

LOOP 202
South Mountain
Freeway

South Mountain Freeway FEIS/ROD Reevaluation #2

in Maricopa County, Arizona



Federal Highway Administration

ADOT

Arizona Department of Transportation

June 20, 2016

Federal-aid Project Number: NH-202-D(ADY)

ADOT Project Number: 202L MA 054 H8827 01D

Record of Decision

June 20, 2016

The Federal Highway Administration (FHWA), in coordination with the Arizona Department of Transportation (ADOT), reevaluated the South Mountain Freeway, Interstate 10 (I-10, Papago Freeway) to I-10 (Maricopa Freeway) Final Environmental Impact Statement and Record of Decision per 23 Code of Federal Regulations § 771.129 to address the clearance of remainder parcels outside the right-of-way footprint analyzed during the National Environmental Policy Act process. FHWA, with concurrence from ADOT, has determined that no substantial changes have occurred in the social, economic, or environmental impacts of the proposed action that would substantially impact the quality of the human, socioeconomic, or natural environment. Therefore, the original environmental document remains valid for the proposed action. It is recommended that the project identified herein be advanced to the next phase of project development.

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Table of Contents

List of Acronyms and Abbreviations.....	iii
1. Introduction and Project Description.....	1
Project Location	1
Approved Environmental Documentation.....	1
Previously Identified Impacts	3
Public and Agency Involvement	4
2. Description of Project Changes.....	6
3. Environmental Consequences.....	12
Corridor-wide Analysis	12
Geographical Area Analysis.....	15
Area 1 – I-10 commercial properties	15
Area 2 – Rio Del Rey residential properties	18
Area 3 – Salt River aggregate mining property	20
Area 4 – Laveen agricultural, residential, and utility corridor properties.....	21
Area 5 – Dusty Lane residential and utility corridor properties.....	24
Area 6 – South Mountains vacant properties	29
Area 7 – West Pecos Road residential properties.....	30
Area 8 – Mountain Park Church utility corridor property	32
Area 9 – Lakewood residences outside Project ROW	33
Summary of commitments related to Remainder Parcels.....	34
4. Public/Agency Outreach	36
5. Conclusion and Recommendation	37
Conclusion	37
Recommendation	37
Appendix A – Remainder Parcel Site Maps	
Appendix B – Section 106 Consultation Information	
Appendix C – Farmland Conversion Impact Rating for Corridor Type Projects	

List of Tables

Table 1. Environmental Consequences Assessment, Remainder Parcels	12
Table 2. I-10 Commercial Properties	16
Table 3. Rio Del Rey Residential Properties.....	19
Table 4. Salt River Aggregate Mining Property.....	20
Table 5. Laveen Agricultural, Residential, and Utility Corridor Properties	22
Table 6. Dusty Lane Vacant Land in Utility Corridor	25
Table 7. Dusty Lane SFR or Vacant Land (non-utility corridor)	26
Table 8. South Mountains Vacant Properties	29
Table 9. West Pecos Road Residential Properties	31
Table 10. Mountain Park Church Utility Corridor Property	32
Table 11. Lakewood Residences Outside Project ROW	33

List of Figures

Figure 1. Project Location Map	2
Figure 2. Remainder Parcel Overview Map, Western Section, North.....	8
Figure 3. Remainder Parcel Overview Map, Western Section, South	9
Figure 4. Remainder Parcel Overview Map, Eastern Section, West	10
Figure 5. Remainder Parcel Overview Map, Eastern Section, East	11

List of Acronyms and Abbreviations

ADOT	Arizona Department of Transportation
AG	agricultural
AGFD	Arizona Game and Fish Department
ASM	Arizona State Museum
BIA	United States Bureau of Indian Affairs
CAT	Citizens Advisory Committee
C.F.R	Code of Federal Regulations
CRMP	Cultural Resource Management Program
DEIS	Draft Environmental Impact Statement
EIS	environmental impact statement
EPA	United States Environmental Protection Agency
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
HDR	HDR Engineering, Inc.
I-10	Interstate 10
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
PA	Programmatic Agreement
ROD	Record of Decision
ROW	right-of-way
SFR	single family residence
SHPO	State Historic Preservation Office
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
USACE	United States Army Corps of Engineers
U.S.C.	United States Code
USFWS	United States Fish and Wildlife Service
Western	Western Area Power Administration

1. Introduction and Project Description

The Federal Highway Administration (FHWA), in coordination with the Arizona Department of Transportation (ADOT), conducted a reevaluation of the South Mountain Freeway, Interstate 10 (I-10, Papago Freeway) to I-10 (Maricopa Freeway) Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) per 23 Code of Federal Regulations (CFR) § 771.129 to address the addition of remainder parcels to the Project right-of-way (ROW) since the approval of the ROD on March 5, 2015. In the context of this reevaluation, a remainder parcel is defined as land outside of the ROW footprint analyzed in the FEIS/ROD. In most instances, only a part of a parcel was needed for the project, but the part of the parcel not needed for the project was acquired because it was no longer economically viable for the owner or the cost to remedy the damages to the value of the remainder parcel was greater than the cost of the remainder parcel itself; however in some situations, at the owners request, ADOT may acquire the ROW footprint parcel and not pursue the acquisition of the remainder parcel. In all cases, the acquisition was completed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended. This reevaluation document provides an overview of the freeway project, describes the remainder parcels, assesses the environmental consequences of the remainder parcels, describes past and future public and agency outreach, and presents a conclusion related to the inclusion of the remainder parcels in the freeway project.

Project Location

ADOT is the sponsor of the construction and operation of the South Mountain Freeway. The freeway will constitute a section of the Regional Freeway and Highway System, the Loop 202 (also referred to as State Route 202L). The project is in the southwestern portion of the Phoenix metropolitan area in Maricopa County, Arizona (see Figure 1). The approximately 22-mile-long freeway will be constructed as an eight-lane divided, access-controlled facility, with four travel lanes in each direction. Three lanes will be for general purpose use and one lane will be dedicated to high-occupancy vehicle use.

Approved Environmental Documentation

The approved environmental documentation completed by ADOT, the project sponsor, and FHWA, the lead federal agency, included:

- ▶ Draft Environmental Impact Statement (DEIS) signed on April 16, 2013, and released to the public on April 26, 2013.
- ▶ FEIS signed on September 18, 2014, and released to the public on September 26, 2014.
- ▶ Errata to the FEIS signed on November 19, 2014 and released to the public on November 28, 2014 (the Errata was published to address public comments on the DEIS that were inadvertently omitted from the FEIS).



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

Figure 1

Project Location Map

April 15, 2016

- ▶ ROD signed on March 5, 2015, and released to the public on March 13, 2015.
- ▶ South Mountain Freeway FEIS/ROD Reevaluation (#1) signed February 19, 2016 addressed the addition of a local street connector and a pedestrian bridge

Clarification of Reevaluation #1

In the Reevaluation document signed February 19, 2016, at the end of the introduction to Section 2, *Description of Project Changes*, it states that the additional scope items were requested by the City of Phoenix after the ROD. ADOT and FHWA would like to clarify that the requests were made by the City of Phoenix during the public comment period of the DEIS and FEIS, not after the ROD. FHWA and ADOT made the decision to include the additional scope items after the ROD, which is consistent with ROD commitment SOC-4 allowing the ability to evaluate additional features during design.

Previously Identified Impacts

The FEIS and ROD present a detailed description of anticipated impacts related to the Selected Alternative. Key elements are listed below. This reevaluation will cover impacts beyond those previously disclosed.

- ▶ The project will convert approximately 1,813 acres of land to a transportation use.
- ▶ The project is consistent with local and regional plans; however, it will introduce visual and noise intrusion adjacent to residential neighborhoods.
- ▶ Implementation of the project in the Western Section will result in adverse impacts on populations protected under Title VI and the environmental justice Executive Order; impacts will not, however, be disproportionately high or cause undue hardship when compared with such impacts on the general population.
- ▶ The project will result in the displacement of approximately 168 single-family homes, two apartment complexes with 680 total units, and 42 businesses.
- ▶ The City of Phoenix will experience an inconsequential reduction of annual property and sales tax revenue due to the conversion of land to a transportation use. Travel time savings for motorists in the region after completion of the project will be over \$200 million per year (in 2013 dollars).
- ▶ The project will not result in any exceedances of the health-based National Ambient Air Quality Standards.
- ▶ The project will require the placement of noise barriers in selected locations to reduce noise to levels that meet ADOT policy and FHWA regulations.
- ▶ The project will affect up to 121 water wells and 94 acres of floodplains.
- ▶ The project will impact Waters of the United States and require appropriate permitting

approvals from the U.S. Army Corps of Engineers (USACE).

- ▶ The project will not affect any currently listed threatened and endangered species. However, the project will result in the conversion of cover, nesting areas, and food resources for wildlife provided by the natural plant communities found in the Study Area. The project will create a physical barrier that could, depending on design, decrease movement of wildlife to and from the South Mountains and Sierra Estrella. In response, multifunctional crossing locations have been identified to provide habitat connectivity under the freeway.
- ▶ The project will affect a number of National Register of Historic Places (NRHP)-eligible prehistoric and historic sites and the South Mountains Traditional Cultural Property.
- ▶ The project will convert 723 acres of prime and unique farmlands to a transportation use.
- ▶ The project will interact with five high-priority hazardous materials sites.
- ▶ Impacts on views from residential and rural uses include construction impacts, new traffic interchanges, and visibility of the new facility. Impacts will not change the low-to-moderate visual quality of views along the freeway.
- ▶ The project will provide benefits related to regional energy consumption.
- ▶ The project will result in the direct use of resources in the South Mountains afforded protection by Section 4(f) of the Department of Transportation Act of 1966. There is no feasible and prudent alternative that avoids use of the South Mountains.

Public and Agency Involvement

ADOT and FHWA undertook an extensive public and agency involvement program during the National Environmental Policy Act (NEPA) phase of the project. Key elements included:

- ▶ Publication of the Notice of Intent on April 20, 2001, in the *Federal Register* (66[77]:20345).
- ▶ Invitations sent in 2001 to USACE, U.S. Environmental Protection Agency (EPA), U.S. Bureau of Indian Affairs (BIA), and U.S. Fish and Wildlife Service (USFWS) to be cooperating agencies were issued. USACE and BIA agreed to be federal cooperating agencies. EPA and USFWS declined. In 2009, the Western Area Power Administration (Western) was invited, and agreed, to be a cooperating agency.
- ▶ Agency scoping letters were sent to 232 federal, State, and local agencies in October 2001. A 2-day agency scoping meeting was held later that month in Phoenix. Agencies were invited to participate in the project through monthly progress meetings during the project duration.
- ▶ Public scoping was initiated in November 2001 and included presentations at 23 neighborhood meetings and two public meetings.
- ▶ Between the public scoping kick-off through the release of the DEIS, over 200 presentations were made to neighborhood groups, homeowners' associations, chambers of commerce, village planning committees, trade associations, and other interested parties. Twelve public meetings were held.

- ▶ ADOT created a Citizens Advisory Team (CAT) made up of groups and organizations in the Study Area. The CAT worked as a voluntary, advisory team to provide advice and input to ADOT and FHWA. Approximately 60 CAT meetings were held, each open to the public.
- ▶ The DEIS was released to the public on April 26, 2013, beginning the 90-day comment period (the minimum requirement under NEPA is 45 days). A public hearing was held May 21, 2013, at the Phoenix Convention Center from 10 a.m. to 8 p.m. Six community forums were held in Study Area communities to supplement the public hearing. Additionally, an online public hearing was created for those who could not attend a meeting in person. Approximately 900 people attended one of the public events, almost 1,900 unique visitors viewed information from the online hearing, and the project team received over 8,000 comments.
- ▶ The FEIS was released to the public on September 26, 2014. A 60-day review period was provided. As a result of the publication of the errata, ADOT and FHWA extended the review period to December 29, 2014. During the review period for the FEIS and errata, approximately 250 comments were received.
- ▶ ADOT and FHWA worked in close coordination with the Gila River Indian Community to hold a community forum on November 15, 2014, at the Boys & Girls Club, Gila River - Komatke. The Gila River Indian Community developed the agenda and facilitated the forum, which consisted of introductions, a description of the comment opportunities and court reporters' roles, an introduction to the South Mountain Freeway video flyover simulation, and an "open-microphone" comment period. Other than invited guests, the meeting was open to only Gila River Indian Community members. FHWA and ADOT project team members were guests at the forum and were in attendance to listen to comments. A translator was provided for those wishing to speak in the native O'odham language.

2. Description of Project Changes

The additional project scope item includes the addition of remainder parcels to the Project ROW footprint analyzed during the FEIS/ROD, as described below. The Project ROW footprint established in the FEIS/ROD defined the area needed to construct and operate the Selected Alternative. The ROW footprint did not follow parcel boundary lines. So in many cases, the ROW footprint cut across parcels leaving part of the parcel within the ROW footprint and part of the parcel outside of the ROW footprint. A determination as to whether the entire parcel or just the part of the parcel within the ROW footprint would be acquired was not made until ADOT began the ROW acquisition and relocation process after the ROD.

During the ROW acquisition and relocation process, ADOT identified 98 remainder parcels that are located outside of the Project ROW footprint analyzed in the FEIS/ROD. Categorical Exclusions (NEPA analysis) were completed for acquisition only for these parcels. This reevaluation is to review the effects of project activities related to these pieces of land, which could include demolition activities, use during the construction and maintenance phases of the project, and the disposal (sell or exchange) of the land during or after construction is complete. Demolition includes activities such as the removal of structures, parking lots, driveways, walls, and irrigated vegetation. The work is performed in conformance with the ROD commitments such as providing dust control, obtaining pertinent permits, protection of native vegetation, and response to address wildlife or cultural resources. During construction, these remainder parcels may be used as staging sites for construction personnel, equipment, or materials. Similarly after construction, remainder parcels may be used for transportation related activities. If the remainder parcels are not used for the project, ADOT will attempt to dispose the land per ADOT policies and procedures as described in Chapter 11 of the Property Management Section of the ADOT Right of Way Procedures Manual (2011).

The total area of the 98 remainder parcels outside the Project ROW is 508 acres, or approximately 28 percent of the Project ROW (for reference, the total Project ROW is approximately 1,800 acres). Maps showing the locations of the remainder parcels are provided in Figures 2, 3, 4, and 5. A site map for each parcel is included in Appendix A.

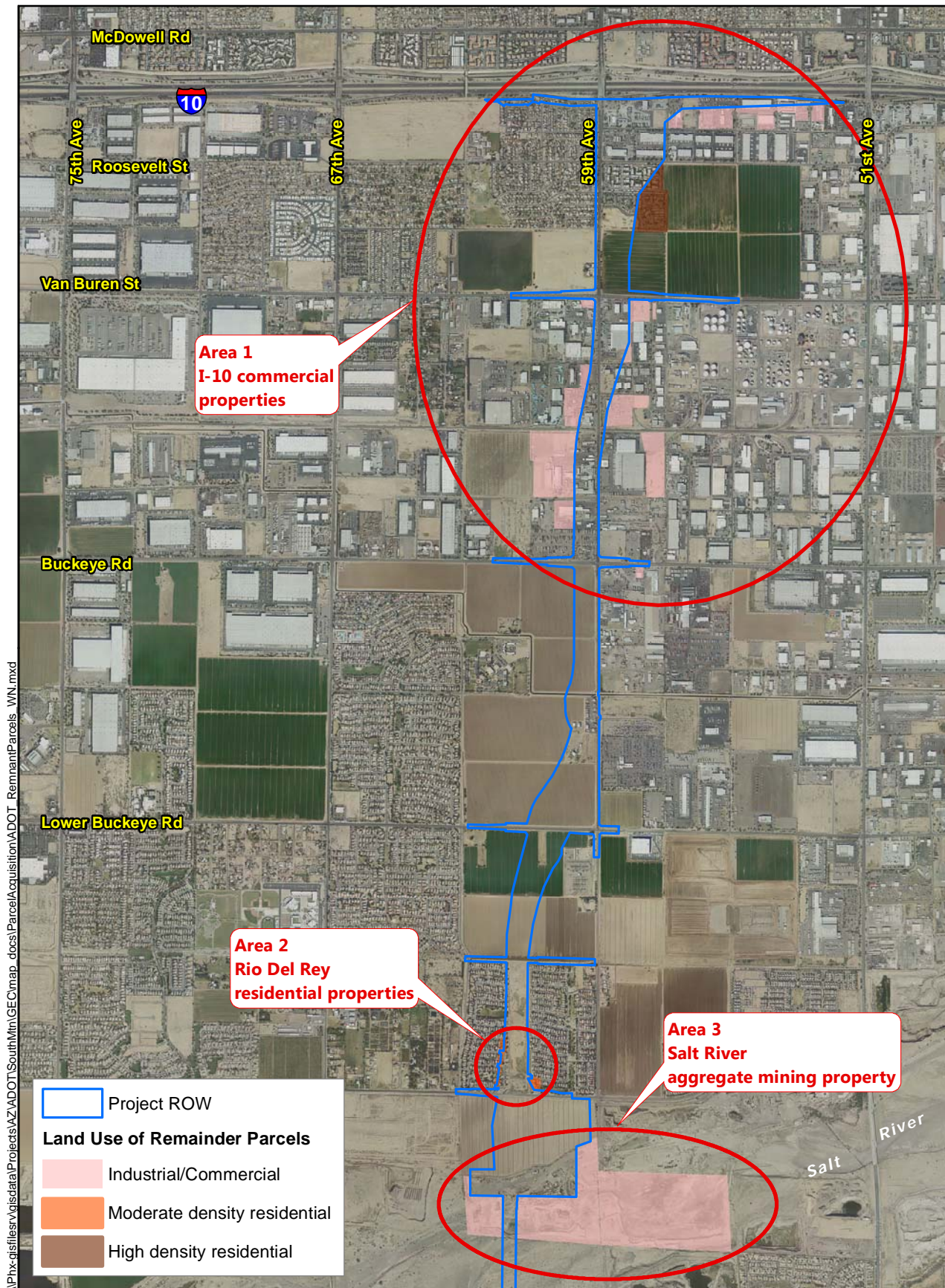
For the discussion of environmental consequences, the remainder parcels are grouped into nine geographic areas (see Figures 2, 3, 4, and 5) as the remainder parcels within each geographic area have similar characteristics.

Also, the remainder parcels fall into four categories:

1. Parcels that are entirely vacant and the remainder parcel is also vacant
2. Parcels that have built improvements within the Project ROW and the remainder parcel is

vacant

3. Parcels that have built improvements within both the Project ROW and the remainder parcel
4. Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW



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

Figure 2

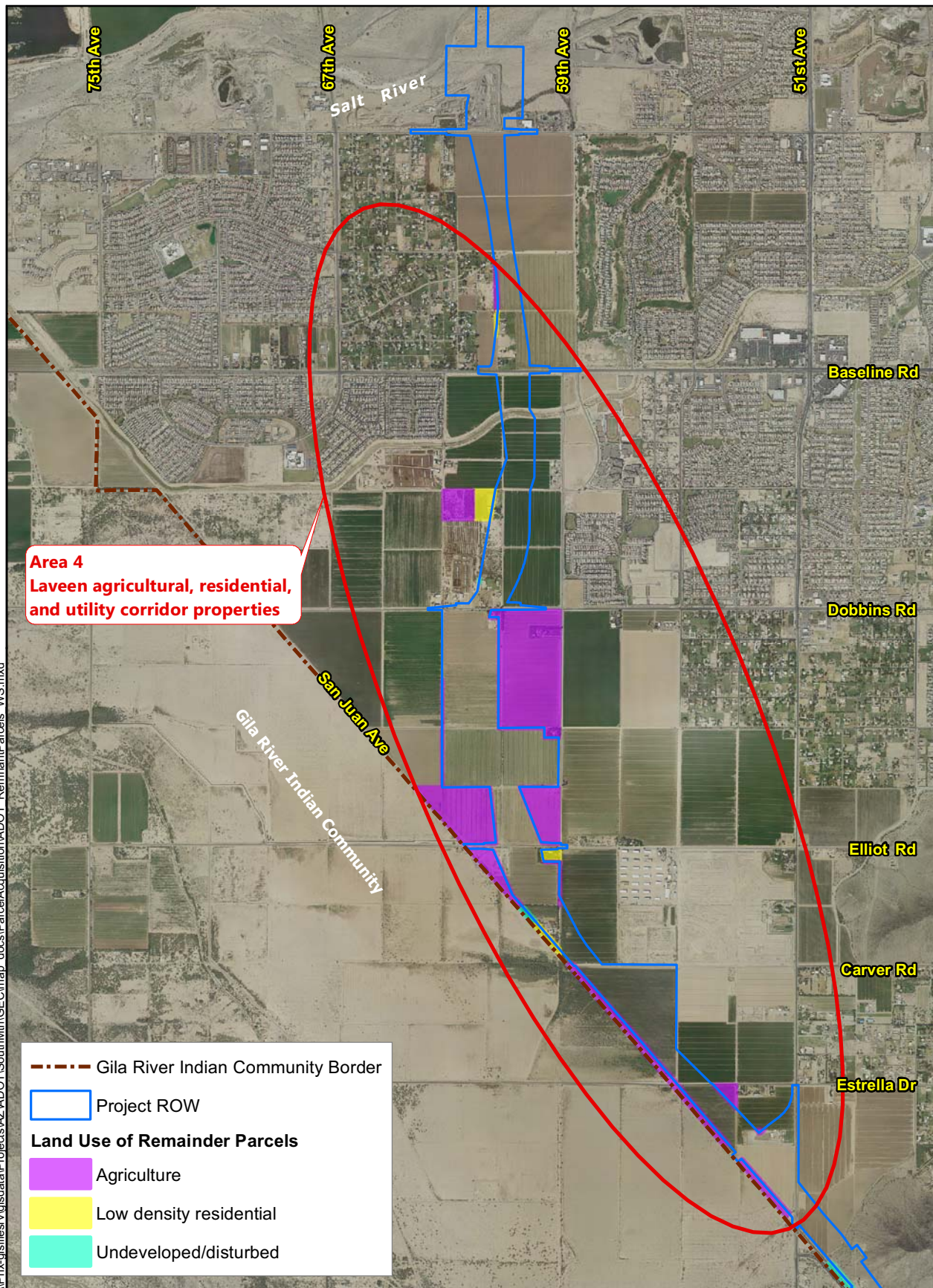
Aerial photography date: July 2013



**Remainder Parcel Overview Map
Western Section, North**

May, 31, 2016

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South Mountain Transportation Corridor
Federal-aid Project Number: NH-202-D(ADY)
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Figure 3

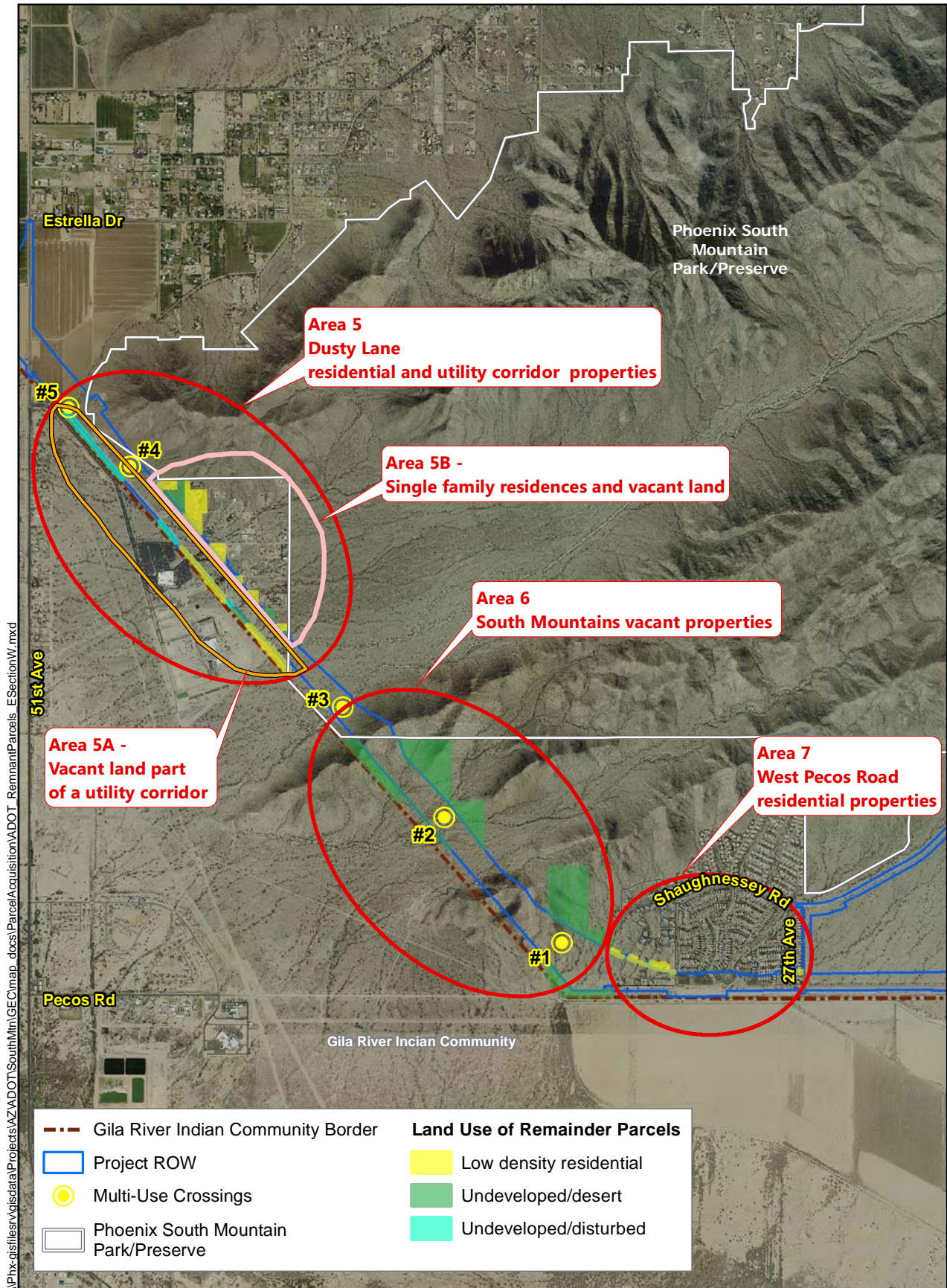
Aerial photography date: July 2013

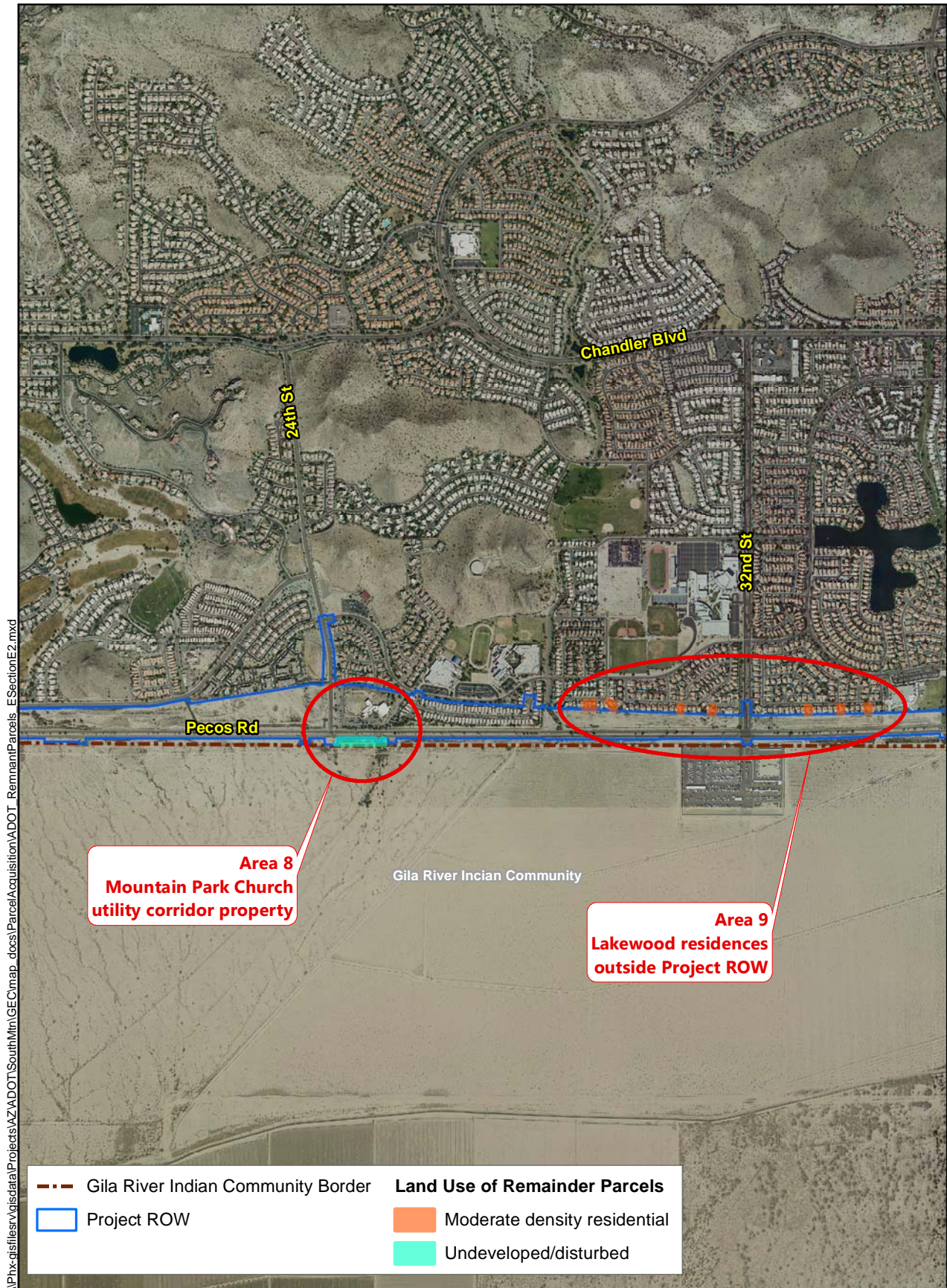
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Remainder Parcel Overview Map
Western Section, South

May, 31, 2016

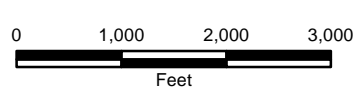




South Mountain Transportation Corridor
Federal-aid Project Number: NH-202-D(ADY)
ADOT Project Number: 202L MA 054 H5764 01C

Figure 5

Aerial photography date: July 2013



Remainder Parcel Overview Map
Eastern Section, East

May, 31, 2016

3. Environmental Consequences

This section presents an analysis of environmental consequences at a corridor-wide level and then provides additional details within each of the nine geographical areas described in the previous section. All of the mitigation and commitments made in the FEIS and ROD for the project apply to the remainder parcels presented in this reevaluation.

Corridor-wide Analysis

The remainder parcels are all located adjacent to the ROW footprint analyzed during the FEIS/ROD. Table 1 and the following sections provide a corridor-wide assessment of the environmental impacts from the entirety of the remainder parcels. The Setting/Resource Circumstance column in Table 1 and the subsequent sections refer to the respective sections found in Chapter 4 of the FEIS.

Table 1. Environmental Consequences Assessment, Remainder Parcels					
Setting/Resource Circumstance	Change in Affected Environment		Change in Environmental Impact		Additional Discussion Included
	Yes	No	Yes	No	
Land Use		X	X		See discussion below
Social Conditions		X		X	
Environmental Justice and Title VI		X		X	
Displacements and Relocations		X	X		See discussion below
Economics		X		X	See discussion below
Air Quality		X		X	
Noise		X		X	
Water Resources		X		X	
Floodplains		X		X	
Waters of the United States		X		X	See discussion below
Topography, Geology, Soils		X		X	
Biological Resources		X	X		See discussion below and additional details in Geographical Area Analysis.
Cultural Resources		X	X		See discussion below and additional details in Geographical Area Analysis.

Table 1. Environmental Consequences Assessment, Remainder Parcels					
Setting/Resource Circumstance	Change in Affected Environment		Change in Environmental Impact		Additional Discussion Included
	Yes	No	Yes	No	
Prime and Unique Farmland		X		X	See discussion below
Hazardous Materials		X		X	See discussion below
Visual Resources		X		X	
Energy		X		X	
Temporary Construction Impacts		X		X	
Material Sources and Waste Material		X		X	
Secondary and Cumulative Impacts		X		X	
Section 4(f)/6(f)		X		X	See discussion below

Land Use

The remainder parcels are made up of 170 acres of agricultural, 227 acres of industrial/commercial, 43 acres of residential, and 68 acres of undeveloped land. The remainder parcels increase the acreage of the overall project by 508 acres or 28 percent; however, because it is anticipated that almost all of this land would be sold or disposed after construction, the extent of this impact is mainly temporary.

Displacements and Relocations

In the Dusty Lane area, there is a well located within the Project ROW that feeds a residential home outside of the Project ROW that ADOT anticipates acquiring (Parcel 7-11591; see page A-74 in Appendix A). This home was not accounted for in the displacements disclosed in the FEIS. All other displacements and relocations associated with the remainder parcels were disclosed in the FEIS.

Economics

The additional acreage of the remainder parcels would not substantially increase economic impacts from those disclosed in the FEIS/ROD because ADOT intends to dispose most of the remainder parcels; therefore, any economic impact related to removal of a land base from property or sales tax would be temporary and the property would either remain in its current land use or convert to another land use based on ownership and jurisdictional plans.

Waters of the US

Although there are waters of the US within remainder parcels, there will be no additional impacts beyond those disclosed in the FEIS because discharge of fill material in the Waters of the US outside of the ROW footprint is prohibited.

Biological Resources

Remainder parcels were evaluated to determine if the acquisition of the parcels would result in new effects or contribute to cumulative effects beyond those addressed in the FEIS. Remainder parcels represent an approximate increase of 13 percent in the total desert habitat land cover type for the South Mountain Freeway project, 129 percent for industrial/commercial, 26 percent for residential, 24 percent for agricultural, and 2 percent for disturbed vacant land.

The evaluation included obtaining information from the USFWS and Arizona Game and Fish Department (AGFD) species databases to update species lists. With the exception of the addition of proposed critical habitat for the yellow-billed cuckoo (*Coccyzus americanus*), the Mexican gray wolf (*Canis lupus baileyi*) 10(j) area, and the common chuckwalla (*Sauromalus ater*), the species and concerns were all addressed in the FEIS and Biological Evaluation. Proposed critical habitat for the yellow-billed cuckoo is over 2 miles from the project limits and the project area does not support suitable habitat for the Mexican gray wolf. Impacts to the common chuckwalla were referenced within the FEIS as general impacts to reptile species and subsequent coordination with the AGFD and Gila River Indian Community resulted in an agreement to have AGFD remove common chuckwalla from suitable rocky habitat prior to construction within that habitat. The following requirement is included in the contractual technical provisions for the Project: Developer shall notify ADOT 20 days prior to initiation of ground disturbing activities in all areas with suitable habitat for chuckwalla (rocky crevices or as defined by AGFD). ADOT will employ AGFD to relocate chuckwalla from the area during the 20 day period.

Impacts to remainder parcels located outside of the footprint would not alter the conclusions for the impacts to biological resources as discussed in the FEIS for the Project. There will be no new effects to species, habitat, or wildlife connectivity because the remainder parcels are adjacent to or near the habitat addressed in the EIS and the habitat in the remainder parcels do not include any unique characteristics. Also, the additional area for undeveloped Sonoran desertscrub habitat is small in relation to similar habitat in the corridor footprint and project area.

Cultural Resources

Survey for cultural resources was completed for the remainder parcels. Three archaeological sites were identified as reported in “*A Class III Cultural Resources Survey of 20 ADOT Parcels in Support of the 202L, South Mountain Freeway Project Environmental Impact Statement Reevaluation, Maricopa County, Arizona*” (Bartholomew and Brodbeck 2016). FHWA

determined site AZ T:12:14(PG) was eligible for listing on the NRHP under Criterion D and that sites AZ T:12:427[Arizona State Museum (ASM)] and AZ T:12:428(ASM) were ineligible for NRHP listing. The effects to historic properties will be mitigated per the Programmatic Agreement (PA) executed for the project on July 21, 2016. Consultation information and the PA are provided for reference in Appendix B.

Prime and Unique Farmlands

The Farmland Conversion Impact Rating for Corridor Type Projects form (NRCS-CPA-106) was resubmitted to the Natural Resources Conservation Service for scoring (see Appendix C). The updated scoring for the Selected Alternative including the remainder parcels was 159, which is below the 160-point threshold for protection consideration. This result is consistent with previous scoring and did not result in changes to the mitigation. ADOT intends to dispose most of the agricultural remainder parcels; therefore, the property would either remain in its current land use or convert to another land use based on ownership and jurisdictional plans.

Hazardous Materials

A Draft Initial Site Assessment for hazardous materials was completed in November 2012 and was updated in an addendum in June 2014 as part of the FEIS/ROD for the Project. Prior to personnel conducting or observing ground disturbing activities on high-risk areas, they shall possess a 40-hour HAZWOPER training/certification. Phase I environmental site assessments are being completed for each parcel.

Section 4(f) and 6(f)

Remainder parcels within Geographical Areas 5, 6, and 7 are within the administrative boundary of the South Mountains Traditional Cultural Property. The remainder parcels are an additional use of the TCP due to the increased area being acquired for the Project. However, the remainder parcels do not change the Section 4(f) analysis presented in the FEIS/ROD because the measures to minimize harm to the South Mountain TCPs will be implemented for these remainder parcels.

Geographical Area Analysis

Area 1 – I-10 commercial properties

Area 1 encompasses the portion of the project between I-10 and Lower Buckeye Road. It is primarily developed with industrial, commercial and multi-family land uses. There are 22 total parcels in this area with remainder parcels outside of the Project ROW, totaling 95.3 acres (see additional details in Table 2 and Appendix A beginning on page A-1). Four of these parcels are entirely outside of the Project ROW and will remain undisturbed by the Project. There are two other vacant parcels that will remain undisturbed by the project. The remaining parcels are

anticipated to require demolition activities. There is a potential for some of these remainder parcels to be used during construction for temporary field offices or lay-down yards, but after construction it is anticipated that all of this land would be disposed per ADOT policy and procedures.

Table 2. I-10 Commercial Properties						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-05933	ADOT	104-26-009	5737 W Buckeye Rd	Office	0.83	4
7-10600	ADOT	104-04-007	210 S 57th Dr	Vacant	1.76	4
7-10612	ADOT - Martinez	104-04-512	5715 W Van Buren St	Vacant	3.42	1
7-10784	ADOT	104-19-003E	445 S 59th Ave	Vacant	11.11	4
7-10906	ADOT	104-04-003	5727 W Van Buren St	Vacant	0.49	4
7-11323	ADC-Ridge at Sun Valley, LLC	103-28-004	801 N. 59th Avenue	Apartments	2.46	3
7-11426	Azejm Land Holdings LLC	103-27-061	1202 N 54th Ave	Warehouse	4.66	3
7-11438	Blue Beacon International Inc	103-27-062A	1235 N 57th Ave	Truck Wash	1.53	3
7-11459	Copper State Rubber of Arizona	104-18-004L, 104-18-004M, 104-18-008, 104-18-009, 104-18-010	740 S 59th Ave	Manufacturing Facility	1.63	3
7-11476	Denio's Roseville Farmers Market and Auction, Inc	104-05-004Z	224 N. 59th Ave	Storage Yard	1.14	3
7-11484	Dolphin Inc	104-05-001J, 104-05-011, 104-05-010B, 104-05-005A, 104-18-003N, 104-18-006A, 104-18-004H, 104-18-004S, 104-18-004N, 104-18-015	350 S 59th Ave	Industrial Manufacturing	32.13	3

Table 2. I-10 Commercial Properties						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11500	59 NKW Properties LLC	104-04-045	249 S 59th Ave	Apache Rentals	6.91	3
7-11515	Gp Southwest	104-18-003G	842 S 59th Ave	Driver Training	1.48	3
7-11523	Ampj Hospitality Inc	103-27-028B	1242 N 53rd Ave	Motel	1.70	3
7-11542	JGZ Properties I LLC	104-18-003C	802 S 59th Ave	Commercial	3.68	3
7-11634	JMD Hospitality, LLC	103-27-029B	1241 N 53rd Ave	Motel	1.81	3
7-11669	Ryder Truck Rental Inc	103-27-017B, 103-27-018, 103-27-019, 103-27-020, 103-27-021B	1239 N 56th Ave	Truck Rentals	6.07	3
7-11691	SJW Land Company	104-04-013, 104-04-014, 104-04-015, 104-04-018	1 N 59th Ave	Refrigerated Warehouse	1.17	3
7-11696	Southwest Village Apartments LLC	103-28-003K	777 N 59th Ave	Apartments	9.54	3
7-11731	West Valley Storage Solutions LLC	103-27-027C	1239 N 54th Ave	Mini - Storage	1.05	3
7-11755	Rimex, Inc., a Nevada corporation	104-04-035	5801 W. Van Buren	Commercial Bldg.	0.43	2
7-11756	Southwest Village Investments I, LLC	103-28-003J	N/A	Vacant	0.29	1
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

With exceptions noted below, all of the remainder parcels within Area 1 are completely disturbed by modern development with no native ground surface remaining and as such, these

parcels were not surveyed for cultural resources. The historic building inventory performed for the EIS/ROD did not identify any historic buildings or structures.

Parcel 7-11756 is a vacant parcel and was surveyed for cultural resources by HDR Engineering (HDR). The results are reported in “*A Final Class III Survey of the W59 and E1 Alignments for the South Mountain Freeway, Maricopa County, Arizona*” (Brodbeck 2015). Section 106 consultation was conducted and SHPO concurred with the adequacy of the report (Petty [FHWA] to Jacobs [State Historic Preservation Office {SHPO}] July 23, 2015, SHPO concurrence July 29, 2015).

Parcels 7-10600, 7-10612, 7-10784, and 7-10906 are vacant lots that were surveyed for cultural resources. The results are reported in “*A Class III Cultural Resources Survey of 20 ADOT Parcels in Support of the 202L, South Mountain Freeway Project Environmental Impact Statement Reevaluation, Maricopa County, Arizona*” (Bartholomew and Brodbeck 2016). SHPO concurred with the adequacy of the report (Petty [FHWA] to Jacobs [SHPO] March 28, 2016, SHPO concurrence April 5, 2016).

BIOLOGICAL RESOURCES

With exceptions noted below, all of these remainder parcels are completely developed; vegetation is generally absent and the parcels have limited value for wildlife.

Parcel 7-11756 is a vacant, cleared area adjacent to an apartment complex to the north and a farm field to the south. Vegetation occurs in a small depression that includes weedy species and grasses. The property has little value for wildlife. Parcel 7-10612 is a vacant, cleared lot bordered by industrial development and an agricultural field. Water collects in low patches where weedy species and a number of small mesquite trees are growing. Landscape trees border the parcel. This parcel has limited value for wildlife but likely provides habitat for some lizards and birds. Parcel 7-10784 is a vacant, cleared lot within an industrial development. Patches of weedy species grow in low areas that collect water and a few trees grow along an abandoned railroad spur. This parcel has limited value for wildlife but likely provides some habitat for some lizards and birds. Parcel 7-10906 is a vacant, cleared lot bordered by industrial development and an agricultural field. Vegetation includes weedy species and a number of small paloverde trees. Landscape trees border one end of the parcel. This parcel has limited value for wildlife but likely provides habitat for some lizards and birds. Parcel 7-10600 is a vacant, cleared lot within an industrial development. Patches of weedy species grow in low areas that collect water. This parcel has limited value for wildlife.

Area 2 – Rio Del Rey residential properties

Area 2 encompasses the single-family residential neighborhood just north of Broadway Road on each side of the Project ROW. There are 10 total parcels in this area with remainder parcels

outside of the Project ROW, totaling 1.0 acres (see additional details in Table 3 and Appendix A beginning on page A-24). All of these parcels are planned for demolition. The remainder parcels are non-economical remnants and will most likely remain in ADOT ownership after construction. If the parcels remain in ADOT's possession after construction they would be landscaped and maintained along with the adjacent Project ROW.

Table 3. Rio Del Rey Residential Properties						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11516	Granado Luz Adriana	104-57-051	6201 W Encinas St	SFR ^b	0.07	3
7-11522	Felipe N. Oblea and Erika Gallardo De Negrete,	104-57-239	4227 S 61st Ave	SFR	0.17	3
7-11532	Hoffman Sandra	104-57-076	6202 W Encinas Ln	SFR	0.13	3
7-11553	Kenneth C. Kilgore, Jr. and Machele Kilgore,	104-57-238	4232 S. 61st Avenue	SFR	0.15	3
7-11566	Bailey, Colette	104-57-077	6201 W Southgate Ave	SFR	0.13	3
7-11582	Lopez Melissa D/Bravo Alan R	104-57-025	6201 W Wood St	SFR	0.01	3
7-11589	Maricopa Rentals Limited Partnership	104-57-050	6202 W Wood St	SFR	0.05	3
7-11613	Laura Nava,	104-57-236	4239 S. 61st Avenue	SFR	0.11	3
7-11637	Perez Felipe/Lucia M	104-57-023	6206 W Pueblo Ave	SFR	0.04	3
7-11672	SS 1 Holding -2 LLLP,	104-57-237	4235 S. 61st Avenue	SFR	0.14	3
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b single family residence						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

The remainder parcels in Area 2 are completely disturbed residential development with no native ground surface remaining; as such, they were not surveyed for cultural resources.

BIOLOGICAL RESOURCES

The remainder parcels are single family residences within a suburban neighborhood with limited landscaped vegetation that have limited value for wildlife.

Area 3 – Salt River aggregate mining property

Area 3 encompasses a sand and gravel mining property located between 51st and 63rd avenues on the north side of the Salt River (see additional details in Table 4 and Appendix A beginning on page A-35). The remainder land from this single parcel (7-11716) is 144.4 acres and falls east and west of the freeway. The land has been previously disturbed by mining but is no longer an active mining area. No demolition activities are anticipated. ADOT intends to retain the remainder property in the current condition after construction as protection against future mining in the river bed near the freeway.

Table 4. Salt River Aggregate Mining Property						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category ^a
7-11716	Union Rock & Materials Group	104-65-001, 104-65-002D, 104-65-004B, 104-65-002C	4802 S 59th Ave	Mining/ river bed	57.44	3
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

Parcel 7-11716 was partially surveyed for cultural resources by the Gila River Indian Community Cultural Resource Management Program (CRMP). The results are reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). SHPO previously concurred with the adequacy of the report (Jacobs [SHPO] to Greenspan [ADOT, January 23, 2006). The remainder of the parcel was surveyed by SWCA, Inc., Environmental Consultants as part of a separate undertaking. The results of the SWCA survey are reported in *Archaeological*

Survey at Pioneer Concrete's 59th Avenue Site, Maricopa County, Arizona (Mitchell and Ryden 2001). Prior consultation for this report was not available.

BIOLOGICAL RESOURCES

The property is part of the dry Salt River main channel and riverbank that has been heavily disturbed by gravel mining. This area is mainly gravel and sand with little vegetation present. Some plants typically found in the Sonoran creosote desertscrub community are present in low densities. These include mesquite and creosotebush (*Larrea tridentata*), as well as a larger number of weedy species such as tamarisk (*Tamarix* sp.), burrobrush (*Ambrosia dumosa*) desert broom (*Baccharis sarothroides*), common sunflower (*Helianthus annuus*), carelessnessweed (*Amaranthus palmeri*), and prickly Russian thistle (*Salsola tragus*).

Although heavily altered, the parcel provides some habitat for a variety of wildlife due to its location within the Salt River channel. The Salt River, which is identified as a potential wildlife linkage zone and is addressed within the FEIS, is important for maintaining wildlife movement and dispersal through the area. Western burrowing owls (*Athene cunicularia*), which are protected by the Migratory Bird Treaty Act and have been identified by the AGFD as a Species of Greatest Conservation Need, may have burrows in this area. Due to its location along and within the Salt River, the parcel will not be developed and will be allowed to grow vegetation naturally or eventually be incorporated into the Rio Salado Oeste habitat restoration project that would increase the parcel's value to wildlife over time.

Area 4 – Laveen agricultural, residential, and utility corridor properties

Area 4 encompasses the area between Southern Avenue and 51st Avenue. There are 15 total parcels in this area with remainder parcels outside of the Project ROW, totaling 182.3 acres (see additional details in Table 5 and Appendix A beginning on page A-37). These parcels are mixed among parcel categories 1, 2, and 3. There is a potential for some of these remainder parcels to be used during construction for temporary field offices or lay-down yards, but after construction it is anticipated that all of this land would be disposed. Structures that are in disrepair or a safety hazard may be demolished prior to disposal.

Table 5. Laveen Agricultural, Residential, and Utility Corridor Properties

ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11182	ADOT - La Salvia	300-02-031A, 300-02-032A, 300-02-033, 300-02-034, 300-02-037A, 300-02-037B, 300-02-038, 300-02-041, 300-02-042, 300-03-016D	NA ^b	AG ^c (SFR ^d)	143.13	3
7-11316	ADOT	300-02-021G	NA	Vacant	9.99	4
7-11462	Ellis & Williams	300-03-016J	5901 W Elliot Rd.	SFR	1.20	3
7-11492	Edwards Paul F/Melanie A	300-03-018F, 300-03-018G	11202 S. 59th Ave.	SFR / Business	1.73	3
7-11494	Erran Gary J/Shai	300-03-016H	10828 South 59th Avenue	SFR	0.59	3
7-11499	Wild Paw Enterprises, LLC	300-02-021F	8444 S. 61st Ave	SFR	6.77	3
7-11502	Michael Foerst	300-02-021H	6104 W. Dobbins	SFR	0.01	2
7-11554	Kloeber Family Trust	300-03-019D	12722 S. 51st Avenue	SFR / Business	0.17	2
7-11558	KS LLC	300-03-016E	NA	AG	0.89	1
7-11575	Lines Brothers Land & Cattle LLC	104-86-002H	6015 W. Vineyard	AG	1.04	1
7-11576	Lines (family)	300-03-019G, 300-03-20A, 300-03-023F; 300-07-002B, 300-07-010D, 300-07-011	12432 S. 51st Avenue	AG	3.79	1
7-11610	Moss Michael L/Kathy A	104-86-001R	7221 S. 61st Dr	SFR	0.09	2
7-11611	Moss Michael L/Kathy A	104-86-001P	NA	Vacant	0.28	1

Table 5. Laveen Agricultural, Residential, and Utility Corridor Properties						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11704	Taylor Morrison / Arizona, Inc	300-03-002A, 300-03-032, 300-03-037, 300-03-021	NA	AG	12.16	1
7-11786	Daniel C. Kohn	300-03-016F	5919 West Elliot Road	SFR	0.47	3
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b not applicable; ^c agricultural; ^d single family residence						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

The parcels in Area 4 were surveyed for cultural resources by CRMP and HDR. The results of the surveys are reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005), “*An Addendum Cultural Resources Report for the 202L, South Mountain Freeway EIS & L/DCR Project, Maricopa County, Arizona*” (Brodbeck and Pratt 2005), “*A Class I and Class III Cultural Resource Survey for the Proposed Western Transmission Line Realignment, in Support of the South Mountain Loop 202 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen and the City of Phoenix, Maricopa County, Arizona*” (McCool and Loendorf 2012), and “*A Final Class III Survey of the W59 and E1 Alignments for the South Mountain Freeway Project, Maricopa County, Arizona*” (Brodbeck and others 2015). SHPO previously concurred with adequacy of these reports through Section 106 consultation (Jacobs [SHPO] to Greenspan [ADOT, January 23, 2006; Greenspan [ADOT] to Jacobs [SHPO] September 29, 2005, SHPO concurrence October 3, 2005; Petty [FHWA] to Jacobs [SHPO] October 31, 2012, SHPO concurrence November 5, 2012; Petty [FHWA] to Jacobs [SHPO] July 23, 2015, SHPO concurrence July 29, 2015).

Parcel 7-11499 was partially surveyed for cultural resources by CRMP as reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). The remainder of the property was surveyed by HDR (Brodbeck and others 2015). SHPO concurred with the adequacy of both reports (Jacobs [SHPO] to Greenspan [ADOT, January 23, 2006; Petty [FHWA] to Jacobs [SHPO] July 23, 2015, SHPO concurrence July 29, 2015).

BIOLOGICAL RESOURCES

There are varying conditions as noted below, however due to human use, these parcels have limited value for most wildlife. Mammal species that may use the existing habitat include various rodent and skunk species, gray fox (*Urocyon cinereoargenteus*), coyote (*Canis latrans*), bobcat (*Lynx rufus*), javelina (*Tayassu tajacu*), and mule deer (*Odocoileus hemionus*). Nesting migratory birds may use the trees, burrowing owls may use banks of irrigation canals, and various protected bats and reptiles may use outbuildings on agricultural parcels. Details of the parcels with significant vegetation present are as follows:

- ▶ Parcels 7-11462 and 7-11494 are heavily wooded with mature landscape trees; they are isolated residential parcels located adjacent to each other and surrounded by agricultural land.
- ▶ Parcels 7-11492, 7-11502, and 7-11786 are low-density, rural residential parcels surrounded by agricultural land uses.
- ▶ Parcel 7-11558 is an agricultural parcel in which the remnant land is encumbered by a utility easement.
- ▶ Parcel 7-11316 is moderately to heavily wooded with various aged trees that have been previously removed in sections and in the eastern third have grown to a mature stage; it is a vacant parcel completely outside of the Project ROW and surrounded by agricultural land.

In accordance with the commitments in the FEIS/ROD, surveys for migratory birds, burrowing owls, reptiles, and bats will be conducted as warranted according to the habitat present on these parcels.

Area 5 – Dusty Lane residential and utility corridor properties

Area 5 encompasses the single-family residential neighborhood just east of 51st Avenue along Dusty Lane. There are 25 total parcels in this area with remainder parcels outside of the Project ROW, totaling 22.6 acres (see additional details in Table 6, Table 7, and Appendix A beginning on page A-53). The remnant parcels in this area have been subdivided based on those that are west of the freeway (Area 5A- vacant land part of a utility corridor) and east of the freeway (Area 5B - single family residences and vacant land).

AREA 5A – VACANT LAND IN UTILITY CORRIDOR

Area 5A is made up of 11 parcels (see additional details in Table 6 and Appendix A beginning on page A-53). The remainder parcels are a narrow strip of partially disturbed land that includes an overhead high voltage transmission line and underground water line corridor. No demolition or construction will occur within these remainder parcels. Because of the utility corridor, these remainder parcels have no economical value. Unless the utility owner decides to acquire the

remainder parcels from ADOT, the remainder parcels will remain in their current state in ADOT ownership after construction.

Table 6. Dusty Lane Vacant Land in Utility Corridor						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11481	Robert & Candice Diaz	300-04-051, 300-04-002D	4543 W Ivanhoe St.	SFR ^b	0.30	1
7-11565	Walter Lay	300-04-021A	4601 W Sandy Rd	SFR	0.56	1
7-11616	Nathan Family Trust / Stephen & Martha Nathan	300-07-003F	14801 S 27th Ave	Vacant	1.49	1
7-11619A	Arthur & Carmina Nephew (Parcel 1)	300-04-028J	15004 S. 43rd Ave	SFR	0.50	2
7-11619B	Arthur & Carmina Nephew (Parcel 2)	300-04-028K	15004 S. 43rd Ave	SFR	1.72	2
7-11640	City of Phoenix	300-07-003L	4847 W Dusty Lane	Vacant	0.48	1
7-11650	Eleazar & Guadalupe Ramirez; Ernesto Ramirez	300-04-054	14800 S. 45th Ave	SFR	1.06	2
7-11702	ADOT	300-04-028L	15030 S 43rd Ave	SFR	0.69	2
7-11724	Richard & Teresa Villa	300-04-053	14600 S. Dusty Lane	SFR	0.38	2
7-11740	David Olivarez & Jack Strong. Jack Strong Revocable Trust	300-07-003R	NA	Vacant	0.46	1
7-11913	City of Phoenix	300-04-017V, 300-04-050	14717 S 45th Ave	Vacant	0.77	1
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b single family residence						

Additional details related to cultural resources and biological resources include:

Cultural Resources

The parcels in Area 5 were surveyed for cultural resources by CRMP. The results are reported in *“A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain*

Freeway Corridor Study Area, Maricopa County, Arizona” (Darling 2005). SHPO concurred with the adequacy of the report (Jacobs [SHPO] to Greenspan [ADOT, January 23, 2006).

Biological Resources

The remainder parcels are located between a low-density rural neighborhood and the Gila River Indian Community’s casino property adjacent to Dusty Lane. The remainder parcels include an overhead high voltage transmission line corridor. The construction, maintenance access, and vehicular traffic associated with the powerline and Dusty Lane has resulted in highly disturbed vegetation and soils in this area. Vegetation is mostly sparse and although native plant species such as creosotebush, mesquite and a small number of saguaros (*Carnegiea gigantea*) are present, the soils are highly disturbed. The parcels provide habitat for some species, including reptiles, birds, and small mammals such as rodents and rabbits. Larger mammals such as coyote, bobcat, and javelina may move through the parcels to access habitat in the vicinity.

Since the remainder parcels are part of a utility corridor and there are no plans to perform any demolition or construction within these parcels, there will be no additional effects on wildlife that may use or cross the remainder parcels beyond those identified in the FEIS/ROD.

AREA 5B - SFR OR VACANT LAND (NON-UTILITY CORRIDOR)

Area 5B is made up of 14 parcels (see additional details in Table 7 and Appendix A beginning on page A-65). These parcels are mixed among parcel categories 1, 2, and 3. There is a potential for some of these remainder parcels to be used during construction for temporary field offices or lay-down yards, but after construction it is anticipated that all of this land would be disposed. Structures that are in disrepair or a safety hazard may be demolished prior to disposal.

Table 7. Dusty Lane SFR or Vacant Land (non-utility corridor)						
ADOT Parcel No.	Owner’s Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11437	Dennis Berube	300-04-017X	4418 W Galveston St	SFR ^b	0.01	2
7-11450	Marcelino Corona Sanchez & Micaela Vasquez	300-04-025A	15000 S. 43rd Ave	Vacant with well on parcel 2	0.03	1
7-11460	Tomas & Maria Cortez	300-04-021E	4544 W Ivanhoe St	SFR	0.04	3
7-11463	Robert & Maia Crawley	300-04-017S, 300-04-017U	4427 W Monterey St	SFR / Vacant	0.08	2

Table 7. Dusty Lane SFR or Vacant Land (non-utility corridor)						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11490	Vivian Durazo; Gregorio Robles; Maria Martinez	300-04-049	NA	Vacant	0.66	1
7-11520	Charlie Hamilton & Debora Pinkham	300-04-021G	4607 W Sandy Rd	SFR	0.41	3
7-11556	Troy Koile	300-04-002B	14405 S. 45th Ave	SFR	1.11	3
7-11580	Brian & Ellen Loehnis	300-04-002E	14428 S. 45th Ave	SFR	0.01	2
7-11591	Desiderio & Kathryn Marquez	300-04-003J, 300-04-003K	4535 W Ray Rd	SFR with well	3.95	3
7-11618	Harold & Crystal Nelson, Trustees of the Harold & Crystal Nelson Revocable Trust	300-04-024A	14910 S. 43rd Ave	SFR	0.50	3
7-11620	Roy New Successor Trustee of the New Family Irrevocable Trust	300-04-003C	4631 W Ray Rd	SFR with well	2.16	3
7-11636	Enrique Pena	300-04-017Y	4410 W Galveston St	SFR	0.42	3
7-11676	Harry Sanaski	300-04-003H	NA	Vacant with well	3.44	1
7-11735	Stephen & Ellen Zalecki	300-04-021C	4545 W Sandy Lane Dr	SFR	1.36	3
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b single family residence						

Additional details related to cultural resources and biological resources include:

Cultural Resources

HDR surveyed a portion of Parcel 7-11676 which had not been previously covered. The results

are reported in “*A Class III Cultural Resources Survey of 20 ADOT Parcels in Support of the 202L, South Mountain Freeway Project Environmental Impact Statement Reevaluation, Maricopa County, Arizona*” (Bartholomew and Brodbeck 2016). SHPO concurred with the adequacy of the report (Petty [FHWA] to Jacobs [SHPO] March 28, 2016, SHPO concurrence April 5, 2016).

The remainder of the parcels in Area 5B was surveyed for cultural resources by CRMP. The results are reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). SHPO concurred with the adequacy of the report (Jacobs [SHPO] to Greenspan [ADOT], January 23, 2006).

Biological Resources

The parcels are part of a low-density rural neighborhood with some parcels adjacent to the Phoenix South Mountain Park/Preserve. Some parcels include primarily the residential buildings and outbuildings and others are undisturbed Sonoran desertscrub that include vegetation that is characterized as low quality Sonoran desert tortoise (*Gopherus morafkai*) habitat (see AGFD 2014 report “Habitat Evaluation for Sonoran Desert Tortoise along the Proposed Right-of-Way for the Loop 202 South Mountain Freeway available at azdot.gov/southmountainfreeway). Mesquite, paloverde (*Parkinsonia* spp.), creosotebush, and saguaros are the predominant plant species. Although native habitat conditions have been altered in much of the developed neighborhood, the undisturbed parcels and proximity to undisturbed native habitat are likely to attract and provide habitat for the wide variety of wildlife found in the area, throughout the parcels.

The clearing or use of these parcels for project construction will be limited to previously disturbed areas to minimize the impacts on undisturbed desertscrub habitat. This will help maintain the amount of native wildlife habitat and resources in the area and minimize the displacement of wildlife. Demolition of buildings also has the potential to cause direct mortality to wildlife, including reptiles, small mammals, and migratory birds that may use the buildings for refuge, denning, and nesting habitat. Parcels that are disturbed by demolition or construction activities will be seeded with native species after use of those parcels, allowing regrowth of habitat. Since ADOT is likely to dispose these parcels after construction, the parcels would revert to current zoning for single-family residential development and wildlife habitat suitability in the future would be dependent on the density of development. Temporary impacts on wildlife in these parcels due to construction disturbance and noise are anticipated to be the same as for the overall project described in the FEIS/ROD due to the proximity to the ROW boundary.

If any Sonoran Desert tortoises are encountered during construction activities, the most current AGFD guidelines for handling Sonoran desert tortoises will be followed (see AGFD Web site

<azgfd.com/Wildlife/NonGameManagement/Tortoise>).

Area 6 – South Mountains vacant properties

Area 6 encompasses vacant parcels within the area of the South Mountains. There are seven total parcels in this area with remainder parcels outside of the Project ROW, totaling 58.2 acres (see additional details in Table 8 and Appendix A beginning on page A-80). Depending on the resolution of Maricopa County Case No. CV2015-011890, the remainder land north of the Project ROW within Parcels 7-11434, 7-11600, and 7-11443 is expected to be disposed to the City of Phoenix to be incorporated into the Phoenix South Mountain Park/Preserve. The remainder land north of the Project ROW from Parcels 7-11451, 7-11518, 7-11617, and 7-11926 will be disposed per ADOT policies and procedures. The land south of the Project ROW from Parcels 7-11443 and 7-11926, which is part of a utility easement, will remain in its current condition in ADOT's possession.

Table 8. South Mountains Vacant Properties

ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category ^a
7-11434	BBC Phoenix LLC	300-04-013E, 300-04-015X	NA ^b	Vacant	7.73	1
7-11443	Cach Holdings LLC	300-04-011A	NA	Vacant	11.41	1
7-11451	Mark Clounch dba Mark_L Assoc. Profit Sharing Plan	300-05-004F	14645 S. 4th Ave	Vacant	7.85	1
7-11518	Randolph Dean Gross & Beth Deborah Gross Revocable Living Trust	300-05-004D	14801 S. 27th Ave	Vacant	5.91	1
7-11600	Matmon LLC	300-04-011D, 300-04-013G, 300-04-015D, 300-04-015J, 300-04-015K	NA	Vacant	15.36	1
7-11617	National Christian Foundation Real Estate Inc	300-05-004E	14801 S 27th Ave	Vacant	7.36	1
7-11926	BBC Phoenix LLC	300-05-006B	NA	Vacant	2.56	1
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b not applicable						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

The parcels in Area 6 were surveyed or partially surveyed for cultural resources by CRMP. The results are reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). SHPO concurred with the adequacy of the report (Jacobs [SHPO] to Greenspan [ADOT], January 23, 2006).

All of the parcels that were previously only partially surveyed were surveyed by HDR in 2016. The results are reported in “*A Class III Cultural Resources Survey of 20 ADOT Parcels in Support of the 202L, South Mountain Freeway Project Environmental Impact Statement Reevaluation, Maricopa County, Arizona*” (Bartholomew and Brodbeck 2016). SHPO concurred with the adequacy of the report (Petty [FHWA] to Jacobs [SHPO] March 28, 2016, SHPO concurrence April 5, 2016).

BIOLOGICAL RESOURCES

The parcels are part of the South Mountains and lie near the South Mountain Park/Preserve. The parcels typically include rocky slopes, rock outcrops, small hills, and alluvial slopes with undisturbed Sonoran desert scrub vegetation that is characterized as medium quality Sonoran desert tortoise habitat in parcels 7-11434, 7-11443, and 7-11600 and low quality Sonoran desert tortoise habitat in the remainder parcels (see AGFD 2014 report “Habitat Evaluation for Sonoran Desert Tortoise along the Proposed Right-of-Way for the Loop 202 South Mountain Freeway available at azdot.gov/southmountainfreeway). Common chuckwalla (*Sauromalus ater*) habitat is located within the rocky outcrops within most of the parcels. Washes cross through some of the parcels.

The remainder parcels in this area will not undergo any demolition or construction activities as part of the Project. The disposal of parcels to the City of Phoenix for incorporating into South Mountain Park/Preserve will provide some additional long-term protection for wildlife and habitat in an area undergoing development, particularly for wildlife movement at Crossing 2 (see Figure 4) where the parcels are located; however, it is uncertain what the disposition of approximately 60 acres of private property immediately opposite of Crossing 2 will be. The disposal of the other parcels could result in habitat loss, increased habitat fragmentation, and human-related disturbance to wildlife depending on the future use of the land. The use of the parcels that are part of the utility corridor will remain the same with no additional effects on wildlife that may use or cross the parcels beyond those identified in the FEIS/ROD.

Area 7 – West Pecos Road residential properties

Area 7 encompasses residential parcels located at the far west end of Pecos Road. There are nine total parcels in this area with remainder parcels outside of the Project ROW, totaling 1.0 acres

(see additional details in Table 9 and Appendix A beginning on page A-88). One of the parcels (7-11911) has an existing single family residence that will be demolished. All of the other parcels are vacant. The remainder parcels will most likely be disposed after construction.

Table 9. West Pecos Road Residential Properties						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-10535	ADOT	300-05-678	17002 S 31st Ln	Vacant	0.05	1
7-10537	ADOT	300-05-705	3209 W Redwood Ln	Vacant	0.01	1
7-10539	ADOT	300-05-704	3205 W Redwood Ln	Vacant	0.03	1
7-11453	John and Sharon Cochran	300-05-664	3053 W Redwood Lane	Vacant	0.23	1
7-11528	David & Carmen Hernandez	300-05-663	3049 W Redwood Lane	Vacant	0.34	1
7-11644	Glen Zilly	300-05-668	3040 W Cedarwood Lane	Vacant	0.22	1
7-11732	Paul & Shelley Wiest	300-05-662	3045 W Redwood Lane	Vacant	0.41	1
7-11911	Boyd & Brianna Johnson	300-05-617	17013 S 27th Ave	SFR ^b	0.13	3
7-11912	John and Sharon Cochran	300-05-697	16913 S. 32nd Lane	Vacant	0.30	1
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b single family residence						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

Parcel 7-11911 is a completely developed residential development with no native ground surface remaining; as such, the parcel was not surveyed for cultural resources. The other parcels were surveyed for cultural resources by CRMP. The results are reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). SHPO concurred with the adequacy of the report (Jacobs [SHPO] to Greenspan [ADOT], January 23, 2006).

BIOLOGICAL RESOURCES

Parcel 7-11911 is a single family residence within a medium-density suburban neighborhood.

The other parcels are undeveloped lots within a low-density residential development with Sonoran desertscrub vegetation that has degraded as a result of the development's construction activities. The undeveloped parcels are within a walled and gated community that also has walled constructed residences that may hinder use and movement by many species of wildlife except birds and reptiles; however the parcels do provide some habitat for wildlife species found in the area.

Demolition of the single-family residence on Parcel 7-11911 is not expected to affect wildlife as there are no trees and very little vegetation growing on the property. Use of the undeveloped parcels is not anticipated and there would be no impacts on wildlife or habitat. Temporary impacts on wildlife in these parcels due to construction disturbance and noise are anticipated to be the same as for the overall project described in the FEIS/ROD due to the proximity to the ROW boundary.

Since disposal of the parcels is anticipated after project construction, the parcels would remain zoned for single-family residential development and future wildlife habitat suitability would depend on the plans of the future owner.

Area 8 – Mountain Park Church utility corridor property

Area 8 encompasses the utility corridor south of Pecos Road that is part of the Mountain Park Church parcel. The area includes 1.1 acres (see additional details in Table 10 and Appendix A beginning on page A-98). The property is a narrow strip of disturbed land that includes an overhead high voltage transmission line corridor. There is no plan to perform any demolition or construction within this land. Because of the utility corridor, this parcel has no economical value and will remain in its current state. Unless the utility owner decides to acquire the parcel from ADOT, it will remain in ADOT ownership after construction.

Table 10. Mountain Park Church Utility Corridor Property						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-11184	Mountain Park Church	301-70-009N, 301-70-009P	2408 E Pecos Rd	Church	1.13	2
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

The property was previously surveyed for cultural resources by CRMP. The results are reported in “*A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona*” (Darling 2005). SHPO concurred with the adequacy of the report (Jacobs [SHPO] to Greenspan [ADOT], January 23, 2006).

BIOLOGICAL RESOURCES

The property is part of a suburban, developed housing subdivision; the remainder parcel is located immediately adjacent to Pecos Road and includes an overhead transmission line and access road. Vegetation consists primarily of desert broom that collects along a depression along the roadway shoulder. The parcel provides habitat for reptiles and some birds but generally has limited value for wildlife.

Area 9 – Lakewood residences outside Project ROW

Area 9 encompasses an area of the Lakewood neighborhood north of the freeway between 28th Street and 40th Street. The area includes 1.36 acres (see additional details in Table 11 and Appendix A beginning on page A-100). Within this area, there are eight single family residences that were acquired prior to the ROD due to hardships. These parcels were located within the Project ROW at one time during the NEPA process; however, they are no longer within the ROW footprint cleared in the ROD. ADOT has been renting these parcels since they acquired them and will dispose them in the future.

Table 11. Lakewood Residences Outside Project ROW						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
7-10465	ADOT	301-79-466	3429 E Cedarwood Ln	SFR ^b	0.18	4
7-10466	ADOT	301-70-121	2901 E Redwood Ln	SFR	0.13	4
7-10531	ADOT	301-79-461	3401 E Cedarwood Ln	SFR	0.18	4
7-10796	ADOT	301-70-115	2925 E Redwood Ln	SFR	0.24	4
7-10805	ADOT	301-70-119	2909 E Redwood Ln	SFR	0.14	4
7-10806	ADOT	301-70-746	3123 E Redwood Ct	SFR	0.17	4
7-10891	ADOT	301-79-455	3247 E Cedarwood Ln	SFR	0.18	4
7-10984	ADOT	301-70-750	3037 E Redwood Ln	SFR	0.14	4

Table 11. Lakewood Residences Outside Project ROW						
ADOT Parcel No.	Owner's Name	Assessor Parcel Number	Site Address	Property Type	Remnant Parcel Area (acres)	Parcel Category^a
Notes: ^a Parcel categories are defined as: 1) Parcels that are entirely vacant and the remainder parcel is also vacant; 2) Parcels that have built improvements within the Project ROW and the remainder parcel is vacant; 3) Parcels that have built improvements within the Project ROW and the remainder parcel; 4) Parcels that were acquired as hardship or protective acquisitions that are now entirely outside of the Project ROW ^b single family residence;						

Additional details related to cultural resources and biological resources include:

CULTURAL RESOURCES

The parcels are completely disturbed by residential development and no native ground surface remains; as such, they were not surveyed for cultural resources.

BIOLOGICAL RESOURCES

The parcels are single family residences within a suburban neighborhood and have limited value for wildlife other than landscape vegetation that can provide habitat for migratory birds. Since the parcels will be maintained and sold, there will be no new impacts on wildlife.

Summary of commitments related to Remainder Parcels

This section summarizes the commitments made in the Geographic Area Analysis related to prohibiting construction activities within certain remainder parcels. The commitments listed below will be implemented and tracked along with the commitments and mitigations measures presented in the ROD and incorporated as necessary into the contractual technical provisions for the Project.

- ▶ Area 3 - Due to the location of Parcel 7-11716 along and within the Salt River, the parcel will not be developed and will be allowed to grow vegetation naturally or eventually be incorporated into the Rio Salado Oeste habitat restoration project.
- ▶ Area 5A - No demolition or construction will occur within these remainder parcels, which are a narrow strip of partially disturbed land that includes an overhead high voltage transmission line and underground water line corridor.
- ▶ Area 5B - The clearing or use of these parcels for Project construction will be limited to previously disturbed areas to minimize the impacts on undisturbed desertscrub habitat.
- ▶ Area 6 – No demolition or construction will occur within the remainder parcels that are a narrow strip of partially disturbed land that includes an overhead high voltage transmission line and underground water line corridor. The other remainder parcels in this area will not

undergo any demolition or construction activities as part of the Project and will be disposed in accordance with ADOT policy and procedures.

4. Public/Agency Outreach

Land acquisition and relocation assistance services for the project are available to all individuals in accordance with the Uniform Act, as amended. The implementing regulation for the Uniform Act on federally funded highway projects is 49 C.F.R. Part 24. The Uniform Act's objectives are to:

- ▶ provide uniform, fair, and equitable treatment of people whose property is acquired or who are displaced as a result of a federally funded project
- ▶ ensure relocation assistance is provided to displaced people to lessen the financial impact of being displaced
- ▶ ensure decent, safe, and sanitary housing will be made available to displacees within the person's financial means.
- ▶ encourage and expedite acquisition by agreement and without coercion

As part of the Uniform Act, ADOT and its consultants and contractors must prevent discrimination in all highway programs and must ensure compliance with Title VI of the Civil Rights Act of 1964, as amended (42 United States Code § 2000d, et seq.). Accordingly, no person can be excluded from participation in, denied the benefits of, or in any other way be subjected to discrimination under any federally funded program or activity because of his or her race, color, or national origin. For this project, all eligible displaced people will receive the same opportunities with regard to services, benefits, and financial aid. To ensure participation, informational meetings will be scheduled in convenient, accessible locations and at various times.

ADOT and FHWA consistently apply the required acquisition and relocation assistance program (Uniform Act) afforded to affected residents and businesses.

5. Conclusion and Recommendation

Since the ROD was signed, the project development process has continued with preliminary engineering, utility locating and coordination, geotechnical investigations, property acquisition, residential and business relocations, and demolition of parcels needed for the project. On February 26, 2016, ADOT entered into a contract with Connect 202 Partners, LLC, to design, build, and maintain the freeway for a 30-year term. Construction will not begin until after July 13, 2016.

Since approval of the ROD, the following changes in laws or regulations that would affect the analysis of protected resources occurred:

- ▶ The US Fish and Wildlife Service determined that the Sonoran desert tortoise does not warrant endangered species protection and was removed from the Endangered Species Act candidate list; ADOT signed a Candidate Conservation Agreement for the Sonoran desert tortoise as a participating agency

The Selected Alternative with the proposed additional scope items analyzed in the previous section still meets the purpose and need for the proposed action from the FEIS and ROD. No changes to the purpose and need for the project are proposed.

Conclusion

A Supplemental FEIS is not warranted for the following reasons:

- ▶ The proposed modifications are limited in scope and impacts and are all within or adjacent to the ROW footprint analyzed in the FEIS/ROD.
- ▶ The Selected Alternative and its related impacts identified in the FEIS and ROD would not significantly change as a result of the modifications described herein.

Recommendation

FHWA, in coordination with ADOT, reevaluated the South Mountain Freeway, I-10 (Papago Freeway) to I-10 (Maricopa Freeway) FEIS and ROD per 23 C.F.R. § 771.129. FHWA, with concurrence from ADOT, has determined that no substantial changes have occurred in the social, economic, or environmental impacts of the proposed action that would substantially impact the quality of the human, socioeconomic, or natural environment. Therefore, the original environmental document remains valid for the proposed action. It is recommended that the project identified herein be advanced to the next phase of project development.