# Appendix A – Section 106 Continuing Consultation Documents



#### ARIZONA DIVISION

4000 North Central Avenue Suite 1500 Phoenix, Arizona 85012-3500

> Phone: (602) 379-3646 Fax: (602) 382-8998

http://www.fhwa.dot.gov/azdiv/index.htm

February 1, 2016

In Reply Refer To:

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
South Mountain Freeway - Additional Scope of Work
Continuing consultation project effects and de minimis findings

Mr. Donovan Neese, Superintendent Roosevelt Irrigation District 103 West Baseline Road Buckeye, Arizona 85326

Dear Mr. Neese:

The Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) prepared an environmental impact statement (EIS) and design concept report (DCR) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The Record of Decision (ROD) signed by FHWA on March 5, 2015, selected the combination of the W59 and E1 Alternatives as the environmentally preferable alternative for construction. Due to the addition of two new scope items, the EIS is being re-evaluated and the ROD potentially validated through the National Environmental Policy Act process (Figure 1). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. In accordance with Stipulation #1 of the Programmatic Agreement executed for the undertaking (2015), ADOT is consulting with the State Historic Preservation Office (SHPO) and other consulting parties pertaining to the design of a new aspect of the undertaking. In addition, design elements that were part of the ROD associated with two historic properties that were not previously consulted on are addressed. Given the scope items involved, FHWA is consulting with the SHPO, Roosevelt Irrigation District, and Union Pacific Railroad (UPRR) at this time.

#### New scope items include:

- Constructing a pedestrian bridge over the freeway at the Elwood Street alignment
- Constructing a connector road between the northbound and southbound 59th Avenue frontage roads along the Durango Street alignment

Scope items not previously addressed in consultation include:

- Constructing a drainage culvert or siphon structure under the Union Pacific Railroad
- Constructing a drainage culvert or siphon structure under the Roosevelt Canal

#### Elwood Street Pedestrian Bridge

Based on a City of Phoenix request after the ROD, ADOT has proposed the construction of a pedestrian bridge over the South Mountain Freeway along the Elwood Street alignment (Figure 2). The Elwood Street alignment is at the half-mile between Broadway Road and Lower Buckeye

Road. The pedestrian bridge will provide connectivity between the two neighborhoods that make up the Rio Del Rey home owner's association and access to the elementary school and high school west of the freeway. The construction footprint for proposed pedestrian bridge is entirely within the ROD approved freeway right-of-way (ROW). No new ROW or temporary construction easements (TCEs) would be required.

The proposed pedestrian bridge at the Elwood Street alignment is entirely within the boundaries site AZ T:12:52(ASM), also known as Pueblo del Alamo. This portion of the site would be adversely affected by the construction of the freeway. ADOT is implementing a Historic Properties Treatment Plan (HPTP) for the resolution of adverse effects to the historic property which would resolve adverse effects associated with the pedestrian bridge as well.

#### **Durango Street Connector Road**

Based on a City of Phoenix request after the ROD, ADOT proposes the construction of a connector road between the northbound and southbound 59th Avenue frontage roads along the Durango Street alignment. Durango Street is located at the half-mile between Lower Buckeye Road and Buckeye Road, just south of the Roosevelt Canal (Figure 3). Durango Street does not currently exist east of 59th Avenue and it terminates at approximately 63rd Avenue from the west (approximately 500 feet west of the freeway ROW). The purpose of the road is to improve access and mobility between the northbound and southbound 59th Avenue frontage roads. The construction footprint for the proposed connector road is entirely within the ROD approved freeway ROW. No new ROW or TCEs would be required. No historic properties are located within the proposed footprint of the connector road.

#### Roosevelt Canal

The Roosevelt Canal, designated AZ T:10:83(ASM), was determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A for its associations with the development of historical irrigation districts in the lower Salt River and Buckeye Valleys. The canal intersects the freeway corridor at the half-mile between Buckeye Road and Lower Buckeye Road. The segment of the canal within the freeway ROW retains integrity and has been in continual use since its construction in 1928.

Prior consultation determined that the canal would not be affected by the project because the freeway and frontage roads would avoid the historic property by clear spanning it, and that no further treatment was required (Petty [FHWA] to Jacobs [SHPO] July 23, 2015; SHPO concurrence July 29, 2015). Since that time, it was realized that a culvert, or possibly siphon structure, would be constructed underneath the canal between the northbound lanes and the northbound frontage road as part of the freeway's drainage system (Figure 4). The drainage structure would be constructed below the Roosevelt Canal and therefore would not alter its design or other qualities contributing to its NRHP eligibility. Because the canal would be avoided, FHWA has determined that a finding of "no adverse effect" remains appropriate for the historic property.

#### Union Pacific Railroad

The Union Pacific Railroad intersects the freeway corridor at the half-mile between Van Buren Street and Buckeye Road. The railroad, designated AZ T:10:84(ASM), is the historic alignment

of the Wellton-Phoenix-Eloy main line of Southern Pacific Railroad. The segment within the freeway corridor was built in 1910 as part of the Phoenix and Buckeye Railroad which was then incorporated into the Wellton-Phoenix-Eloy main line in 1926 when Southern Pacific Railroad extended the line to connect to its transcontinental Sunset Route. The railroad was determined eligible for listing on the NRHP under Criterion A for its association with the development of Arizona's historic railroad network.

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FHWA has determined that the adverse effects to site AZ T:12:52(ASM) resulting from construction of the Elwood Street pedestrian bridge would be resolved through implementation of the HPTP being prepared for the overall freeway project; that the Durango Street connector road would have no effect on historic properties; and, that the proposed culvert or siphon would not adversely affect the qualities that contribute to the NRHP eligibility of the Roosevelt Canal/AZ T:10:83(ASM) and Wellton-Phoenix-Eloy Railroad/AZ T:10:84(ASM). FHWA has determined that a finding of "no adverse effect" remains appropriate for the Roosevelt Canal and Wellton-Phoenix-Eloy railroad properties.

Please review the information in this letter and enclosures. If you agree with FHWA's determinations of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at (602) 712-8636 or email <a href="mailto:ldavis2@azdot.gov">ldavis2@azdot.gov</a>.

Sincerely yours,

Karla S. Petty

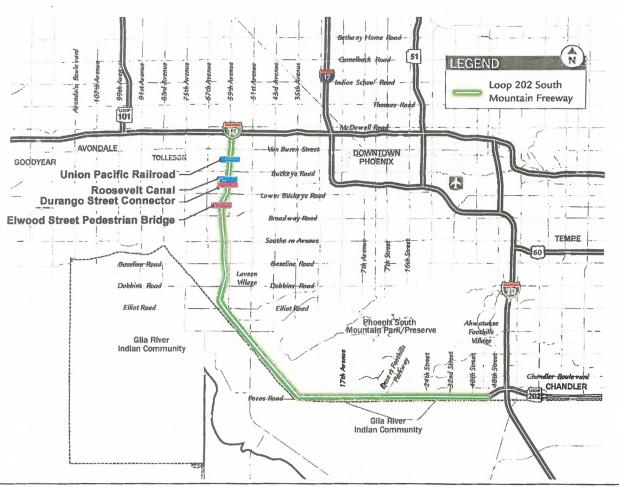
Division Administrator

Signature for Roosevelt Irrigation District Concurrence

NH-202-D(ADY)

**Enclosures** 

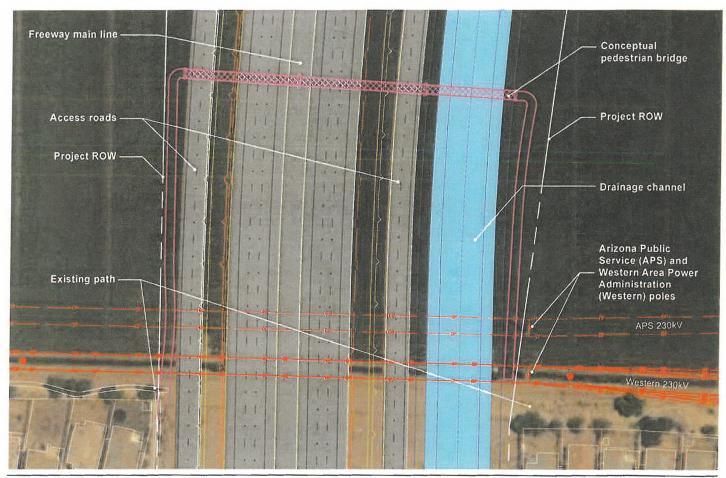
cc: RYedlin LDavis (EM02) RYedlin:cdm



South Mountain Transportation Corridor Federal-aid Project Number: NH-202-D(ADY) ADOT Project Number: 202L MA 054 H5764 01C Figure 1

Not to scale

Key Map

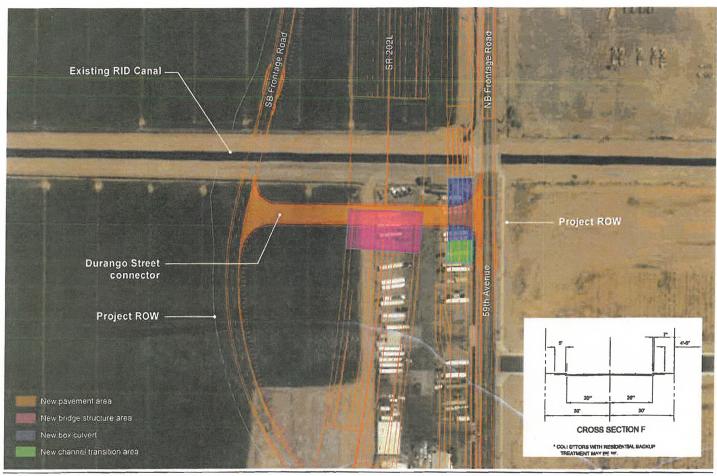


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Figure 2



Elwood Street Pedestrian Bridge

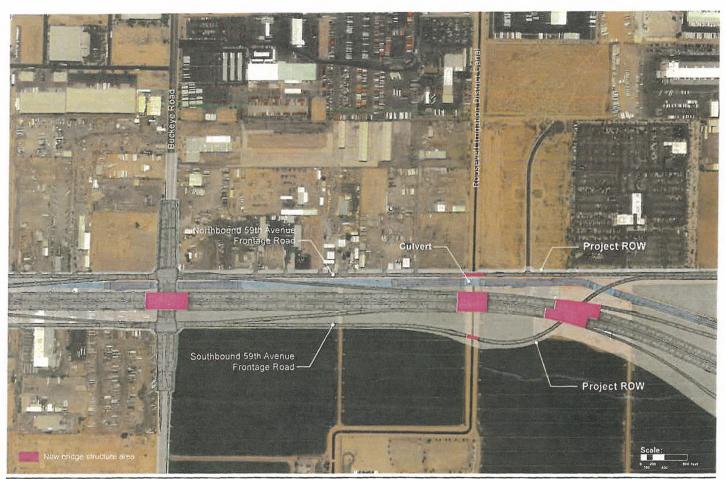


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Figure 3

Aerial photography date: July 2013

Durango Street Connector Road February 1, 2016



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Figure 4

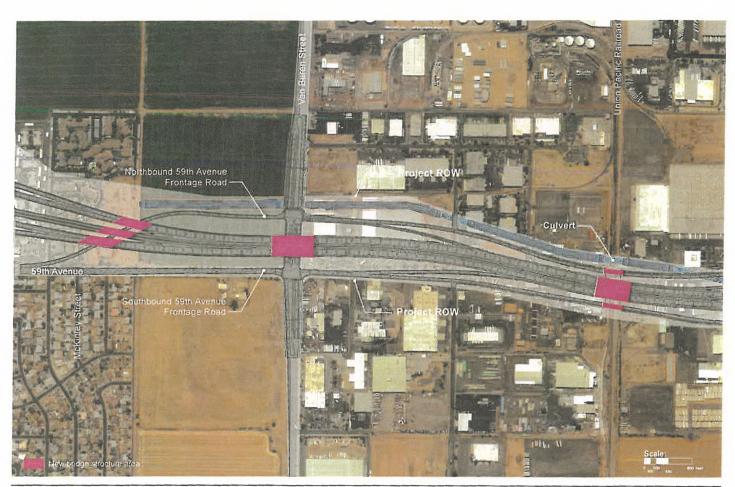
Roosevelt Canal Culvert





Aerial photography date: July 2013

February 1, 2016



South Mountain Transportation Corridor Federal-aid Project Number: NH-202-D(ADY) ADOT Project Number: 202L MA 054 H5764 01C

Figure 5

Not to scale

Union Pacific Railroad Culvert

February 1, 2016

Aerial photography date: July 2013





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Federal Highway **Administration** 

February 1, 2016

In Reply Refer To:

NH-202-D(ADY) TRACS No. 202L MA 054 H5764 01C South Mountain Freeway - Additional Scope of Work Continuing consultation project effects and de minimis findings

Dr. David Jacobs, Compliance Specialist/Archaeologist State Historic Preservation Office 1100 West Washington Street Phoenix, Arizona 85007

SHPO-2003-1890

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) prepared an environmental impact statement (EIS) and design concept report (DCR) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The Record of Decision (ROD) signed by FHWA on March 5, 2015, selected the combination of the W59 and E1 Alternatives as the environmentally preferable alternative for construction. Due to the addition of two new scope items, the EIS is being re-evaluated and the ROD potentially validated through the National Environmental Policy Act process (Figure 1). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. In accordance with Stipulation #1 of the Programmatic Agreement executed for the undertaking (2015), ADOT is consulting with the State Historic Preservation Office (SHPO) and other consulting parties pertaining to the design of a new aspect of the undertaking. In addition, design elements that were part of the ROD associated with two historic properties that were not previously consulted on are addressed. Given the scope items involved, FHWA is consulting with the SHPO, Roosevelt Irrigation District, and Union Pacific Railroad (UPRR) at this time.

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# De minimis findings

As discussed above, the proposed undertaking would not adversely affect the qualities that contribute to the NRHP eligibility of the Roosevelt Canal/AZ T:10:83(ASM) and Wellton-Phoenix-Eloy Railroad/AZ T:10:84(ASM).

Based on the above discussion, FHWA has determined that the adverse effects to site AZ T:12:52(ASM) resulting from construction of the Elwood Street pedestrian bridge would be resolved through implementation of the HPTP being prepared for the overall freeway project; that the Durango Street connector road would have no effect on historic properties; and, that a finding of "no adverse effect" remains appropriate for the Roosevelt Canal and Wellton-Phoenix-Eloy railroad properties.

This letter also serves as FHWA's formal notification to use SHPO's signed concurrence of "no adverse effect" to make a de minimis impact finding in accordance with Section 4(f) of the United States Department of Transportation Act with regard to the Roosevelt Canal/AZ T:10:83(ASM) and the Wellton-Phoenix-Eloy Railroad/AZ T:10:84(ASM).

Please review the information in this letter and enclosures. If you agree with FHWA's determinations of project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at (602) 712-8636 or email ldavis2@azdot.gov.

Sincerely yours,

FEB 8 - 2016

Division Administrator

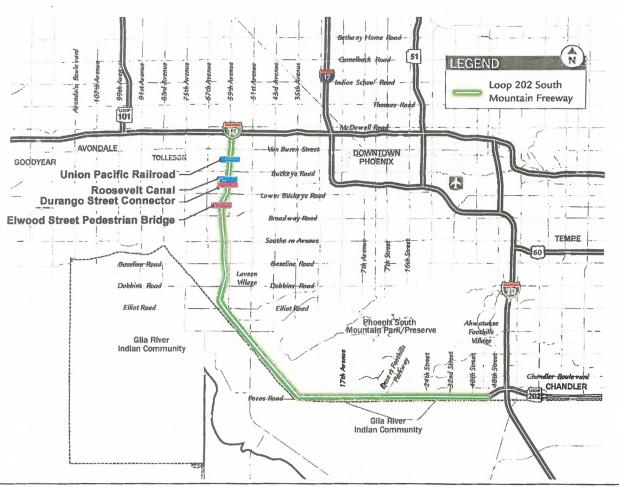
Signature for SHPO Concurrence

NH-202-D(ADY)

Enclosures

cc: **RYedlin** LDavis (EM02) RYedlin:cdm

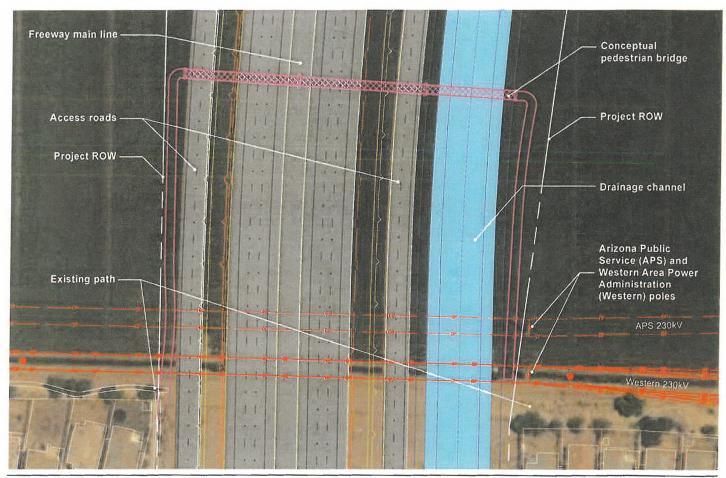
CC: Linda Davis, ADOT



South Mountain Transportation Corridor Federal-aid Project Number: NH-202-D(ADY) ADOT Project Number: 202L MA 054 H5764 01C Figure 1

Not to scale

Key Map

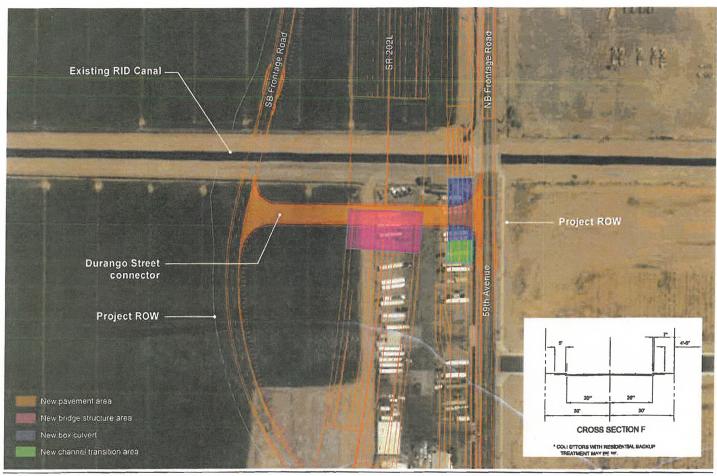


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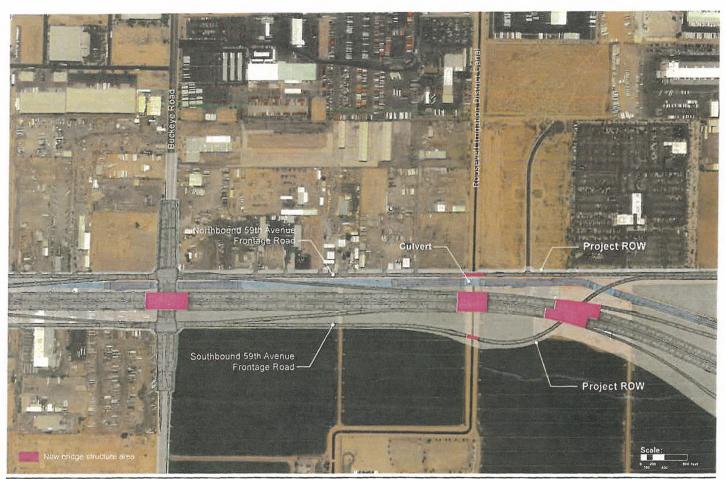


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Figure 3

Aerial photography date: July 2013

Durango Street Connector Road February 1, 2016



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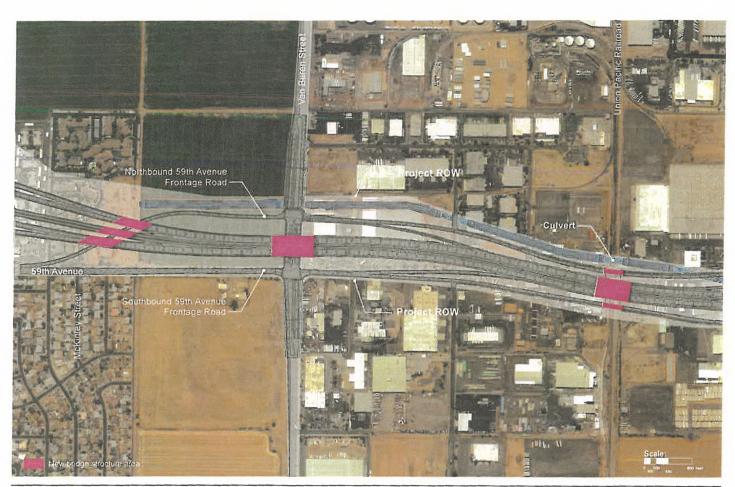
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February 1, 2016



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Figure 5

Not to scale

Union Pacific Railroad Culvert

February 1, 2016

Aerial photography date: July 2013

# Appendix B – Documentation related to the Evaluation of the Elwood Street trail as a Section 4(f) Resource

SRP and the Bureau of Reclamation are preparing a report for the canal—documenting its history and engineering as a form of mitigation. Upon completion of these projects, the 99th Avenue lateral will no longer be considered a contributing component to the overall eligibility of the SRP irrigation network. As previously discussed, the timing of the piping of the northern portion of the 99th Avenue lateral is dependent on the timing and dispersal of bond funding, which has not been determined.

It is anticipated that the 99th Avenue lateral will not be eligible for Section 4(f) protection for the following reasons: (1) piping is planned as part of Estrella District Park—once piped, the lateral will no longer be NRHP-eligible; and (2) SRP and the Bureau of Reclamation are mitigating the canal impacts.

#### City of Phoenix Trails System

#### Description

The 2001 City of Phoenix *General Plan* shows an extensive network of existing and planned trails throughout the city (Figure A-4). According to the *General Plan*, "the trail alternatives and crossing locations are conceptual and must remain flexible to accommodate future development" (City of Phoenix 2005).

#### **Impacts**

The Eastern and Western Section action alternatives and options would result in a direct use of several City of Phoenix trails.

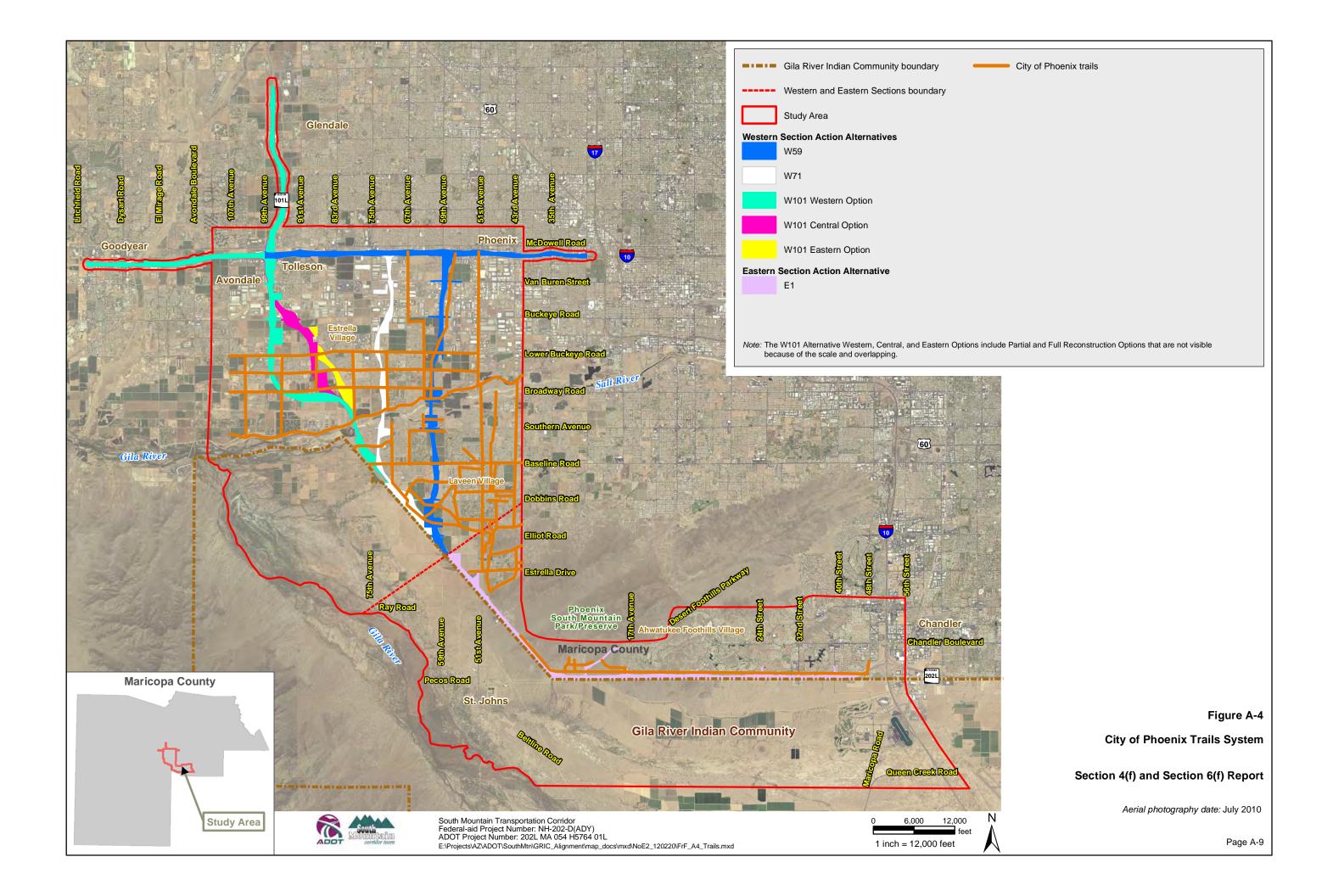
#### Section 4(f) Eligibility

The City of Phoenix trails would be eligible for consideration as recreation areas. However, these trails should not be considered Section 4(f) resources for reasons explained below.

According to Goal 4 in the Circulation Element of the *General Plan*, "Since approximately 40 percent of all trips are less than two miles in length, bicycling and walking can help relieve roadway congestion. Bicycling and walking can be practical for all types of trips, such as to the grocery store, the video rental store and school. These trips can be made either on roads or off roads on separate paths" (City of Phoenix 2005). This statement in the *General Plan* indicates that pedestrian trails maintained by the City of Phoenix are used for transportation and, thus, are not primarily recreational.

The Recreation Element of the *General Plan* further indicates that the City, in cooperation with private developers, is working to provide trails. If trails are built on private land and maintained by developers, the trails would not be subject to Section 4(f) protection.

The City of Phoenix has received Transportation Enhancement Activities funds for development and improvement of its trails. These funds are not available for trails that are solely recreational; therefore, these trails would not be considered Section 4(f) resources.



City of Phoenix trails are not considered Section 4(f) properties, however, the City has requested that regardless of the Selected Alternative, the existing and proposed trails be accommodated by providing wider bridges, pedestrian-equestrian tunnels, and other accommodations to preserve proposed and established trail networks (City of Phoenix 2005). These requests are not addressed under Section 4(f).

#### Villa Buena Traditional Cultural Property

#### Description

Villa Buena is the remains of an approximately 537-acre prehistoric Hohokam village. The majority of Villa Buena is located on Gila River Indian Community (Community) land; however, the site extends outside the Community onto private land. The Community, Akimel O'odham, and Pee Posh tribes consider Villa Buena an important site that plays a role in their culture, identity, history, and oral traditions. Because of its importance in the Native American community's history and cultural identity, Villa Buena is considered a traditional cultural property (TCP) and is NRHP-eligible under Criterion A.

The portion of Villa Buena off Community land in the Study Area was leveled by agricultural development in the early 1900s. The remainder of the site was largely undeveloped land used for livestock. Despite the agricultural development and land use over the decades, it is likely that cultural features and deposits are preserved below the plow zones.

#### **Impacts**

The W101 and W71 Alternatives would cross the off-tribal land portion of Villa Buena. It should be noted that the size and boundaries of Villa Buena are based on the archeological site boundaries and the TCP does not have defined boundaries. Using the archeological limits, 112 of approximately 537 acres would be converted to a transportation use (Figure A-5).

TCPs can be the physical manifestation of knowledge, information, and belief in communities where the perpetuation of culture and the transmission of information are maintained through oral tradition and its connection with specific cultural places. These qualities relate to the event associations of these TCPs under Criterion A. Direct alteration of Villa Buena through freeway development has the potential to adversely affect the cultural landscape through the loss or alteration of these "knowledge sites" unless specific, proactive measures are undertaken to prevent such loss. Therefore, the Community prepared a proposal to develop a TCP enhancement and management plan for the sites to prevent adverse effects. FHWA and ADOT have committed to implementing this plan.

# 8-0

# **CANALS & TRAILS**

Canals and trails are an important, historic part of our regional infrastructure. They can provide a safe, dedicated system for pedestrians and bicycles to travel throughout the city and region, and an oasis from the desert conditions found naturally in our community. Water is in high demand in Arizona, but the canals have become one of our most underutilized assets. Canalscape, the creation of activity centers with a dynamic interaction with our city's prized canals, can change this.

THE GOAL

Design the **Phoenix canals** and canal-adjacent property throughout the city for pedestrians and businesses to effortlessly interact with the canal, transforming the system into **a popular network of trails** which are safe, efficient and complete with shade and rest areas.

Create a functional network of **shared urban trails** which are accessible, convenient and connected to parks, centers, and major open spaces **such as the Sonoran Preserve**, connecting the entire city.

**MEASURE FOR SUCCESS** 

Complete two trail crossing projects per fiscal year.

Land Use and Design Principles

Provide multi-use trail connections where appropriate.

travel when designing new freeways and arterials.

**Increase** the percent of **canal trails by 10%** by 2020.

Plan, design, and develop pedestrian linkages between parks, open spaces, village cores,

neighborhood shopping centers, neighborhood schools, and neighboring municipalities.

Maintain continuity of trails and avoid creating barriers to bicycle, equestrian and pedestrian

Increase the number of connected miles of trail system by 5% by 2020.

## **Policy Documents and Maps**

Sunnyslope / Arizona Canal Demonstration Area

Master Plan

Canalscape

<u>City Trail System</u>
<u>City Bikeway System</u>

Comprehensive Bicycle Master Plan

## **Tools: Policies and Actions\***

**PLANS** Update the Master Canal / Trail Map, including existing canals trails and planned trails

to be built over next 25 years.

**FINANCING** Increase the number of safe crossings using methods such as tunnels, bridges or

signalized crosswalks.

**FINANCING** Improve and increase trail signage system wide.

**FINANCING** Install clusters of drought resistant trees, preferable shade trees along trails.

**PARTNERSHIPS** Work with other agencies such as the Salt River Project and the Bureau of Land

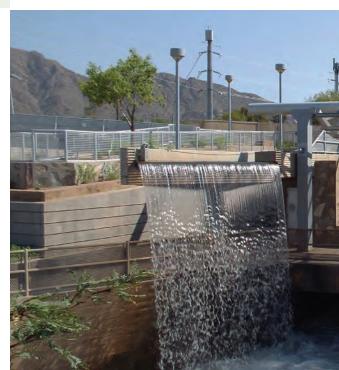
Management to assure the availability and accessibility of canal banks for trail usage.

**PARTNERSHIPS** Develop the pedestrian linkage system as a joint responsibility of the private and public

sectors, as new development and infill development occurs. As appropriate, the city should enhance the pedestrian linkage system through the development of new parks.

**PARTNERSHIPS** In conjunction with the Phoenix Arts and Culture Commission, develop an arts program

for the canal / trail system.



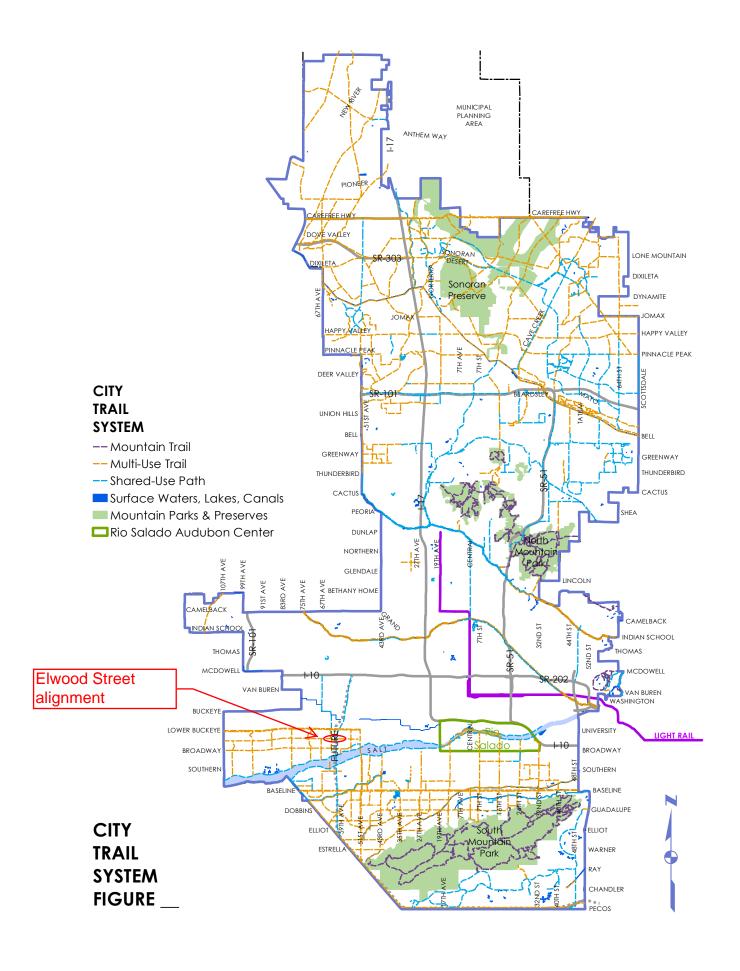
#### Arizona Falls

Restored in 2003, the
Arizona Falls is the crown
jewel of the Phoenix canal
system. Arizona Falls
has been restored into a
gathering place for the
community and tourists
alike. At the Arizona Falls,
Phoenix residents and
visitors not only gather
and meet, but they also
have the rare opportunity
to enjoy one of Arizona's
scarcest resources: water.

**DESIGN** 

**DESIGN** 

**DESIGN** 





Existing ADOT fence controlling access to property allows connection from west to east sections of Rio Del Rey neighborhood

