

LOOP 202
South Mountain
Freeway

South Mountain Freeway FEIS/ROD Reevaluation #6

in Maricopa County, Arizona



Federal Highway Administration

ADOT

Arizona Department of Transportation

June 16, 2017

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

ADOT Project Number: 202L MA 054 H8827 01C

Record of Decision

June 16, 2017

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 § 771.29 to address the clearance of two parcels of new temporary construction easement to be added to the project since the approval of the ROD on March 5, 2015. FHWA, with concurrence from ADOT, has determined that no substantial changes have occurred in 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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6/16/17

Date

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6/19/2017

Date

SOUTH MOUNTAIN FREEWAY PROJECT

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List of Acronyms and Abbreviations

ADOT	Arizona Department of Transportation
AGFD	Arizona Game and Fish Department
BE	biological evaluation
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CAT	Citizens Advisory Team
CFR	Code of Federal Regulations
DEIS	Draft Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
HOV	high occupancy vehicle
I-10	Interstate 10
IBA	Important Bird Area
IPaC	Information, Planning, and Conservation
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
PA	programmatic agreement
ROD	Record of Decision
ROW	right-of-way
SB	southbound
SPCC	Spill Prevention Control and Countermeasure
TCE	temporary construction easement
TI	Traffic Interchange
USACE	US Army Corps of Engineers
USFWS	US Fish and Wildlife Service
Western	Western Area Power Administration

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1.0 Introduction and Project Description

The Federal Highway Administration (FHWA), in coordination with the Arizona Department of Transportation (ADOT), developed this 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 construction of temporary access roads and crane pads that were identified since the approval of the ROD on March 5, 2015, and will be partially located outside the FEIS study limits. Additionally, there is a portion of the new southbound (SB) Salt River Bridge abutment embankment that will require the acquisition of new right-of-way (ROW) also located outside the FEIS study limits. The access roads and crane pads will be constructed in two temporary construction easement (TCE) parcels adjacent and parallel to the South Mountain Freeway ROW where the Salt River bridges will be constructed (Figure 1. Overview Map). The new ROW parcel is also within the reevaluation limits shown in Figure 1. The access roads and crane pads are required at this location because the ROW is too narrow to encompass both the required space for construction operations and the bridges. The new ROW parcel is required to construct the embankment for the SB bridge abutment that will protect the bridge from the erosive forces of water flowing in the Salt River. The land underlying the TCE parcels is part federal land managed by the Bureau of Land Management (BLM) and part land owned by a private party, Cemex Construction Materials South, LLC. After construction of the bridges is completed, the TCE parcels will expire and the unencumbered fee interest in the land will revert back to the BLM and the private landowner. The new ROW parcel will be acquired from Cemex Construction Materials South, LLC, and will be owned (fee title) by the State and permanently incorporated into the State Highway System ROW.

This reevaluation document provides an overview of the freeway project, describes the actions requiring the new ROW and TCE parcels, assesses the environmental consequences of those actions requiring the new ROW and TCE parcels, describes past and future public and agency outreach, and presents a conclusion related to the actions requiring the new ROW and TCE parcels for the freeway project.

1.1 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 (refer to Figure 1. Overview Map). 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.

1.2 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.

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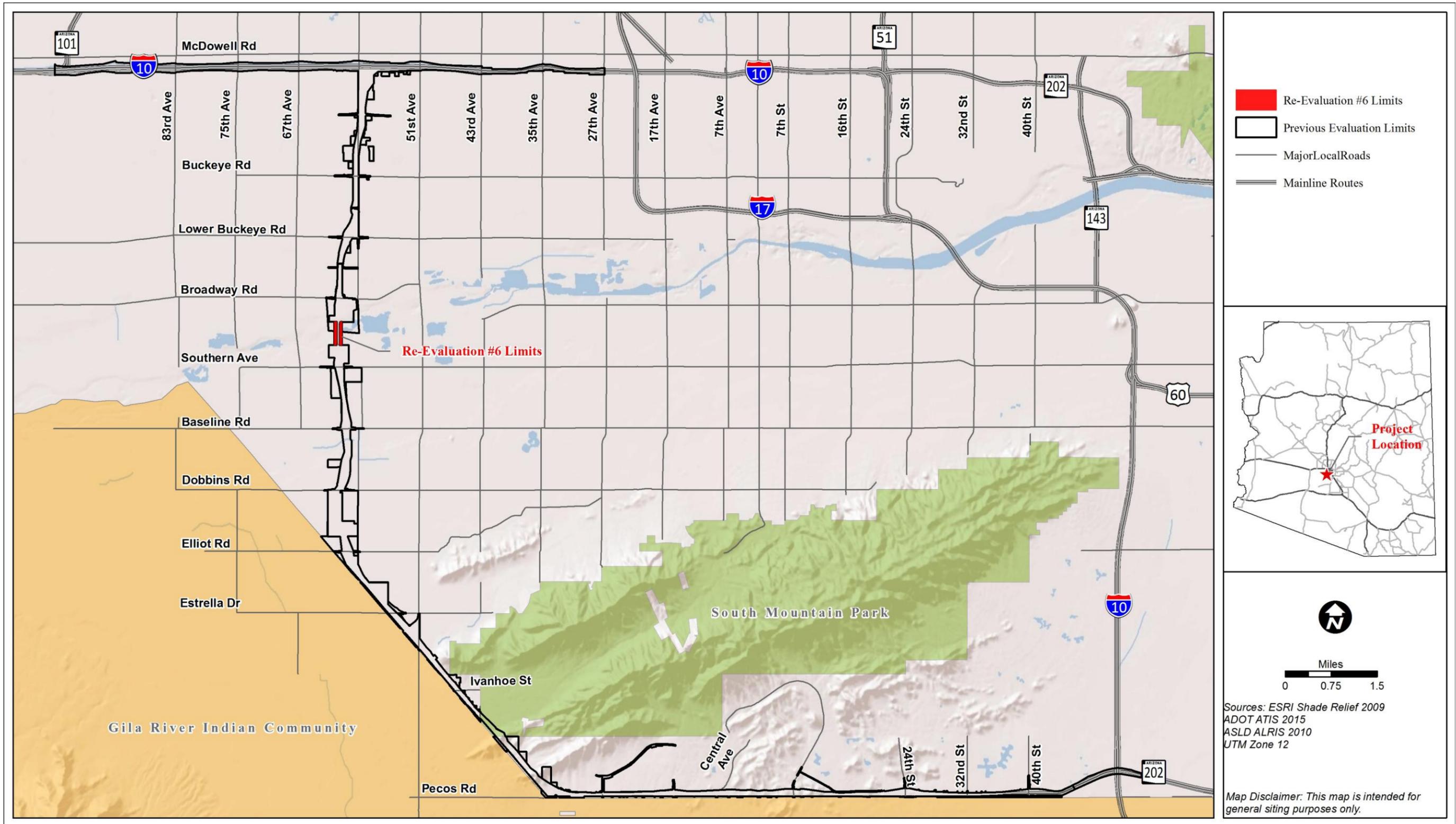


Figure 1. Overview Map

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- 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).
- 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.
- South Mountain Freeway FEIS/ROD Reevaluation (#2) signed June 20, 2016 addressed the addition of remainder parcels to the Project ROW.
- South Mountain Freeway FEIS/ROD Reevaluation (#3) signed August 10, 2016 addresses the addition of Chandler Boulevard: 27th Avenue to 19th Avenue.
- South Mountain Freeway FEIS/ROD Reevaluation (#4) signed March 17, 2017. This reevaluation is for changes from partial parcel acquisitions to entire parcel acquisitions between Vineyard Road and Lower Buckeye Road.
- South Mountain Freeway FEIS/ROD Reevaluation (#5) is being submitted for signature at the same time as this reevaluation. This reevaluation is for the acquisition of 50 parcels of easement and new ROW totaling 61.88 acres that have been identified during final design in locations where stormwater drainage facilities, utility relocations, changes to grading and slopes, changes to the location of ramps at the planned Estrella Drive Traffic Interchange (TI), modifications to the local road system, modifications to driveways and access points, and slight variations from the preliminary ROW plans to the final ROW boundary are necessary.

1.3 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 2,474 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 169 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.

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- The project will affect up to 122 water wells and 94 acres of floodplains.
- The project will impact Waters of the United States and require appropriate permitting approvals from the US 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 indirectly convert 177 acres of prime and unique farmlands to uses other than agriculture.
- 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.

1.4 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.

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- 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.
- An open house meeting on June 15, 2016, at Pecos Community Center, 17010 S. 48th St., Phoenix, was sponsored by State Representative Jill Norgaard in collaboration with State Representative Bob Robson, State Senator Jeff Dial, and City of Phoenix Councilman Sal DiCiccio. The purpose of the meeting was to provide a briefing on noise-abatement plans, traffic management and scheduling, bike paths, and aesthetics.
- A public open house meeting was held on August 24, 2016, at the Kings Ridge Preparatory Academy Cafeteria, 3650 S 64th Lane, Phoenix, to discuss the location and aesthetic treatment of the planned pedestrian bridge located between Broadway and Lower Buckeye Roads. Thirteen people attended the presentation and participated in a question and answer session.
- Three public meetings were held in 2016 to provide details and seek input on preliminary design plans, including information on the freeway's location, profile, interchange configurations and noise barrier locations, as well as initial concepts for landscaping and visual appearance:
 - September 27, 2016, at the Desert Vista High School, Multipurpose Room, 16440 S. 32nd St., Phoenix
 - September 28, 2016, at the Betty Fairfax High School, Multipurpose Room, 8225 S. 59th Ave., Laveen
 - October 6, 2016, at the Fowler Elementary School, Multipurpose Room, 6707 W. Van Buren St., Phoenix

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Approximately 800 people participated in these meetings and the more than 660 comments, questions, emails and phone calls were collected by the Project team.

- A meeting for leaders from cities, regional agencies, schools, Title VI organizations, large employers, associations, and community public information officers was held December 20, 2016, at 411 N Roosevelt Ave, Chandler, to provide a 6-month construction look ahead for the period between January 2017 and July 2017.
- Since September 2016 outreach has included the following metrics:
 - 764 stakeholders have been engaged through attending a public meeting or contacting the Project team.
 - 305 inquiries from members of the public have been received.
 - 135 public parties were contacted by the Project team to complete questionnaires and surveys.
 - 6 construction alerts have been issued for specific activities.
 - 1 construction notice has been issued in both English and Spanish to provide a 6-month look ahead for the period between January 2017 and July 2017.
 - ADOT has issued media releases on average once per week since September 2016 to keep the public apprised of project updates.

2.0 Description of Project Change

The new ROW parcel measuring 0.44 acres and TCE parcels totaling 18.22 acres (Figure 2. Detail Map) are required for the construction of the Salt River bridges, a project element that was previously disclosed in the FEIS/ROD. The new ROW parcel was identified as necessary when refinements to the SB bridge embankment plans were made during final design, and it became apparent that the embankment could not be designed to fit within the originally proposed ROW limits. The new ROW parcel will be covered with earthen materials during construction and will remain so indefinitely after construction and for the life of the freeway. The new ROW parcel will be acquired from Cemex Construction Materials South, LLC, and will be owned (fee title) by the State and permanently incorporated into the State Highway System ROW.

After the construction contractor performed an analysis of the Salt River bridge construction plans, it was determined additional space beyond the permanent ROW in the form of TCE parcels would be needed for equipment access and the placement of cranes. Access roads and crane pads will require grading and the re-contouring of the existing topography in the Salt River channel. If necessary, the contractor will import materials, such as gravel and timber mats, to stabilize access roads and pads. When the bridges are complete, material imported into the river channel will be removed and wasted or recycled at other locations in the project, or disposed of offsite. When the imported materials are removed, the disturbed areas will be re-contoured to match the preconstruction topography and will undergo stabilization and revegetation, if warranted, as required by the Erosion-Sediment Control Plan, the Stormwater Pollution Prevent Plan, and the Landscape and Aesthetics Plan. The land underlying the TCE parcels is part federal land managed by the BLM and part land owned by Cemex Construction Materials South, LLC. Within the TCE areas, no permanent bridge or highway features will be constructed, and restoration will occur as outlined above. After construction of the

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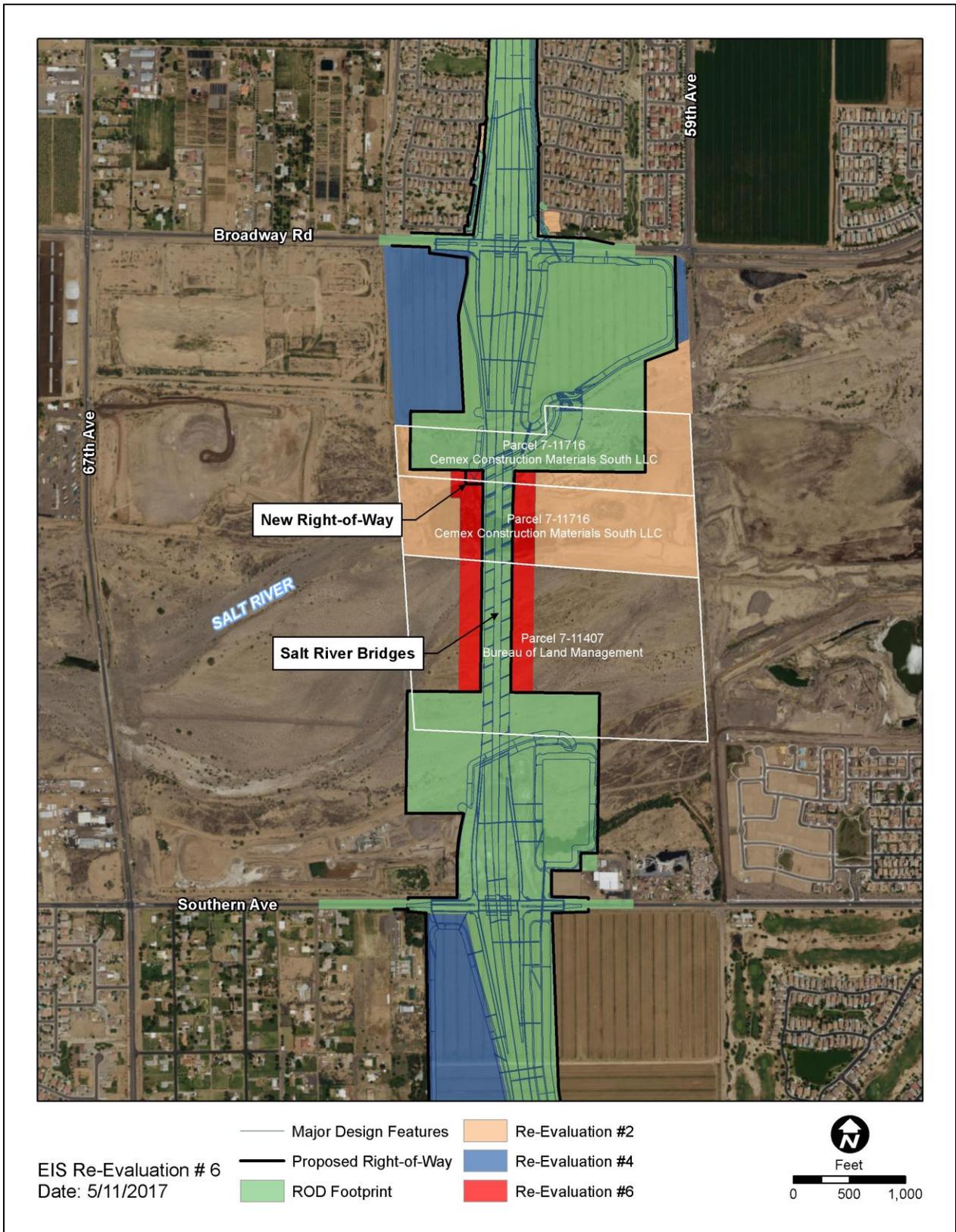


Figure 2. Detail Map

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bridges is completed, the TCE parcels will expire and the unencumbered fee interest in the land will revert back to the BLM and Cemex Construction Materials South, LLC.

Some work within the new ROW and TCE will occur within waters of the US in the Salt River channel. These additional work activities have been included in the Clean Water Act individual permit application for the project that is undergoing USACE review and approval. However, all work within this new ROW and TCE that is also within waters of the US will only result in temporary impacts to waters of the US and is therefore not anticipated to require compensatory mitigation.

3.0 Environmental Consequences

This section presents an analysis of the environmental consequences at a corridor-wide level (Table 1) and then provides additional details for changes to the project occurring in new ROW and TCE parcels. All of the mitigation and commitments made in the FEIS and ROD for the project apply to the new parcels presented in this reevaluation. Resources with changes in environmental impacts are described in more detail following the table.

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	
Economics		X		X	
Air Quality		X		X	
Noise		X		X	
Water Resources	X			X	See discussion below
Floodplains	X		X		See discussion below
Waters of the United States	X		X		See discussion below
Topography, Geology, Soils	X			X	See discussion below
Biological Resources	X			X	See discussion below
Cultural Resources	X			X	See discussion below
Prime and Unique Farmland		X		X	
Hazardous Materials	X			X	See discussion below
Visual Resources	X			X	See discussion below
Energy		X		X	
Temporary Construction Impacts	X			X	See discussion below
Material Sources and Waste Material		X		X	
Secondary and Cumulative Impacts		X		X	
Section 4(f)/6(f)	X			X	

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3.1 Land Use

An additional 0.44 acres of land will be permanently incorporated into the freeway for the construction of the SB Salt River Bridge and 18.22 acres of land will be temporarily occupied as construction easement and used for construction access and crane operations associated with bridge building. Both the new ROW and TCE parcels are located in the channel of the Salt River that is currently undeveloped but used for the conveyance of stormwater, treated wastewater, irrigation tail water, and controlled releases from the reservoirs of the Salt River Reclamation Project. The new ROW parcel will encompass a portion of embankment that will be constructed to protect the new bridge abutment and foundation. This embankment will be essentially the same as the natural river bank, but constructed in location that offers greater protect of the bridge from erosion. The changes to the embankment size and location that requires the additional 0.44 acres of land not originally anticipated in the FEIS/ROD will not produce a meaningful change in the river's current use as a water conveyance. Furthermore, the implementation of future changes such as the Rio Salado Oeste, a flood control and habitat restoration project cosponsored by the USACE that will take place in the riverbed, will not be affected because this is a small change and conceptual planning of the Rio Salado Oeste Project has already accounted for transportation crossings being present by the time it is implemented.

Occupation and use of the construction easements will be temporary and the land returned to its previous use when the project is complete. Therefore, activities within the TCE parcels will not represent a permanent change to land use or an increase in the overall project impacts to land use disclosed in the FEIS/ROD and previous reevaluations. Furthermore, because the TCE parcels will revert to their pre-construction state and no permanent bridge or highway features will be constructed in the TCE parcels, there will be no impacts to the implementation of planned changes such as the Rio Salado Oeste Project. No new mitigation measures are required to address land use impacts as a result of these project changes.

3.2 Water Resources

Construction of the embankment within the new ROW parcel and the activities in TCE parcels including temporary grading or earthwork to construct access roads or crane pads will be stabilized and/or best-management practices employed to prevent the release of sediment or other pollutants into the Salt River bed. Measures and best-management practices as described in the Arizona Department of Transportation *Erosion and Pollution Control Manual* and the project's Technical Provisions. No new mitigation measures are required for impacts on water resources as a result of these project changes.

3.3 Floodplains

The changes to the embankment requiring an additional 0.44 acres of new ROW represent small change to the floodplain topography. In accordance with the FEIS/ROD commitment FLD-1, the hydraulic analysis performed concluded that the bridge and associated embankment does not contribute to a rise in elevation of floodwaters. Because the activities confined to the TCE parcels are impermanent and restoration will take place after construction, any floodplain impacts would be temporary and reversed at the conclusion of the project. Therefore, no new mitigation measures are required.

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3.4 Waters of the United States

A preliminary jurisdictional delineation and individual permit application has been submitted to the USACE for the project. Potential impacts to Waters of the US within the Salt River channel have been reviewed specifically and are included in the current Individual Permit under review by the USACE. Because all additional activities will be temporary, no additional new permanent impacts will occur. Because the actions that will take place in the TCE parcels has not been permitted, ADOT will not grant contractor access to TCE parcels until authorization is received from the USACE. Similarly, until the Section 401 of the Clean Water Act requirements are satisfied with the Arizona Department of Environmental Quality, no contractor access will be granted.

3.5 Topography, Geology, Soils

The change to the embankment size and location that requires the additional 0.44 acres of land will not produce a meaningful change in topography as the river channel will largely remain in the same location as the pre-construction conditions. The embankment material will be comprised of stabilized materials found locally and will be similar to those found in the surrounding geological setting. Grading and earthwork in the new TCE parcels will be performed to construct access roads and crane pads resulting in changes to the topography of the Salt River bed. These features are only needed temporarily during construction and when the project is complete, the changes made to the topography of the river bed will be reversed and the contours restored to their original pre-construction condition. Because the impacts are either insubstantial or temporary and will be reversed, there are no additional or change to impacts that have been previously disclosed in the FEIS/ROD and previous reevaluations. No new mitigation measures are required for impacts on topography, geology, or soils as a result of these project changes.

3.6 Biological Resources

Construction-related activities in the new ROW and TCE parcels will impact habitats that are potentially suitable for federally-protected, state-protected, and tribal-special-status species previously analyzed in the Biological Evaluation (BE) (July 2014) and the ROD. With the exception of the 0.44 acre parcel of new ROW, the new parcels will be used temporarily and restored to their original pre-construction conditions when the project is complete. The permanent impacts resulting in loss of habitat will not increase meaningfully over the impacts disclosed in the FEIS/ROD and previous reevaluations. Furthermore, because the new parcels are not being acquired due to substantial changes in location, length, width, or configuration of the project, the impacts to wildlife connectivity and habitat fragmentation will not change compared to the impacts described in the FEIS/ROD.

Updated Arizona Game and Fish Department (AGFD) Online Environmental Review Tool results were obtained on February 15, 2017, to identify any new special status species or special areas documented within 3 miles of the project area since the July 2014 BE. The updated AGFD tool results were reviewed by a qualified biologist. The only new species or special areas identified were proposed critical habitat for the yellow-billed cuckoo and the Salt and Lower Gila Rivers Ecosystem Important Bird Area (IBA). The proposed critical habitat is located along the Salt River approximately 2.5 miles west of the project area; therefore, the project will have no effect to yellow-billed cuckoo proposed critical habitat. The Salt and Lower Gila Rivers Ecosystem IBA is also approximately 2.5 miles west of the project area; therefore, the project has no impact on the Salt and Lower Gila Rivers Ecosystem IBA.

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The July 2014 BE analyzed in detail two species protected by the federal Endangered Species Act (ESA); the Yuma clapper rail and Western yellow-billed cuckoo. The BE also analyzed in detail two species that were candidates for listing at the time; the Sonoran desert tortoise and Tucson shovel-nosed snake.

The two candidate species analyzed in the July 2014 BE (Sonoran desert tortoise and Tucson shovel-nosed snake) have been removed from the candidate list. Additional species status changes since the BE was completed include the roundtail chub being changed from candidate to proposed threatened, and the yellow-billed cuckoo being changed from proposed threatened to listed threatened. Habitat conditions in the project area have not changed substantially.

An updated US Fish and Wildlife Service (USFWS) Information, Planning, and Conservation (IPaC) system resource list was obtained on February 21, 2017 to identify any new ESA-protected species or habitat potentially occurring within the project area since the July 2014 BE. The updated IPaC resource list was reviewed by a qualified biologist and all ESA-protected species identified in the resource list were considered in the July 2014 BE. The updated IPaC resource list does not identify any proposed or designated critical habitat within or near the project area.

Due to the lack of suitable or critical habitat for ESA-protected species, the appropriate determination is still that the project will have no effect to any species or habitat protected by the federal ESA.

To prevent impacts to other protected species, the new ROW and TCE parcels will be subjected to pre-construction surveys in accordance with the project's Technical Provisions. Any wildlife encountered in harm's way will be relocated or transferred to a properly-licensed wildlife rehabilitator as necessary in accordance with applicable wildlife laws/regulations. No new mitigation measures are required for impacts on biological resources as a result of these project changes.

3.7 Cultural Resources

The programmatic agreement (PA) developed among FHWA, Arizona State Historic Preservation Office, and ADOT (executed July 21, 2015) regarding cultural resources for this project requires Section 106 consultation in instances when the project Area of Potential Effects expands beyond the original FEIS/ROD limits. Cultural resources surveys of the new ROW or TCE parcels is not required because the parcels are located in an active river bed where prehistoric and historic occupation is unlikely to have occurred, and any intact deposits of cultural materials is unlikely given the dynamic geomorphological setting with constantly shifting deposition and transportation of sediment.

In accordance with the programmatic agreement (PA) developed among FHWA, Arizona State Historic Preservation Office, and ADOT (executed July 21, 2015), Section 106 consultation has occurred with the following agencies listed on the next page as part of this reevaluation:

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- Ak-Chin Indian Community
- Arizona State Land Department
- Arizona State Museum
- Army Corps of Engineers
- City of Avondale
- Bureau of Indian Affairs
- Bureau of Land Management
- City of Chandler
- Chemehuevi Tribe
- City of Phoenix Archaeology Section
- City of Phoenix Historic Preservation Office
- Colorado River Indian Tribes
- Flood Control District of Maricopa County
- Fort Mojave Indian Tribe
- Fort McDowell Yavapai Nation
- Forty Yuma Quechan Tribe
- City of Glendale
- Gila River Indian Community
- Havasupai Tribe
- Hopi Tribe
- Hualapai Tribe
-
- Kaibab Band of Paiute Indians
- Maricopa County Department of Transportation
- Navajo Nation
- Pascua Yaqui Tribe
- Bureau of Reclamation
- Roosevelt Irrigation District
- San Juan Southern Paiute
- State Historic Preservation Office
- Salt River Project
- Salt River Pima-Maricopa Indian Community
- Tonto Apache Tribe
- City of Tolleson
- Tohono O'odham Nation
- Western Area Power Administration
- Yavapai-Apache Nation
- Pueblo of Zuni

Responding parties have concurred with the new ROW and TCE parcels (refer to Appendix-B Section 106 Consultation Summary).

3.8 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. To update the hazardous materials assessment for this reevaluation, Phase 1 investigations have been completed for the new ROW and TCE parcels. Should any hazardous materials concerns be identified during construction, they will be handled in accordance with the project's Technical Provisions.

3.9 Visual Resources

The small change in the location and size of the embankment requiring the new ROW parcel does not represent a noticeable change to the landscape compared to the impacts to visual resources disclosed in the FEIS/ROD. Similarly, the temporary grading and earthwork for access roads and crane pads within the new TCE parcels do not represent a material change in the project scope and will not introduce new or change impacts to the landscape character or viewsheds in the project area. Furthermore, the TCE parcels will be restored to their pre-construction condition once the project is complete leaving minimal visible evidence of the areas having been impacted. No new mitigation measures are required for impacts on visual resources as a result of these project changes.

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3.10 Temporary Construction Impacts

The new ROW and TCE parcels are located adjacent to the original ROW limits described in the FEIS/ROD and are therefore in areas where temporary construction impacts have already been disclosed. The previously disclosed impacts involving temporary construction noise and disruption to the pre-construction traffic patterns, for examples, will not be materially changed. No new mitigation measures are required for temporary construction impacts as a result of these project changes.

4.0 New commitments related to New Parcel Acquisitions

The commitments listed below will be implemented and tracked along with the commitments and mitigation measures presented in the ROD and incorporated as necessary into the contractual Technical Provisions for the Project.

- The contractor is only permitted to work within the portion of new easements or ROW that are not located within Waters of the US until such time that a Section 404 Permit and 401 Water Quality Certification are received.
- ADOT will notify the City of Phoenix, BLM, and USACE of the change in the area of impact specific to the TCE through the BLM parcel in the area of the future Rio Salado Oeste restoration project. ADOT will resolve any comments or concerns from the agencies prior to obtaining the TCE from BLM. The contractor is only permitted to work within the new TCE after such time that the TCE is obtained from BLM.

5.0 Public/Agency Outreach

Changes to the project related to the acquisition of new rights-of-ways and easements do not require an additional public hearing. Public outreach will continue in accordance with the project *Public Involvement Plan*.

6.0 Conclusion and Recommendation

6.1 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.

6.2 Recommendations

FHWA, in coordination with ADOT, reevaluated the South Mountain Freeway, Interstate 10 (I- 10, Papago Freeway) to I-10 (Maricopa Freeway) FEIS and ROD per 23 CFR § 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.

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Appendix-A Section 106 Consultation Summary

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Continuing Section 106 Consultation				
Letters	Date Sent	Purpose of Consultation	Consulting Parties	Response
Agencies	March 15, 2017	<ul style="list-style-type: none"> • TCE 	Arizona State Land Department	March 21, 2017, concurred
			Arizona State Museum	No response
			Bureau of Indian Affairs	March 27, 2017, concurred
			Bureau of Land Management	March 21, 2017, concurred
			Bureau of Reclamation	March 21, 2017, concurred
			City of Avondale	March 21, 2017, concurred
			City of Chandler	No response
			City of Glendale	March 15, 2017, concurred
			City of Phoenix, Archaeology Section	April 7, 2017, concurred
			City of Phoenix, Historic Preservation Office	April 24, 2017, concurred
			City of Tolleson	No response
			Flood Control District of Maricopa County	March 23, 2017, concurred
			Maricopa County Department of Transportation	No response
			Roosevelt Irrigation District	No response
			Salt River Project	No response
			State Historic Preservation Office	March 17, 2017, concurred
Western Area Power Administration	No response			
U.S. Army Corps of Engineers	No response			
Tribes	March 15, 2017	<ul style="list-style-type: none"> • TCE 	Ak-Chin Indian Community	March 31, 2017, deferred to Salt River Pima-Maricopa Indian Community
			Chemehuevi Tribe	No response
			Colorado River Indian Tribes	No response
			Fort McDowell Yavapai Nation	No response
			Fort Mojave Indian Tribe	No response
			Fort Yuma-Quechan Tribe	No response

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Continuing Section 106 Consultation				
Letters	Date Sent	Purpose of Consultation	Consulting Parties	Response
			Gila River Indian Community	April 24, 2017, concurred. Reiterates that Gila River Indian Community identifies South Mountain as a Traditional Cultural Property as defined in Bulletin 38.
			Havasupai Tribe	No response
			Hopi Tribe	March 20, 2017, concurred
			Hualapai Tribe	No response
			Kaibab Band of Paiute Indians	No response
			Navajo Nation	No response
			Pascua Yaqui Tribe	No response
			Pueblo of Zuni	No response
			Salt River Pima-Maricopa Indian Community	No response
			San Carlos Apache Tribe	No response
			San Juan Southern Paiute	No response
			Tohono O’odham Nation	No response
			Tonto Apache Tribe	No response
			Yavapai-Apache Nation	No response
			Yavapai-Prescott Indian Tribe	No response