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
n completing the following Dust Control Plan, use the Instructions on pages 8-13 and 19-22 to help you select dust control sures and keep in mind the following:	P C Apply and maintain dust suppressant(s), other than water (Fill out Category J, "Dust Suppressants other than water" on p. 42)
• Every category and/or sub-category requires at least one "P" (Primary) and at least one "C" (Contingency).	PC 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 spa
<ul> <li>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.</li> </ul>	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:
• Where has replaced a "P", the dust control measure <b>CANNOT</b> 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 <b>CANNOT</b> 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.	C Cease operations, NOTE: This option CANNOT be considered a <i>primary</i> control measure.
• 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.	Or, explain why this sub-category and its control measures are not applicable
<i>After your Dust Control Permit Application has been approved, <u>you must post</u> your Dust Control Permit along with this Dust Control Plan on-site, as required by Rule 310, Section 409.</i>	Maricopa County Dust Control Permit Application Package – DUST CONTROL PLAN Page 29
a County Dust Control Permit Application Package – DUST CONTROL PLAN Page 28 of 42	

Category B. Disturbed Surface Areas (See Instructions page 10)	B.3 <u>Stabilization for any inactive period,</u> days per week including weekends, a
B.1 Before Active Operations occur	P C Apply water (Fill out Category I, "Water" on pp. 37
P C Pre-water site to the depth of cuts (Fill out Category I, "Water" on pp. 37-41)	Disturbed Surface Areas: Three times per day, incl wind-blown dust Open Storage Piles (temporarily disturbed): At leas
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	hour in a PM <sub>10</sub> attainment area <b>P C</b> Apply and maintain surface gravel or dust suppressant(s
P C Other:	other than water" on p. 42)
Dr, explain why this sub-category and its control measures are not applicable	<b>P C</b> Establish vegetative ground cover (landscaping)
B.2 During Active Operations	P C Other:
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)	Or, explain why this sub-category and its control measures are not application
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)	B.4 <u>Permanent Stabilization of Disturbed</u> following the completion of the Dust- period of 30 days or longer
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	P C Pave (Choose one of the following): Beginr *Must specify additional primary control measure(s) that
<b>C</b> Cease operations, NOTE: This option CANNOT be considered a <i>primary</i> control measure.	<b>P C</b> Apply and maintain gravel, recycled asphalt, or other su
P C Other:	P C Apply and maintain dust suppressant(s) other than wate water" on p. 42)
r, explain why this sub-category and its control measures are not applicable	P C Establish vegetative ground cover (landscaping)
	P C Implement above control measures and restrict vehicle
	P C Apply water (Fill out Category I, "Water" on pp. 37 (Check all of the follow
	ditches fences berms
	P C Restore area such that the vegetative ground cover and native conditions (desert xeriscaping)
	P C Other:
	Or, explain why this sub-category and its control measures are not application
	Maricopa County Dust Control Permit Application Package – DUST CONTROL PL/
ricopa County Dust Control Permit Application Package – DUST CONTROL PLAN Page 30 of 42	

Apply water (Fill o	out Category I, "Water" on pp. 37-41)
Disturbed Sur	face Areas: Three times per day, increased to a minimum of four times per day if there is evidence of
Open Storage hour in a	Piles (temporarily disturbed): At least twice per hour in a $PM_{10}$ nonattainment area, at least once per $PM_{10}$ attainment area
Apply and maintain other than wate	n surface gravel or dust suppressant(s) other than water <b>(Fill out Category J</b> , <b>"Dust Suppressants</b> r" on p. 42)
Cover open storag	e piles with tarps, plastic or other materials such that wind will not remove the covering(s)
Establish vegetativ	e ground cover (landscaping)
Other:	
s sub-category and	d its control measures are not applicable
anent Stal	bilization of Disturbed Surface Areas required within ten days
wing the c	ompletion of the Dust-Generating Operation if finished for a
od of 30 da	ys or longer
avo (Chooso ono	of the following):
Must specify add	itional primary control measure(s) that will be in place prior to paving
Must specify add	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material
*Must specify add Apply and maintair Apply and maintair water" on p. 42)	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water <b>(Fill out Category J, "Dust Suppressants other than</b>
*Must specify add Apply and maintair Apply and maintair water" on p. 42) Establish vegetativ	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping)
*Must specify add Apply and maintai Apply and maintai water" on p. 42) Establish vegetativ Implement above	itional primary control measure(s) that will be in place prior to paving In gravel, recycled asphalt, or other suitable material In dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than Pre ground cover (landscaping) control measures and restrict vehicle access to the area
*Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill o	<pre>itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area but Category I, "Water" on pp. 37-41) and prevent access/trespass by:         (Check all of the following that apply)</pre>
*Must specify add Apply and maintair water" on p. 42) Establish vegetativ Implement above Apply water (Fill o	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than re ground cover (landscaping) control measures and restrict vehicle access to the area put Category I, "Water" on pp. 37-41) and prevent access/trespass by: (Check all of the following that apply) fences berms shrubs trees other
*Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill o ditches Restore area such native conditions (	itional primary control measure(s) that will be in place prior to paving In gravel, recycled asphalt, or other suitable material In dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than I) I''''''''''''''''''''''''''''''''''
Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill o ditches Restore area such native conditions ( Dther:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area but Category I, "Water" on pp. 37-41) and prevent access/trespass by:     (Check all of the following that apply)     fences  berms  shrubs  trees  other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed desert xeriscaping)
*Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill of ditches Restore area such native conditions ( Dther:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area but Category I, "Water" on pp. 37-41) and prevent access/trespass by:         (Check all of the following that apply)         fences berms shrubs trees other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed desert xeriscaping)
*Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill o ditches Restore area such native conditions ( Other:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area put Category I, "Water" on pp. 37-41) and prevent access/trespass by:         (Check all of the following that apply)         fences berms shrubs trees other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed desert xeriscaping) d tis control measures are not applicable
*Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill o ditches Restore area such native conditions ( Other:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area put Category I, "Water" on pp. 37-41) and prevent access/trespass by:     (Check all of the following that apply)     fences berms shrubs trees other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed (desert xeriscaping) d its control measures are not applicable
Must specify add Apply and maintai <b>water" on p. 42</b> ) Establish vegetativ Implement above Apply water <b>(Fill o</b> ditches Restore area such native conditions ( Dther:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area put Category I, "Water" on pp. 37-41) and prevent access/trespass by:         (Check all of the following that apply)         fences  berms  shrubs  trees  other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed (desert xeriscaping)
Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill of ditches Restore area such native conditions ( Other:	itional primary control measure(s) that will be in place prior to paving In gravel, recycled asphalt, or other suitable material In dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than I e ground cover (landscaping) control measures and restrict vehicle access to the area Dut Category I, "Water" on pp. 37-41) and prevent access/trespass by: (Check all of the following that apply) [ fences ] berms ] shrubs ] trees ] other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed (desert xeriscaping) ] ] ] ] ] ] ] ] ] ] ] ] ] ] ] ] ] ] ]
*Must specify add Apply and maintai water" on p. 42) Establish vegetativ Implement above Apply water (Fill of ditches Restore area such native conditions ( Other:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area but Category I, "Water" on pp. 37-41) and prevent access/trespass by:     (Check all of the following that apply)     [ fences  berms  shrubs  trees  other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed (desert xeriscaping) d its control measures are not applicable
*Must specify add Apply and maintai <b>water" on p. 42)</b> Establish vegetativ Implement above Apply water <b>(Fill o</b> ditches Restore area such native conditions ( Other:	itional primary control measure(s) that will be in place prior to paving n gravel, recycled asphalt, or other suitable material n dust suppressant(s) other than water (Fill out Category J, "Dust Suppressants other than ) re ground cover (landscaping) control measures and restrict vehicle access to the area put Category I, "Water" on pp. 37-41) and prevent access/trespass by:         (Check all of the following that apply)         [ fences ] berms ] shrubs ] trees ] other that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed (desert xeriscaping)

	Category C. Bulk Material Handling (See Instructions page 11)	and/or accessing a Paved Area acce
.1 <u>Off</u>	-Site Hauling onto Paved Areas Accessible to the Public	P Required: Load all haul trucks such that the freebo time shall the highest point of the bulk material be h AND prevent spillage or loss of bulk material from
	<b>Required:</b> 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	Suitable trackout control device NOTE: The following options CANNOT be considered for a <i>primary</i> co
]P	<b>Required when a cargo compartment is loaded:</b> cover haul trucks with a tarp or other suitable closure <b>AND</b> load all haul trucks such that the freeboard is not less than 3 inches <b>AND</b> 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 <b>AND</b> prevent spillage or loss of bulk material from holes or other openings in the cargo compartment	C Cease operations
] P	<b>Required when a cargo compartment is empty:</b> cover haul trucks with a tarp or other suitable closure <b>OR</b> clean the interior of the cargo compartment before leaving the site	Or, explain why this sub-category and its control measures are not app
E: The follo	wing options CANNOT be considered for a <i>primary</i> control measure.	C. A. Bulk Material Stacking Loading of
	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)	P C Apply dust suppressant(s) other than water (Fill ou
	C Cease operations	NOTE: These following options CANNOT be considered for a <i>primary</i>
	C Other:	C Cease operations
		C Other:
Ha <u>cro</u>	uling/Transporting within the Boundaries of the Work Site but not ossing a Paved Area Accessible to the Public	C.5 Open Storage Piles
	uling/Transporting within the Boundaries of the Work Site but not pssing a Paved Area Accessible to the Public 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	C.5 Open Storage Piles PC Prior to and/or while conducting stacking, loa suppressant other than water (Fill out Category other than water" on p. 42)
<u>На</u> <u>сго</u> Р () (	<ul> <li>uling/Transporting within the Boundaries of the Work Site but not</li> <li>ssing a Paved Area Accessible to the Public</li> <li>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</li> <li>Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41)</li> </ul>	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and university
на сго Р ( ) ( Р ( ) ( Р ( ) (	<ul> <li>uling/Transporting within the Boundaries of the Work Site but not</li> <li>bessing a Paved Area Accessible to the Public</li> <li>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</li> <li>C Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41)</li> <li>C Apply dust suppressant(s) other than water to the top of the load (Fill out Category J, "Dust Suppressants other</li> </ul>	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and unl material, OR
на <u>сго</u> Р () ( Р () () ( Р () () ( Р () () ())))))))))))))))))))))))))))))	<ul> <li>uling/Transporting within the Boundaries of the Work Site but not possing a Paved Area Accessible to the Public</li> <li>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</li> <li>Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41)</li> <li>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)</li> <li>Cover haul trucks with a tarp or other suitable closure</li> </ul>	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and unle material, OR         Apply water to maintain soil moisture content at a moisture content, for areas that have an optimum I, "Water" on pp. 37-41),
2 Hai	<ul> <li>uling/Transporting within the Boundaries of the Work Site but not pessing a Paved Area Accessible to the Public</li> <li>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</li> <li>Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41)</li> <li>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)</li> <li>Cover haul trucks with a tarp or other suitable closure</li> <li>Cease operations, NOTE: This option CANNOT be considered a primary control measure.</li> </ul>	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, loar suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and unl material, OR         Apply water to maintain soil moisture content at a moisture content, for areas that have an optimum I, "Water" on pp. 37-41), OR         Maintain a soil crust, OP
2 Hai	<ul> <li>uling/Transporting within the Boundaries of the Work Site but not basing a Paved Area Accessible to the Public</li> <li>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</li> <li>Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41)</li> <li>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)</li> <li>Cover haul trucks with a tarp or other suitable closure</li> <li>Cease operations, NOTE: This option CANNOT be considered a <i>primary</i> control measure.</li> <li>Other:</li></ul>	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and unle material, OR         Apply water to maintain soil moisture content at a moisture content, for areas that have an optimum I, "Water" on pp. 37-41), OR         Maintain a soil crust, OR         In conjunction with the two measures above, conserve with walls, whose length is no less that that two the pile, whose height is
2 Hai	uling/Transporting within the Boundaries of the Work Site but not bissing a Paved Area Accessible to the Public 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 Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41) 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) Cover haul trucks with a tarp or other suitable closure Cease operations, NOTE: This option CANNOT be considered a <i>primary</i> control measure. Other:	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and unlematerial, OR         Apply water to maintain soil moisture content at a moisture content, for areas that have an optimum I, "Water" on pp. 37-41), OR         Maintain a soil crust, OR         In conjunction with the two measures above, consenclosure with walls, whose length is no less that than twice the height of the pile, whose height is         P       C
2     Hat       Cro       P     C       P     C       P     C       P     C       P     C       P     C       P     C       P     C       P     C       P     C       P     C       P     C       P     C	uling/Transporting within the Boundaries of the Work Site but not         bssing a Paved Area Accessible to the Public         1         2       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         2       Apply water to the top of the load (Fill out Category I, "Water" on pp. 37-41)         2       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)         2       Cover haul trucks with a tarp or other suitable closure         2       Cease operations, NOTE: This option CANNOT be considered a primary control measure.         2       Other:	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category I other than water" on p. 42)         P       C       When not conducting stacking, loading, and unle material, OR         Apply water to maintain soil moisture content at a r moisture content, for areas that have an optimum of I, "Water" on pp. 37-41), OR         Maintain a soil crust, OR         In conjunction with the two measures above, const enclosure with walls, whose length is no less thar than twice the height of the pile, whose height is         P       C         Other:
.2     Hai       cro       P     (       P     (       P     (       P     (       P     (       P     (       P     (       P     (       P     (       P     (       P     (       P     (       explain why	uling/Transporting within the Boundaries of the Work Site but not         using a Paved Area Accessible to the Public         1         1         1         1         2         1         2         2         2         2         2         2         4         4         4         4         4         5         4         4         4         5         4	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, load suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and unimaterial,         OR       Apply water to maintain soil moisture content at a moisture content, for areas that have an optimum of it, "Water" on pp. 37-41),         OR       Maintain a soil crust,         OR       In conjunction with the two measures above, const enclosure with walls, whose length is no less thar than twice the height of the pile, whose height is         P       C       Other:         Or, explain why this sub-category and its control measures are not ap         Maricopa County Dust Control Permit Application Package – DUST CONTROL
.2     Hai	uling/Transporting within the Boundaries of the Work Site but not         using a Paved Area Accessible to the Public         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         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)       Cover haul trucks with a tarp or other suitable closure         c)       Cease operations, NOTE: This option CANNOT be considered a <i>primary</i> control measure.         c)       Other:	C.5       Open Storage Piles         P       C       Prior to and/or while conducting stacking, lo suppressant other than water (Fill out Category other than water" on p. 42)         P       C       When not conducting stacking, loading, and ur material,         OR       Apply water to maintain soil moisture content at a moisture content, for areas that have an optimum I, "Water" on pp. 37-41),         OR       Maintain a soil crust,         OR       N         More the height of the pile, whose height it than twice the height of the pile, whose height it than twithan than twice the height of the pile, whose

### ndaries of the Work Site and crossing sible to the Public

is not less than 3 inches **AND** load all haul trucks such that at no er than the sides, front, and back of the cargo container area es or other openings in the cargo compartment **AND** install

l measure.

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### Unloading Operations

-41)

tegory J, "Dust Suppressants other than water" on p. 42) trol measure.

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and unloading operations spray material with water or a dust /ater" on pp. 37-41 or Category J, "Dust Suppressants

g operations cover open storage piles with tarps, plastic, or other

num of 12% or maintain at least 70% of the optimum soil ure content for compaction of less than 12% (Fill out Category

and maintain wind barriers, storage silos, or a three-sided al to the pile length, whose distance from the pile is no more Il to the pile height, and whose porosity is no more than 50%

le

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.1 <u>Trac</u>	<u>kout Control Device</u>		
	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	<b>Required:</b> 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	
P C	Other:		
explain why th	is sub-category and its control measures are not applicable		
.2 <u>Clea</u>	ining		
	Trackout/carry-out must be cleaned up <u>immediately</u> if trackout/carry-out extends <u>a cumulative distance of 25 linear feet or more</u> along a paved area accessible to the public including curbs, gutters, and sidewalks.		
	All other trackout/carry-out must be cleaned up <u>no later than the end of the</u> <u>workday</u> (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 broom, steel bristle broom, Teflon broom, vacuum)	speed (e.g. kick	
P C	Manually sweep-up deposits		
P C	Other:		
explain why th	is sub-category and its control measures are not applicable		
pa County Dust	Control Permit Application Package – DUST CONTROL PLAN	Page 34 of 42	

	(See Instructions
E.1 Dist	urbance Operations
P	Required: Pre-water site AND apply water during week "Water" on pp. 37-41)
NOTE: The follow	ving options CANNOT be considered for a <i>primary</i> contro
c	Cease operations
c	Other:
Dr, explain why th	 is sub-category and its control measures are not applicab
E.2 Sta	bilization
P C	Pave immediately following weed abatement
P C	Apply gravel
P C	Apply water (Fill out Category I, "Water" on pp. 37-
P C	Apply dust suppressant(s) other than water (Fill out Ca
P C	Establish vegetative ground cover (landscaping)
P C	Other:
P C C Dr, explain why th P C P C P C C P C C C C C C, explain why th	Other:

# nt by Discing or Blading

ed abatement by discing or blading (Fill out Category I,

ol measure.

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ategory J, "Dust Suppressants other than water" on p. 42)

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# ng Operations

5 m.p.h.,

tabilized condition where support equipment and vehicles will

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r (Fill out Category J, "Dust Suppressants other than

mary control measure.

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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 <i>primary</i> control measure.         C       Thoroughly clean debris from paved and other surfaces following demolition activity         Or, explain why this category and its control measures are not applicable	<ul> <li>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)</li> <li>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 I, "Water" on pp. 37-41 or Category J, "Dust Suppressants other than water" on p. 42)</li> <li>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)</li> <li>P C C over open storage piles with tarps, plastic, or other material such that wind will not remove the coverings</li> <li>C Other, NOTE: This option CANNOT be considered a <i>primary</i> control measure.</li> </ul>
Category H. Wind Event (See Instructions page 13)	Category I. Water (See Instructions page 13)
H.1 During Active Operation	(e.g. 1 fire hose, (3) 1,000 gal. water trucks). Minimum water availability means water supply in conjunction with the water application system.
<ul> <li>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)</li> <li>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)</li> <li>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)</li> <li>P C Apply water or other suitable dust suppressant(s) at least twice (once if outside the nonattainment area) per hour and construct forces or three-foot to five-foot bioth wind barriers with 50% or less porosity adjacent to readways or urban.</li> </ul>	Soil Rating:SevereModerate(See Appendix F of the Maricopa County Air Pollution Control Regulations as well as the Instructions, pages 13 and 15-17)Soil Texture RatingProject Phase - Site Clearing/Removal of Vegetation/Debris/DemolitionSoil Texture RatingO - 2 acresSovere (clay, silty 
<ul> <li>Counce of the generating operation of the output of the out</li></ul>	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       Project Phase - Site Clearing/Removal of Vegetation/Debris/Demolition         Rating       Total Acres Disturbed         Minimum Water Available       Severe         Severe       0 - 2 acres         (clay, silty       2 - 10 acres         (all other       0 - 2 acres         (all other       2 - 10 acres         (all other       2 - 10 acres         (all other       10 - 100 acres         (all other       2 - 10 acres         (assifications)       > 100 acres         > 100 acres       3,000 - 30,000 gallons per day         (all other       10 - 100 acres         (all other       0 - 100 acres         (all other       0 - 100 acres <td< td=""></td<>

-	l exture Pating		<b>Project</b>	Phase ncludes I	- Mass (	Grading	
	Kating	Min (N	imum Water Available ovember – Februarv)			Minimum Water Ava (March – Octobe	ilable r)
_	Severe	5,00	0 gallons per acre per day	,	1	0,000 gallons per acre	per day
	sandy clay)	30 gallons p	per cubic yard of material	moved	30 gallo	ons per cubic yard of m	aterial moved
	Moderate (all other	5,000	0 gallons per acre per day and	,	1	0,000 gallons per acre and	per day
(	classifications)	30 gallons p	per cubic yard of material	moved	30 gallo	ons per cubic yard of m	aterial moved
erage Daily	Disturbance i	n Acres	N	umber of	Gallons p	per acre per day	
ily Minimun	n Water Availa	ibility	of Gallons per acre per da	av)			
			Quantity and Size	iy) IqA	olication		Quantity and Size
	Hydrant		<u></u>		Hose		
Water To	wer	•			Water T	ruck	
Water Po	nd				Water P	ull	
Off-Site					Water B	uffalo	
Other					Other		
	Soil		Project Pha	ise - Un	dergrou	und Utilities	
	Texture Rating		Tatal Assas Distant	1			A
ŀ	Causana	+		ea		500 1 000 gallor	Available
	Severe (clav. silty		2 - 10 acres			1.000 - 5.000 gallo	ns per day
	clay, sandy		10 - 100 acres			5,000 - 50,000 gall	ons per day
_	clay)		> 100 acres			> 50, 000 gallon:	s per day
	Moderate		0 - 2 acres			300 - 600 gallons	s per day
	(all other		2 - 10 acres			3 000 - 3,000 gallor	ons per day
L	classifications)		> 100 acres			> 30,000 gallons	s per day
erage Daily	Disturbance i	n Acres	N	umber of	Gallons p	per day	
oply			Quantity and Size	Ap	olication	-	Quantity and Size
Metered I	Hydrant				Hose		
Water To	wer				Water T	ruck	
Water Po	nd				Water P	ull	
Off-Site					Water B	uffalo	
Other					Other		

Rating       Total Acres Disturbed       Minimum Water Available         Severe       0 - 2 acres       375 - 750 gallons per day         (day, sndy       10 100 acres       3,500 gallons per day         (day)       > 100 acres       2,500 gallons per day         (day)       0 - 2 acres       225 - 400 gallons per day         (day)       0 - 2 acres       2,250 gallons per day         (al)       0 - 100 acres       2,250 gallons per day         (al)       0 - 100 acres       2,250 gallons per day         (al)       0 - 100 acres       2,250 gallons per day         (al)       0 - 100 acres       2,250 gallons per day         (al)       0 - 100 acres       2,250 gallons per day         yaly       Quantity and Size       Application         (al)       Quantity and Size       Application         Water Truck       Water Truck       Water Truck         Water Pond       Water Truck       Water Pull         Off-Site       Other       Other       Other         Soil       Project Phase - Vertical/Paved       Minimum Water Available         Severe       0 - 2 acres       2,500 gallons per day         (day, sndy)       10 100 acres       2,500 gallons per day		Soil Texture	Project Phase - Ur	npaved	Access A	reas/Haul Roads		
Severe       02 acres       375750 gallons per day         (day, sinty       10.100 acres       3.500.3,500 gallons per day         Moderate       02 acres       225.400 gallons per day         (dat other       2.10 acres       2.250.00 gallons per day         (dat other       10.100 acres       2.250.00 gallons per day         (dat other       10.100 acres       2.250.00 gallons per day         (dat other       10.100 acres       2.2500 gallons per day         (dat other       0.10 acres       2.2500 gallons per day         (dat other       0uantity and Size       Application         (particle       0uantity and Size       Application         (particle       0uantity and Size       Metered Hydrant         (mater ower       0dress       25.00 gallons per day         (dat other       0dress       0dress         (dat other       0dress       0dress         (dat other       0dress       0dress         (dat other       0dress       0dress         (dat other       0dress       25.00 gallons per day         (dat other       0dress       25.00 gallons per day         (dat other       0dress       25.000 gallons per day         (dat other       0.2 acres		Rating	Total Acres Disturb	ed		Minimum Water	Available	
clay, siny       2 - 10 acres       1/50 - 3,500 gallons per day         clay       > 100 acres       > 35,000 gallons per day         (clay)       0 - 2 acres       225 - 400 gallons per day         (clay)       10 - 100 acres       > 2,250 - 22,500 gallons per day         (clay)       10 - 100 acres       2,250 - 22,500 gallons per day         (clay)       10 - 100 acres       2,250 - 22,500 gallons per day         (clay)       10 - 100 acres       > 2,250 - 22,500 gallons per day         (clay)       10 acres       - 2 acres       - 2,250 gallons per day         (clay)       10 acres       - 2,250 - 22,500 gallons per day       - 2,250 gallons per day         (clay)       10 acres       - 2,250 - 22,500 gallons per day       - 2,250 gallons per day         (clay)       10 acres       - 2,250 - 22,500 gallons per day       - 2,250 - 22,500 gallons per day         (clay)       Quantity and Size       Molecation       Quantity and Size		Severe	0 - 2 acres			375 - 750 gallon	s per day	
Clay       > 100 acres       > 35,000 gallons per day         Wodorate       02 acres       225 - 400 gallons per day         (all other (all other (all statications)       > 100 acres       2,250 - 22,500 gallons per day         rage Daily Disturbance in Acres		(clay, silty clay, sandy	2 - 10 acres			3.500 - 3,500 gallo	ns per day ons per dav	
Woderate (all other classifications)       0.2 acres       225.400 gallons per day         all other classifications)       > 100 acres       2.250 22.500 gallons per day         rage Daily Disturbance in Acres		clay)	> 100 acres			> 35,000 gallon:	s per day	
idi other       2 - 10 acres       400 - 2,250 gallons per day         classifications)       > 100 acres       2,250 - 22,500 gallons per day         rage Daily Disturbance in Acres		Moderate	0 - 2 acres			225 - 400 gallon	s per day	
Classifications       100 acres       22,500 gallons per day         erage Daily Disturbance in Acres		(all other	2 - 10 acres			400 - 2,250 gallo	ns per day	
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pply     Quantity and Size     Application     Quantity and Size       Metered Hydrant	erage Dai	ly Disturbance in Acres	N	umber of	Gallons pe	er day		
Metered Hydrant       Hose       Hose         Water Tower       Water Truck       Water Pull         Off-Site       Other       Water Buffalo         Other       Other       Other         Image: Soil Texture (This pertains to Dust Control during the vertical phase of the project)       Rating         Texture (Clay, sitty       2 acres       250-500 qallons per day         (clay, sitty       2 - 10 acres       2500-25,000 gallons per day         (clay, sitty       2 - 10 acres       25,000 gallons per day         (clay, sitty       0 - 2 acres       150-300 gallons per day         (clay, sinty       0 - 2 acres       150-300 gallons per day         (al other       10 acres       300 - 1,500 gallons per day         (al other       10 - 100 acres       1,500 - 15,000 gallons per day         (al other       2 - 10 acres       300 - 1,500 gallons per day         (al other       2 - 10 acres       300 - 1,500 gallons per day         (al other       0 - 2 acres       150-300 gallons per day         (al other       Hose       Hose         (al other       Hose       Hose         (al other       Hose       Hose         (al other       Hose       Hose         (al other	ply		Quantity and Size	<u>Ap</u>	olication		Quantity a	and Size
Water Tower       Water Pond         Water Pond       Water Pull         Off-Site       Other         Other       Other         Soil       Project Phase - Vertical/Paved         Rating       Total Acres Disturbed         Minimum Water Available         Severe       0 - 2 acres         (clay, silty       2 - 10 acres         (all, y, sandy       10 - 100 acres         2, sondy       0 - 100 acres         (all other       2 - 10 acres         (all other       10 - 100 acres         (all other       2 - 10 acres         (all other       10 - 100 acres         (blay)       > 10 acres         (all other       0 - 2 acres         (all other       10 - 100 acres         (all other       Water Poll         (blay)       Value         (all other       Water <t< td=""><td>Metered</td><td>l Hydrant</td><td></td><td></td><td>Hose</td><td></td><td></td><td></td></t<>	Metered	l Hydrant			Hose			
Water Pond       Water Pull         Off-Site       Other         Other       Other         Soil       Project Phase - Vertical/Paved         Texture       (This pertains to Dust Control during the vertical phase of the project)         Rating       Total Acres Disturbed         Soil       Cold Acres Disturbed         Severe       0 - 2 acres         (clay, silty       2 - 10 acres         (clay, silty       2 - 10 acres         (all other       0 - 2 acres         (all other       0 - 2 acres         (all other       0 - 2 acres         (all other       10 - 100 acres         (all other       10 - 100 acres         (all other       10 - 100 acres         (all other       1 - 10 acres         (all other       0 - 2 acres         (all other       1 - 10 acres         (all other       0 - 15.000 gallons per day         (blacascredue       Mater Suffalo	Water T	ower			Water Tru	uck		
Off-Site	Water P	ond			Water Pu	II		
Other	Off-Site				Water Bu	ffalo		
Soil Texture Rating       Project Phase - Vertical/Paved (This pertains to Dust Control during the vertical phase of the project)         Rating       Total Acres Disturbed       Minimum Water Available         Severe (clay, silty       0 - 2 acres       250 - 500 gallons per day         clay, sandy       10 - 100 acres       2,500 - 25,000 gallons per day         clay, sandy       0 - 2 acres       150 - 300 gallons per day         clay)       > 100 acres       300 - 1,500 gallons per day         Moderate (all other classifications)       0 - 2 acres       105 - 300 gallons per day         vical Acres       300 - 1,500 gallons per day       2,500 gallons per day         vical Acres       10 - 100 acres       1,500 - 15,000 gallons per day         classifications)       > 100 acres       > 15,000 gallons per day         vical Acres	Other				Other			
Soil Texture Rating       Project Phase - Vertical/Paved (This pertains to Dust Control during the vertical phase of the project)         Rating       Total Acres Disturbed       Minimum Water Available         Severe (clay, silty       0 - 2 acres       250 - 500 gallons per day (clay, sandy         clay, sandy (clay)       10 ocres       2,500 - 2,500 gallons per day         verse (al) other (al) other       0 - 2 acres       150 - 300 gallons per day         Moderate (al) other (al) other       0 - 2 acres       150 - 300 gallons per day         verse (al) other       0 - 100 acres       300 - 1,500 gallons per day         verse (al) other       10 - 100 acres       1,500 - 15,000 gallons per day         verse (al) other       10 - 100 acres       1,500 - 15,000 gallons per day         verse (al) other       10 - 100 acres       1,500 - 15,000 gallons per day         verse (al) other       Verse (al) other       Verse (al) other       Verse (al) other         rege Daily Disturbance in Acres       Verse Verse       Verse Verse       Verse Verse       Verse Verse         Metered Hydrant       Verse Verse       Verse Verse       Verse Verse Verse       Verse Verse Verse       Verse Verse Verse       Verse Verse Verse       Verse Verse Verse       Verse Verse Verse       Verse Verse Verse       Verse Verse       Verse Verse       Verse Vers								-
Texture Rating       (This pertains to Dust Control during the vertical phase of the project)         Rating       Total Acres Disturbed       Minimum Water Available         Severe       0 - 2 acres       250 - 500 gallons per day         (clay, sity       2 - 10 acres       500 - 2,500 gallons per day         (clay, sandy       10 - 100 acres       2,500 - 25,000 gallons per day         (clay, sandy       0 - 2 acres       150 - 300 gallons per day         (all other       2 - 10 acres       300 - 1,500 gallons per day         (all other       10 - 100 acres       1,500 - 15,000 gallons per day         (all other       10 - 100 acres       > 15,000 gallons per day         (all other       10 - 100 acres       > 15,000 gallons per day         (all other       10 - 100 acres       > 15,000 gallons per day         (all other       10 - 100 acres       > 15,000 gallons per day         (all other       10 - 100 acres       > 15,000 gallons per day         (all other       Waters       > 100 acres       > 100 acres         (all other       Waters       > 100 acres       > 100 acres         (all other       Water Sound acres       > 100 acres       > 100 acres         (all other       Water Tuck       Water Poul       Water Poul <tr< td=""><td></td><td>Soil</td><td>Project</td><td>Phase -</td><td>Vertical</td><td>/Paved</td><td></td><td></td></tr<>		Soil	Project	Phase -	Vertical	/Paved		
Sever       0 - 2 acres       250 - 500 gallons per day         (clay, silty       2 - 10 acres       500 - 2,500 gallons per day         (clay, sandy       10 - 100 acres       2,500 - 25,000 gallons per day         (clay)       > 100 acres       > 25,000 gallons per day         (clay)       > 100 acres       > 25,000 gallons per day         (al)       0 - 2 acres       150 - 300 gallons per day         (al)       0 - 2 acres       150 - 15,000 gallons per day         (al)       0 - 2 acres       1,500 - 15,000 gallons per day         (al)       0 - 100 acres       > 1,500 - 15,000 gallons per day         (al)       0 - 100 acres       > 15,000 gallons per day         (al)       0 - 2 acres       1,500 - 15,000 gallons per day         (al)       0 - 2 acres       1,500 - 15,000 gallons per day         (al)       0 - 2 acres       1,500 - 15,000 gallons per day         (al)       0 acres       > 15,000		Rating	Total Acres Disturb		ig the vert	Minimum Water	Available	
Clay, silty       2 - 10 acres       500 - 2,500 gallons per day         Clay, sandy       10 - 100 acres       2,500 - 25,000 gallons per day         Clay, sandy       0 - 2 acres       150 - 300 gallons per day         Moderate       2 - 10 acres       300 - 1,500 gallons per day         (all other       10 - 100 acres       2,500 - 25,000 gallons per day         (all other       0 - 2 acres       150 - 300 gallons per day         (all other       2 - 10 acres       300 - 1,500 gallons per day         (all other       10 - 100 acres       1,500 - 15,000 gallons per day         (classifications)       > 100 acres       > 15,000 gallons per day         strage Daily Disturbance in Acres		Severe	0 - 2 acres	eu		250 - 500 gallon	s per dav	
clay, sandy clay)       10 - 100 acres       2,500 - 25,000 gallons per day         Moderate (all other classifications)       0 - 2 acres       150 - 300 gallons per day         Moderate (all other classifications)       0 - 100 acres       300 - 1,500 gallons per day         10 - 100 acres       300 - 1,500 gallons per day         issifications)       10 - 100 acres       1,500 - 15,000 gallons per day         erage Daily Disturbance in Acres		(clay, silty	2 - 10 acres			500 - 2,500 gallo	ns per day	
Moderate (all other classifications)       > 100 acres       150 - 300 gallons per day         10 - 10 acres       150 - 300 gallons per day         10 - 100 acres       300 - 1,500 gallons per day         iclassifications)       10 - 100 acres         10 - 100 acres       1,500 - 15,000 gallons per day         erage Daily Disturbance in Acres		clay, sandy clay)	10 - 100 acres			2,500 - 25,000 gall	ons per day	
Moderate (all other classifications)       0 - 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         erage Daily Disturbance in Acres		oldy)				> 25,000 gallon: 150 - 300 gallon	s per day	
(all other classifications)       10 - 100 acres       1,500 - 15,000 gallons per day         erage Daily Disturbance in Acres       Number of Gallons per day       > 15,000 gallons per day         value       Quantity and Size       Application       Quantity and Size         Metered Hydrant       Hose		Moderate	2 - 10 acres			300 - 1,500 gallor	ns per day	
> 100 acres       > 15,000 gallons per day         arage Daily Disturbance in Acres       Number of Gallons per day         aply       Quantity and Size         Metered Hydrant       Hose         Water Tower       Water Truck         Water Pond       Water Pull         Off-Site       Other         Other       Other		classifications)	10 - 100 acres			1,500 - 15,000 gall	ons per day	
Number of Gallons per day       Ouantity and Size         ply       Quantity and Size       Application       Quantity and Size         Metered Hydrant			> 100 acres			> 15,000 gallon	s per day	
Ouantity and SizeApplicationOuantity and SizeMetered HydrantHoseWater TowerWater TruckWater PondWater PullOff-SiteWater BuffaloOtherOther	rage Dai	ly Disturbance in Acres	N	umber of	Gallons pe	er day		
Metered Hydrant       Hose         Water Tower       Water Truck         Water Pond       Water Pull         Off-Site       Water Buffalo         Other       Other	vla		Quantity and Size	qA	plication		Quantity a	and Size
Water Tower   Water Pond   Off-Site   Other     Other     Other	Motorod	Lludropt					-	
Water Pond	] Metered	i Hydrant			] HOSE	uck		
Off-Site     Water Pull       Other     Other	Water D	ower	·		Water III	JCK		
Other Other		onu	·		Water Pu	ll ffalo		
	Othor				Othor	11410		
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pa County Dust Control Permit Application Package – DUST CONTROL PLAN Page 39 of 4:								
a County Dust Control Permit Application Package – DUST CONTROL PLAN Page 39 of 4								

	Texture	Includin	g Landsc	aping Install	ation		
	Rating	Total Acres Disturb	ed		Minimum Wat	er Available	
	Severe	0 - 2 acres			375 - 750 gall	ons per day	
	clay, slity	2 - 10 acres			3 500 - 3,500 gai	allons per day	
	clay)	> 100 acres			> 35,000 gallo	ons per day	
		0 - 2 acres			225 - 400 gall	ons per day	
	Moderate	2 - 10 acres			400 - 2,250 gal	lons per day	
	classifications)	10 - 100 acres			2,250 - 22,500 g	allons per day	
		> 100 acres			> 22,500 gallo	ons per day	
erage Dai	ly Disturbance in Acres	Nu	umber of	Gallons per	day		
pply		Quantity and Size	App	olication		<u>Quantity an</u>	d Size
Motoror	1 Hydrant			Ного			
					l.		
j water i	ower			j water Truc	:K		
J Water P	rond			J Water Pull			
Off-Site				Water Buff	alo		
Other				Other			
	Soil	Project Pha	so - St	ructure Ex	reavation		
	Texture	(Includes stem walls,	footings,	culverts, ab	utments, caissons	)	
	Rating	Total Acres Disturb	ed		Minimum Wat	er Available	
	Severe	0 - 2 acres			500 - 1,000 gal	lons per day	
	(clay, silty	2 - 10 acres			1,000 - 5,000 ga	allons per day	
	clay, sandy	10 - 100 acres			5,000 - 50,000 g	allons per day	
	clay)	> 100 acres			> 50, 000 gall	ons per day	
	Moderate	0 - 2 acres			300 - 600 gall	ons per day	
	(all other	2 - 10 acres			600 - 3,000 gal	lons per day	
	classifications)	10 - 100 acres			3,000 - 30,000 g	allons per day	
	I I	> 100 acres			> 50,000 gain		
erage Dai	ly Disturbance in Acres	Ni	umber of	Gallons per	day		
pply		Quantity and Size	Ap	<u>olication</u>		Quantity an	d Size
Metereo	d Hydrant			Hose			
Water T	ower			Water Truc	:k		
- Water F	Pond			Water Pull			
	ond			Wator Buff	alo		
		·			aiU		
_ Other _				J Otner			
ana Caunt	v Dust Control Permit Applic	ation Package – DUST CONTRO	I PI AN				Page 4
oda Coum							. ~go +

	Soil	Project Phase - Fine Grading				
Rating		Total Acres Distu	rbed	Minimum Wa	ter Available	
	Severe	0 - 2 acres		500 - 1,000 g	allons per day	
	(clay, silty	2 - 10 acres		1,000 - 5,000	gallons per day	
	clay)	10 - 100 acres	5	5,000 - 50,000	gallons per day	
	<u>,</u>	0 - 2 acres		> 50, 000 ga	llons per day	
	Moderate	2 - 10 acres		600 - 3,000 g	allons per day	
	(all other classifications)	10 - 100 acres	5	3,000 - 30,000	gallons per day	
	,	> 100 acres		> 30,000 ga	llons per day	
Average Dail	y Disturbance in Acres		Number of Gallons p	er day		
Supply		Quantity and Size	Application		Quantity and Siz	<u>e</u>
Metered	Hydrant		Hose			
	ower		Water T	ruck		
	and					
	unu					
			Water B	uttalo		
Other			Other _			
		Import/Ex	port Operation	<u>s</u>		
Number of Y	ards Involved in this Pha	se	Number of Da	ays for Operation		
Number of Y	ards Imported/Exported	× 30 gallons of water per v	/ard =		(Total Gallons red	uirea
Fotal Gallons	s required divided by nun	nber of days =			``	•
	in a second and a second second second	Ouantity and Size	Application		Quantity and Si	20
						<u>.c</u>
Metered	Hydrant		Hose			
Water T	ower		Water T	ruck		
Water P	ond		Water P	ull		
			Water B	uffalo		
Off-Site			Other			
Off-Site Other						
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Off-Site Other						
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Off-Site Other						
Off-Site Other						

gh water is a dust suppressar other dust suppressants that priate and safe use for ground	nt, the information required by Table J you use. Fill out the applicable areas i application. Also, attach product spee	should <u>not</u> include information on w n the table below and attach inform cification(s) and application sheet(s)	vater supply and water application. The ation on environmental impacts and ap ) or label instructions.	e information required by Table J is provals or certifications related to
Application Area	Manufacturer Name	Product	Application Frequency *	Intensity**
A ehicles/Motorized Equipment				
B turbed Surface Areas				
C Ik Material Handling				
D rackout, Carry-out, oillage, and Erosion				
E leed Abatement by Discing or Blading				
F lasting Operations				
G emolition Activities				
H Wind Event				
often the surface will receiv amount used over a period	e a complete application of dust supp of time (e.g. gallons/minute)	ressant (e.g. 3 times a day)		

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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 interagency 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** 

### APPLICABILITY

I.

- A. This Operating Agreement (OA) applies to transportation projects that are both a Federal Highway Administration (FHWA) action under the National OA is limited to issues pertaining to Waters of the United States (Waters), including wetlands.
- Participation in this OA does not imply endorsement of all aspects of a Β. participating agencies.
- This OA is contingent upon the dedication of an employee located at the U.S. C. and working solely on Arizona transportation projects. In the event that a in the COE Office, this OA will become null and void.
- BACKGROUND II.

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 21<sup>st</sup> 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

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

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

Army Corps of Engineers Arizona Office, funded by either the Federal Highway Administration (FHWA) or the Arizona Department of Transportation (ADOT), dedicated employee funded by either the FHWA and/or the ADOT is not located

### **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.

#### **NEPA-SECTION 404 INTEGRATION** III.

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.

#### IMPLEMENTATION PROCEDURES V.

The implementation procedures are outlined in the attached Appendix.

#### PARTICIPATION VI.

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** Page 3 of 7

## 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.

#### AGENCY ROLES AND RESPONSIBILITIES VIII.

The roles of the agencies are outlined in the attached Appendix.

#### MODIFICATION / TERMINATION IX.

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.

Date: 1/19/05

Date: 1/3/05

BY: Cindy Date: 218105 Cindy Lesfer, Chief, Arizona Area Office

U.S. Army Corps of Engineers

BY:

BY:

Robert E. Hollis, Division Administrator Federal Highway Administration

Michael J. Ortega, State Engineer Arizona Department of Transportation

**Operating Agreement** Page 5 of 7

### **OPERATING AGREEMENT**

**APPENDIX** 

NEPA – Section 404 Individual Permit Process\*

- The Environmental & Enhancement Group (EEG) of the Arizona Department of I. 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 or document distribution lists. The COE Liaison will provide a written response 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 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 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.

project, project location, project team members, any known information regarding project design and the construction schedule, and any known project team meetings, contact lists 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

determine if it is complete. If it is incomplete, the Liaison will inform the EEG of missing approve, or approve as proposed. (See attached document "Requirements for Obtaining a

Operating Agreement Page 6 of 7

- EEG will provide the Liaison with a draft copy of the environmental document being VI. 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.")
- The Liaison will issue the COE's Public Notice after determining the Individual Permit IX. 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.
- The Liaison will finalize the Mitigation Proposal, if not finalized before this point, and XI. ensure that any agreements reached in the proposal become Special Conditions in the Individual Permit.
- The Liaison will finalize the draft copy of the COE's EA. XII.
- 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

**Operating Agreement** Page 7 of 7

> 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 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 of applicable to each project. U.S. Army Corps of Engineers you file your application could significantly reduce the processing time. Los Angeles District Regulatory Branch 3636 N. Central Ave., Suite 900 \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* Phoenix, Arizona 85012-1936 Phone (602) 640-5385 FAX: (602) 640-2020 **APPLICANT INFORMATION:** MINIMUM REQUIREMENTS Mailing Address Telephone Number during business hours Letter requesting delineation of Section 404 Clean Water Act jurisdictional areas (i.e., waters Confirmation of property ownership of the United States) sent to the address above Signature and statement designating official agent Vicinity map and/or directions to the site Documentation of property ownership **ACTIVITY INFORMATION:** Two copies of a recent vintage (last two years or following the latest major flood event) good quality aerial photograph on blueline or blackline paper, scale of 1":100' (or scale approved by Complete written description of activity Corps' project manager), overlapping adjacent properties Location Index map if project area covers more than one aerial photograph Scheduling of the activity North arrow on aerial photographs Type and quantity of structural material used or removed Scale noted on aerial photographs Date of photograph noted on aerial photographs **PURPOSE:** Project area boundary noted on aerial photographs Identifiable landmarks, prominent roads, watercourses, and other major features labeled on Purpose for proposed activity/discharge aerial photographs Need for the proposed activity Range, Township, Section that describe site location Project site sketched on a copy of USGS Quadrangle map (include name of quad map) **DISCHARGE OF DREDGE AND FILL MATERIAL:** ADDITIONAL ITEMS THAT MAY BE REQUIRED Type of material to be dredged or used as fill Composition of material to be dredged or used as fill Proposed wetland delineation performed by a qualified individual in accordance with the Quantity of material to be dredged or used as fill in cubic yards criteria identified in the 1987 Corps Wetland Delineation Manual (Y-87-1), as modified by Method of dredging if applicable subsequent guidance. Field indicator data forms must be included with any delineation Plans and location for disposal of the dredged material submitted. Manual available on the web at Dimensions of the fill area in square yards http://www.wes.army.mil/el/wetlands/pdfs/wlman87.pdf Location of the discharge site Project plan view including one or two foot contour intervals at same scale as aerial photographs Delineation of special aquatic sites On site panoramic ground photographs depicting both upstream and downstream conditions of Source of the fill material all project washes showing scour areas, vegetation, and soil conditions with photos referenced to Method of discharging material project location Method of transportation of dredged material Report describing the biological resources on the project site, including any hydrophytic Dimensions of the adjacent structures (wetlands) vegetation Proposed use of fill area, including specific structures to be erected on fill area or platform 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 NAMES AND ADDRESSES ADJOINING PROPERTY OWNERS/LESSEES (Please notify Corps Documentation of tributary connection or adjacency to interstate waters of Engineers if more than four and submit these on pre-typed address labels) Drainage Report Table indicating sample points and width of wash at sample points Table of physical and biological indicators observed in the field

U.S. Army Corps of Engineers - Regulatory Branch - Arizona Section - Updated 1/6/03 This document replaces previous versions.

Other:

#### <sup>1</sup> U.S. Army Corps of Engineers – Regulatory Branch – Arizona Section – Updated 9/23/03 This document replaces previous versions.

### LIST OF INFORMATION REOUIRED FOR COMPLETE APPLICATION

Please provide the information appropriate to your proposed project. Supplying this information when

# 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  $8\frac{1}{2} \times 11$ -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

# BUSINESS REPLY

POSTAGE WILL BE PAID BY THE DEPARTMI

DEPARTMENT OF THE ARM LOS ANGELES DISTRICT, CORP ATTN: REGULATORY FUNCTION P.O. BOX 2711 LOS ANGELES, CA 90053-2325

DEPARTMENT

(Notification of Commencem

PERMIT NO.

DATE WORK WILL COMMENCE

ESTIMATED CONSTRUCTION PERIOR

NAME OF CONTRACTOR

DATE WORK WAS COMPLETED\_\_\_\_\_\_\_ "I hereby certify that the contractor has terms and conditions of the permit".

SIGNATURE\_

SPD FORM 192-R (REPLACES SPK

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## **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 TONTO 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

Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006 Page 2 of 16

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

Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006

Page 3 of 16

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 landholding 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

Final Programmatic Agreement Loop 202 - South Mountain Freeway December 2006

Page 4 of 16

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, 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 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.

Final Programmatic Agreement Loop 202 - South Mountain Freeway December 2006

it will specify any property or portion of property that would be destroyed or altered

discovered, describing methods and procedures for the recovery, analysis, treatment,

Page 5 of 16

- 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.

Final Programmatic Agreement Loop 202 - South Mountain Freeway December 2006

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- 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 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

- 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.

Final Programmatic Agreement Loop 202 - South Mountain Freeway December 2006

written comments to ADOT. Lack of response within this review period will be taken as

All materials and records resulting from the data recovery program conducted within the

Page 7 of 16

### 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 the burial agreement.

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.

Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006 Page 8 of 16

### 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.

Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006

Page 9 of 16

Execution of this Agreement by the signatories and its subsequent filing we evidence that the Federal Highway Administration has afforded the Advise Preservation an opportunity to comment on Loop 202 – South Mountain F effects on historic properties, and that the Federal Highway Administration account the effects of the undertaking on historic properties.	rith the Council is ory Council on Historic reeway Project and its n has taken into	BUREAU OF RECLAMATION By Title	Date
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Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006	Page 10 of 16	Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006	Page 11 of 16

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Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006	Page 11 of 16	Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006

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CITY OF CHANDLER	
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CITY OF GLENDALE	
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Title Historic Preservation Office	
CITY OF TOLLESON	
Ву	Date
Title	
AK-CHIN INDIAN COMMUNITY	
Ву	Date
Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006	Page 12 of 16

CONCURRING PARTIES ARIZONA STATE MUSEUM Title DIRECTOR

Addendum Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006


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Final Programmatic Agreement Loop 202 – South Mountain Freeway	Page 13 of 16	Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006

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**A570** • Appendix 4-4

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Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006	Page 15 of 16	Final Programmatic Agreement Loop 202 – South Mountain Freeway December 2006

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Department of Energy     OCT 2 8 2010       Western Area Power Administration     DCT 2 8 2010       Desert Southwest Customer Service Region     P.O. Box 6457       Phoenix, AZ 85005-6457     Phoenix, AZ 85005-6457	PROGRAMMATI
	ARIZONA DEPARTMENT
Robert E. Hollis, District Administrator	LOOP 202 – SOUTH MOUNT
4000 North Central Avenue, Suite 1500	PROJECT NO. N
Phoenix, Arizona 85012-3500	TRACS NO. 202L M MARICOPA COU
RE: Programmatic Agreement for the Federal Highway Administration and Arizona Department of Transportation South Mountain Freeway Project, Mohave County.	WHEREAS, the Federal Highway Administration highway connecting Interstate 10 (I-10) west of P 202 – South Mountain Freeway Project), a federa (hereafter referred to as "the Project"); and
Dear Mr. Hollis:	WHEREAS, the proposed Project may have an a
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.	are defined as "any prehistoric or historic district, eligible for inclusion in the National Register of H material remains related to such a property or reso [NHPA] 16 U.S.C. 470w, Title III, Section 301 [5]
Western supports the Federal Highway Administration and the Arizona Department of Transportation in their section 106 responsibilities related to the project. Western's	<b>WHEREAS,</b> all the historic properties that may identified; and
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.	<b>WHEREAS</b> , the proposed project may have an a Properties (TCP) which is defined as a place that Projector because of its association with cultural t
Western looks forward to participating in future meetings and reviewing related documents for the PA. Thank you for inviting us to sign the PA.	(a) are rooted in that community's history, and (b cultural identify of the community'' (National Pa Guidelines for Evaluating and Documenting Trac
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.	WHEREAS, all the Traditional Cultural Places been identified; and
Jah R. Halt	WHEREAS, the Arizona Department of Transpo participated in consultation and has been invited Agreement (Agreement); and
John R. Holt Environmental Manager	WHEREAS, the FHWA has consulted with the (SHPO), the Bureau of Land Management (BLM Bureau of Indian Affairs, the Western Area Pow Land Department (ASLD), the Salt River Project
Enclosure	Chandler (COC), the City of Glendale (COG), the City of Gl

#### IC AGREEMENT

ONG

#### Y ADMINISTRATION C PRESERVATION OFFICE T OF TRANSPORTATION

### TAIN FREEWAY PROJECT NH-202-D(ADY ) MA 054 H5764 01L UNTY, ARIZONA

on (FHWA) proposes to construct a loop Phoenix with I-10 south of Phoenix (the Loop ally-funded project in Maricopa County, Arizona

adverse effect upon historic properties, which , site, building, structure, or object included in, or Historic Places, including artifacts, records, and ource"(National Historic Preservation Act 5]); and

y be affected by this Project have not yet been

adverse effect upon Traditional Cultural at is "eligible for inclusion in the National practices or beliefs of a living community that (b) are important in maintaining the continuing ark Service National Register Bulletin: aditional Properties); and

s that may be affected by this Project have not yet

ortation (ADOT), acting as agent for FHWA, has d to be a signatory to this Programmatic

e Arizona State Historic Preservation Office M), the Bureau of Reclamation (Reclamation), the wer Administration (Western), the Arizona State ect (SRP), the City of Avondale (COA), the City of 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

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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 landholding 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

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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.

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6. Review and comment on the Work Plan

- consulting parties. Lack of response within this review period will be taken as concurrence with the 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
  - work will prepare and submit a brief Preliminary Report of Findings.
  - taken as concurrence with the Report.
  - report.
  - ADOT, on behalf of FHWA, will notify appropriate Project participants that construction may proceed.
- 8. Review and Comment on Data Recovery Report

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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

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,

a) Upon completion of fieldwork, the institution, firm, or consultant responsible for the

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

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

d) Once the Preliminary Report of Findings has been accepted as a final document,

a) Upon completion of data recovery, a report will be prepared incorporating all appropriate data analyses and interpretations. The schedule for completion of the

Page 5 of 15

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

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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.

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on eligibility, FHWA shall request a formal determination from the Keeper of the National

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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.

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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

Title

FEDERAL HIGHWAY ADMINISTRATION

By May & Fry Title Environmental Program Marrager

ARIZONA STATE HISTORIC PRESERVATION OFFICER

By	1	

INVITED SIGNATORIES

ARIZONA DEPARTMENT OF TRANSPORTATION By <u>Mor Auderson</u> Date <u>9/15/10</u> Title <u>Manager</u>, <u>Environmental</u> Planning Group

CONCURRING PARTIES

ARIZONA STATE LAND DEPARTMENT

Ву\_\_\_\_\_

Title

Final Programmatic Agreement (revised July 2010) Loop 202 - South Mountain Freeway December 2006

Date\_\_\_\_

Date

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BUREAU OF RECLAMATION		
By	Date	ROOSEVELT IRRIGATION DISTRICT
Title		Ву
		Title
BUREAU OF LAND MANAGEMENT		CITY OF AVONDALE
Ву		Ву
Title	Date	Title
US ARMY CORPS OF ENGINEERS		CITY OF CHANDLER
		By
By	Data	Title
Title	Date	
		CITY OF GLENDALE
SALT RIVER PROJECT		By
By	Date	Title
Title		OTTY OF BLIOENIN
		CITY OF PHOENIX
MARICOPA COUNTY DEPARTMENT OF TRANS	SPORTATION	Ву
By		Title
Title	Date	CITY OF TOLLESON
		Ву
FLOOD CONTROL DISTRICT OF MARICOPA CO	DUNTY	Title
Ву		
Title	Date	
		· · · · · · · · · · · · · · · · · · ·
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Date\_\_\_\_

Date\_\_\_\_\_

Date\_\_\_\_\_

Date\_\_\_\_\_

Date\_\_\_\_\_

Date\_\_\_\_\_

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Title CHEMEHUEVI TRIBE By Title COCOPAH TRIBE By Title Title COLORADO RIVER INDIAN TRIBE	Date
CHEMEHUEVI TRIBE By COCOPAH TRIBE By Title Title COLORADO RIVER INDIAN TRIBE	Date
By Title COCOPAH TRIBE By Title COLORADO RIVER INDIAN TRIBE	Date
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COCOPAH TRIBE By Title COLORADO RIVER INDIAN TRIBE	Date
By Title COLORADO RIVER INDIAN TRIBE	Date
Title COLORADO RIVER INDIAN TRIBE	
COLORADO RIVER INDIAN TRIBE	
By	Date
Title	
FORT MCDOWELL YAVAPAI NATION	
Ву	Date
Title	
FORT MOJAVE TRIBE	
By	Date
Title	
FORT YUMA-QUECHAN TRIBE	
By	Date
Title	

GILA RIVER INDIAN COMMUNITY
By
Title
HAVASUPAI TRIBE
By
Title
HOPI TRIBE
Ву
Title
HUALAPAI TRIBE
By
Title
KAIBAB-PAIUTE TRIBE
Ву
Title
NAVAJO NATION
By
Title
PASCUA YAQUI TRIBE
By
Title
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Date
Date
Date
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PUEBLO OF ZUNI		
Ву	Date	YAVAPAI-APACHE NATION
Title		By
SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY		Title
By	Date	ARIZONA STATE MUSEUM
Title		By
SAN CARLOS APACHE TRIBE		Title
By	Date	WESTERN AREA POWER ADMINISTRATI
Title		By Day ge
SAN JUAN SOUTHERN PAIUTE		Title <u>Regional Manager, DS</u>
By	Date	
Title		
TOHONO O'ODHAM NATION	•	
Ву	Date	
Title		
TONTO APACHE TRIBE		
By	Date	
Title		
WHITE MOUNTAIN APACHE TRIBE		
By	Date	
Title		
Final Programmatic Agreement (revised July 2010) Loop 202 – South Mountain Freeway December 2006	Page 14 of 15	Final Programmatic Agreement (revised July 2010) Loop 202 – South Mountain Freeway December 2006

Date\_\_\_\_

Date\_\_\_\_\_

ION

su

Date 10/18/2010

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## **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 Ser	vice FARML FO	AND CONV R CORRID	'ERS OR
PART I (To be completed by Fed	leral Agency)		3
1. Name of Project South Mounta	in Transportation	Corridor	5
2. Type of Project		Contaol	
EIS/LDCR			
PART II (To be completed by NR	CS)		'
<ol> <li>Does the corridor contain prime, union (If no, the FPPA does not apply - Do</li> </ol>	que statewide or local in not complete additiona	nportant farmlan I parts of this for	d? m).
5. Major Crop(s)		6. Farmable La	and in 67 29
8 Name Of Land Evaluation System U	lsed	9 Name of Loo	al Sit
N/A		N/A	
PART III (To be completed by Fe	deral Agency)		
A. Total Acres To Be Converted Dire	ctly		
B. Total Acres To Be Converted Indi	rectly, Or To Receive S	Services	
C. Total Acres In Corridor			
PART IV (To be completed by N	RCS) Land Evaluati	on Informatio	n
A. Total Acres Prime And Unique Fa	armland		
B. Total Acres Statewide And Local	Important Farmland		
C. Percentage Of Farmland in Cour	nty Or Local Govt. Unit	t To Be Convert	ed
D. Percentage Of Farmland in Govt.	Jurisdiction With Same	e Or Higher Rela	ative \
PART V (To be completed by NRCS value of Farmland to Be Serviced of	6) Land Evaluation Info or Converted (Scale o	rmation Criterio f 0 - 100 Points	n Rei ;)
PART VI (To be completed by Fed Assessment Criteria (These criter	leral Agency) Corrido ia are explained in 7	r CFR 658.5(c))	Max Po
1. Area in Nonurban Use			1
2. Perimeter in Nonurban Use			1
3. Percent Of Corridor Being Far	med		2
4. Protection Provided By State	And Local Government		2
5. Size of Present Farm Unit Cor	mpared To Average		1
6. Creation Of Nonfarmable Farr	nland		2
7 Availability Of Farm Support S	Services		
8. On-Farm Investments	m Cupport Convisoo		
9. Ellects Of Conversion On Part	m support services		
			10
PART VII (To be completed by Fe	deral Agency)		
Relative Value Of Farmland (From	Part V)		1
assessment)	Part VI above or a loca	I site	1
TOTAL POINTS (Total of above	e 2 lines)		2
1. Corridor Selected:	2. Total Acres of Fam Converted by Proje	nlands to be	3. Da
		ect:	
5. Reason For Selection:		ect:	

Signature of Person Completing this Part:

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

Appendix 4-5 • **A579** 

SION	IMPACT RAT	ING			NR	CS-CPA-106 (Rev. 1-91)
3. Date	of Land Evaluation	Request	8/3/12	4.	Sheet 1 of	3
5. Feder	al Agency Involved	Fodor			ninistrat	
6. Coun	ty and State Mari	copa C	ounty. A	rizona	mnsuau	
I. Date F	Request Received by	NRCS	2. Perso	n Comple	eting Form	
8/7/	12		4. Acres	e GIOV Irrigated	<b>/er</b> Average F	arm Size
`	res 🔽 🛛 🗋		267,295	5	302	
Govern 95	nment Jurisdiction	20	7. Amoun	t of Farm • <b>190.</b> 1	nland As De 1 <b>82</b>	fined in FPPA <b>3.2</b>
te Asse:	ssment System	5.2	10. Date I	_and Eva	aluation Ret	urned by NRCS
	Alternativ	/e Corri	l dor For S	egmen	t - Wester	n Section
	W59	1	W71	W1	01WFR	W101CPR
	588	583		827		841
	588	583		827		841
				021		
	45	583		827	,	841
	0	0		0		0
Value Ioting	25	25		25		22
auve	86	86		87		82
cimum pints						
15	10	10		10		10
10 20	/ 12	7 12		7 12		12
20	0	0		0		0
10	5	5		5		5
25	10	10		10		10
5 20	3 15	ა 15		3 15		
25	8	8		8		8
10	4	4		4		4
60	74	74		74		74
00	86	86		87		82
60	74	74		74		74
260	160	160		161		156
ate Of S	Selection:	4. Was	A Local Sit	e Asses	sment Used	1?
			YES [			
	0		DATE			
ternat	e Corridor					

U.S. DEPARTMENT OF AGRICULT Natural Resources Conservation	<sup>URE</sup> Service FARML FO		ERSION	I IMPACT RA	TING		Ν	IRCS-CPA-106 (Rev. 1-91)
PART I (To be completed by F	ederal Agency)		3. Date	of Land Evaluation	Request	4/15/11	4. Sheet 2	of 3
1. Name of Project South Mour	ntain Transportation	Corridor	5. Fede	ral Agency Involved	j Fodor			oi <u> </u>
2. Type of Project FIS/I DCR			6. Cour	nty and State Mar	Feder		iy Administra	ation
	NRCS		1. Date	Request Received b	NRCS	2. Person	Completing Forr	n
PART II (10 be completed by I	NRCS)				,,	Leslie	Glover II	
<ol> <li>Does the corridor contain prime, (If no, the FPPA does not apply -</li> </ol>	unique statewide or local ir Do not complete additiona	mportant farmland al parts of this for	d? m).	YES 🔽 NO 🗌	כ	4. Acres In	Average <b>302</b>	e Farm Size
5. Major Crop(s) alfalfa, cotton, grains		6. Farmable La	and in Gover 67.295	mment Jurisdiction	2.2	7. Amount	of Farmland As I 190.182	Defined in FPPA
8. Name Of Land Evaluation System	n Used	9. Name of Loo	cal Site Asse	% essment System	3.2	10. Date La	and Evaluation R	teturned by NRCS
N/A		N/A					4/28/1	1
PART III (To be completed by	Fodoral Agonov)			Alternat	ive Corr	idor For Se	egment <u>- West</u>	ern Section
PART III (10 be completed by	reueral Agency)			W101EPR	W10	01WPR		W101CFR
A. Total Acres To Be Converted D	Directly			863	851			817
B. Total Acres To Be Converted In	ndirectly, Or To Receive	Services						047
C. Total Acres In Corridor				863	851			817
PART IV (To be completed by	NRCS) Land Evaluati	ion Informatio	n					
A. Total Acres Prime And Unique	Farmland			863	851			817
B. Total Acres Statewide And Lo	cal Important Farmland							
C. Percentage Of Farmland in C	ounty Or Local Govt. Uni	t To Be Convert	ed	0	0			0
D. Percentage Of Farmland in Go	vt. Jurisdiction With Same	e Or Higher Rela	ative Value	22	25			25
PART V (To be completed by NR value of Farmland to Be Service	CS) Land Evaluation Info of Converted (Scale o	ormation Criterio of 0 - 100 Points	n Relative	88	86			84
PART VI (To be completed by F Assessment Criteria (These cri	Federal Agency) Corrido teria are explained in 7	or 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 Sta	te And Local Government	t	20	0	0			0
5. Size of Present Farm Unit	Compared To Average		10	5	5			5
6. Creation Of Nonfarmable F	armiand		25	10	10			10
8 On-Farm Investments	Services		20	15	15			15
9. Effects Of Conversion On I	Farm Support Services		25	8	8			8
10. Compatibility With Existing	Agricultural Use		10	4	4			4
TOTAL CORRIDOR ASSESS	MENT POINTS		160	74	74			74
PART VII (To be completed by	Federal Agency)							
Relative Value Of Farmland (Fr	rom Part V)		100	88	86			84
Total Corridor Assessment (Fro assessment)	m Part VI above or a loca	al site	160	74	74			74
TOTAL POINTS (Total of abo	ove 2 lines)		260	162	160			158
1. Corridor Selected:	2. Total Acres of Farm	nlands to be	3. Date Of	Selection:	4. Was	A Local Site	Assessment Us	ed?
	Converted by 110					YES	NO 🗌	
5. Reason For Selection	1				1			
Signature of Person Completing th	nis Part:					DATE		
NOTE: Complete a farme far	ooob compativitte	more then an	0 Alto	to Corridor		-		
NOTE: Complete a form for	each segment with i	more than on	e Alterna	te Corridor				

U.S. DEPARTMENT OF AGRICULTU	IRE	
Natural Resources Conservation S	EARMI AND	CONVERSIO
	FOR CO	RRIDOR TY
PART I (To be completed by Fe	ederal Agency)	3. D
1. Name of Project South Moun	tain Transportation Corri	dor 5. Fe
2. Type of Project EIS/I DCR	an manoportation opin	6.0
PART II /To be completed by N	RCS)	1. De
3. Does the corridor contain prime, u	nique statewide or local important	larmland?
(If no, the FPPA does not apply - I	Do not complete additional parts o	f this form).
5. Major Crop(s)	6. Fari	nable Land in Go
alfalfa, cotton, grains	Acr	es: 267,295
<ol> <li>Name Of Land Evaluation System</li> <li>N/A</li> </ol>	Used 9. Nan N//	te of Local Site A A
PART III (To be completed by F	ederal Agency)	
A. Total Acres To Be Converted Di	rectly	
B. Total Acres To Be Converted In	directly, Or To Receive Services	
C. Total Acres In Corridor		
PART IV (To be completed by	NRCS) Land Evaluation Info	ormation
A. Total Acres Prime And Unique	Farmland	
A. Total Acres Prime And Unique B. Total Acres Statewide And Loca	Farmland al Important Farmland	-
A. Total Acres Prime And Unique B. Total Acres Statewide And Loca C. Percentage Of Farmland In Co	Fermland al Important Farmland unty Or Local Govt, Unit To Be	Converted
A. Total Acres Prime And Unique B. Total Acres Statewide And Loc. C. Percentage Of Farmland In Co D. Percentage Of Farmland in Gov	Farmland al Important Farmland unty Or Local Govt, Unit To Be t, Jurisdiction With Same Or Hig	Converted her Relative Valu
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<ul> <li>A. Total Acres Prime And Unique</li> <li>B. Total Acres Statewide And Loca</li> <li>C. Percentage Of Farmland in Co</li> <li>D. Percentage Of Farmland in Gov</li> <li>PART V (To be completed by NRG value of Farmland to Be Serviced</li> <li>PART VI (To be completed by Fe Assessment Criteria (These criteria)</li> <li>1. Area in Nonurban Use</li> </ul>	Farmland Al Important Farmland unty Or Local Govt. Unit To Be t. Jurisdiction With Same Or Hig 25) Land Evaluation Information of or Converted (Scale of 0 - 10) inderal Agency) Corridor aria are explained in 7 CFR 65	Converted her Relative Valu Criterion Relativ D Points) 8.5(c)) Maximu Point: 15
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Signature	of	Person	Completing	this	Part:
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NOTE: Complete a form for each segment with more than one Altern

					NRCS-CPA-10
ON	I IMPACT I	RATING			(Rov. 1-91)
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over	nment Jurisdict	3.2	Adre	nt of Parmiance	As Defined in FPPA. % 3.
Asse	ssment System	1	10. Date	Land Evaluat	ion Returned by NRCS
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nat	e 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

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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.

