

South Mountain Freeway (Loop 202)

Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway)

Record of Decision

Volume II: Appendix A



COMMENTS ON THE SOUTH MOUNTAIN FREEWAY FINAL ENVIRONMENTAL
IMPACT STATEMENT AND SECTION 4(f) EVALUATION AND ERRATA

The initial 60-day review period for the Final Environmental Impact Statement (FEIS) was from September 26, 2014, to November 25, 2014. As a result of the publication of an errata to the FEIS, the Arizona Department of Transportation and Federal Highway Administration extended the review period to December 29, 2014. Between September 26, 2014, and December 29, 2014, approximately 250 comments pertaining to the FEIS, errata, or National Environmental Policy Act process and documentation for the South Mountain Freeway were received through various media, including comment letters, voice mail message summaries, oral testimony, and e-mails.


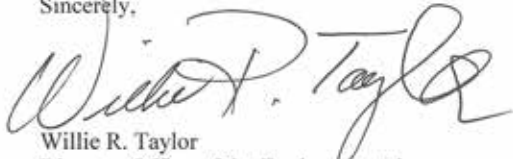
The comment documents and responses are presented side-by-side in this appendix. Comments are organized alphabetically by the affiliation of the commenter (see Table of Contents). Anonymous comments are located at the end of the *Citizen Comments and Responses* section. Comments that were of the nature of requests for information and not specifically comments are at the end of the entire document. The responses are structured to be comprehensive and address the content of the comments. The reader may be referred to other similar responses and/or the text in the FEIS; this is done to create a more concise response section and to help guide the reader to the sections of the FEIS where the information about the content of the comment is contained.

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FEDERAL AGENCY COMMENTS AND RESPONSES

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	<div><div><div><div>United States Department of the Interior</div><div>OFFICE OF THE SECRETARY</div><div>Washington, DC 20240</div><div>NOV 13 2014</div></div></div><div>9042.1 PEP/NRM</div><div>ER-13/0257F</div><div><div>Mr. Alan Hansen Team Leader Planning, Environment, Air Quality and Right-of-Way (PEAR) USDOT-FHWA Arizona Division 4000 N. Central Avenue Phoenix, Arizona 85012</div><div>Dear Mr. Hansen:</div><div><div>1</div><div><p>The Department of the Interior (the Department) has reviewed the <i>South Mountain Freeway (Loop 202) Final Environmental Impact Statement and Section 4(f) Statement</i>. The Department agrees that South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project. These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the “Measures to Minimize Harm” on the <i>Section 4(f) Statement</i> pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment.</p><p>Should you have questions in regards to the LWCF comments, please contact Bob Anderson, Chief, Recreation Grants Division, National Park Service Midwest Regional Office at (402) 661-1540. We appreciate the opportunity to provide these comments.</p><div><div>Sincerely,</div><div><div>Willie R. Taylor Director, Office of the Environmental Policy and Compliance</div></div></div><div>cc: Karla S. Petty</div></div></div></div></div>

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1		Comment noted.

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	<div><div>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 9 75 Hawthorne Street San Francisco, CA 94105-3901</div><p>December 22, 2014</p><p>Karla Petty Arizona Division Administrator Federal Highway Administration 4000 North Central Avenue, Suite 1500 Phoenix, AZ 85012</p><p>Subject: Final Environmental Impact Statement for the South Mountain Freeway Project, Maricopa County, Arizona [CEQ#20140275]</p><p>Dear Ms. Petty:</p><p>The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (EIS) for the South Mountain Freeway Project. Our review and comments are provided pursuant to the National Environmental Policy Act, the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.</p><p>As described in the Final EIS, the South Mountain Freeway Project is a proposal to build a new 8-lane freeway extending approximately 22 to 24 miles from the Interstate 10 and Santan Freeway interchange westward through the community of Ahwatukee, paralleling the Gila River Indian Community (GRIC) border, and turning north to reconnect with Interstate 10 west of downtown Phoenix. The Final EIS has identified a preferred alternative which runs primarily along the existing Pecos Road alignment on the eastern end and connecting to 59th Avenue on the western end.</p><div><div>1</div><p>On July 23, 2013, EPA provided comments to FHWA on the Draft EIS for this project and rated the document as “3 – Inadequate Information.” Our rating was based upon a lack of information important to analyzing the project’s potentially significant impacts on air quality, including assessment and disclosure of potential PM10 hotspot impacts and confirmation of whether the project meets the Clean Air Act’s Transportation Conformity requirements. We appreciate the new information which has been incorporated into the Final EIS and would like to thank FHWA for working closely with EPA over the past year to develop the analysis of PM10 and the determination of Transportation Conformity. We understand that, based upon lessons learned during the South Mountain Freeway NEPA process, FHWA and ADOT are working on improving their approach to the interagency consultation process to initiate earlier consultation on technical issues, such as modeling inputs, receptors, meteorological data and background concentrations, along with making determinations as to whether proposed projects are projects of air quality concern. We look forward to coordinating with FHWA and ADOT following this new approach for future projects.</p><p>Based upon our review of the Final EIS, EPA has a few remaining comments regarding the Transportation Conformity analysis and assessment of PM10 hotspot impacts. We have continuing</p></div></div>

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1	Introduction	<p>The Arizona Department of Transportation and Federal Highway Administration thank the U.S. Environmental Protection Agency for working closely with the two agencies to develop the most advanced and thorough air quality evaluation completed for an environmental impact statement for a transportation project in Arizona to date. With the U.S. Environmental Protection Agency’s guidance, the Arizona Department of Transportation and Federal Highway Administration continue their efforts to improve the interagency consultation process, including initiating earlier consultation on technical issues for future projects.</p> <p>The Arizona Department of Transportation and Federal Highway Administration acknowledge the “3 – Inadequate” rating the U.S. Environmental Protection Agency assigned to the Draft Environmental Impact Statement because of a lack of information important to analyzing the project’s potentially adverse impacts on air quality. The Arizona Department of Transportation and Federal Highway Administration proactively engaged in a collaborative process with the U.S. Environmental Protection Agency to address this issue, leading to the positive outcome noted in the paragraph above.</p> <p>The history leading to this positive outcome is worth describing. The air quality conformity analysis in the Draft Environmental Impact Statement followed the Federal Highway Administration’s policy guidance, <i>Clarification of Transportation Conformity Requirements for FHWA/FTA Projects Requiring Environmental Impact Statements</i>. That guidance establishes that demonstration of transportation conformity must be disclosed in the Final Environmental Impact Statement. This is important to note because the Arizona Department of Transportation and Federal Highway Administration chose to discuss conformity in the Draft Environmental Impact Statement even though the guidance did not require this (in doing so, noting that the analyses would be updated upon receipt of updated socioeconomic data for disclosure in the Final Environmental Impact Statement). Consequently, the Arizona Department of Transportation and Federal Highway Administration were held to a higher standard, and the U.S. Environmental Protection Agency elected to use that higher standard by applying a sufficiency rating prematurely, given that a conformity analysis is not required until the Final Environmental Impact Statement stage in the environmental impact statement process.</p> <p>However, the Arizona Department of Transportation and Federal Highway Administration acknowledge the benefits of the collaborative process prompted by the rating, as exemplified by the U.S. Environmental Protection Agency e-mail dated August 21, 2014 (see Appendix D of the Record of Decision). In that e-mail, the agency confirmed that the updated air quality analysis adequately demonstrated that the project met the Clean Air Act’s transportation conformity requirements (further verified in the comment letter on the following pages from the U.S. Environmental Protection Agency, which confirmed the determination of transportation conformity).</p> <p>The Arizona Department of Transportation and Federal Highway Administration provide further responses and clarifications to the detailed comments outlined in the U.S. Environmental Protection Agency’s letter in the following pages.</p> <p>The Arizona Department of Transportation and Federal Highway Administration appreciate the continued opportunity to engage the U.S. Environmental Protection Agency on this and other future roadway projects in Arizona.</p>

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	<p>concerns regarding the analysis and discussion provided in the Final EIS regarding possible near-roadway health impacts along the proposed new freeway corridor, including impacts to children and sensitive receptors. Additionally, we have continuing concerns with the analysis of the No Action Alternative, as well as impacts to both aquatic resources and wildlife connectivity. These issues and recommendations for the Record of Decision, are addressed in the enclosed detailed comments.</p> <p>We appreciate the opportunity to review this Final EIS and look forward to working with FHWA and ADOT to address our concerns on this, and future, roadway projects in Arizona. If you have any questions, please contact me, or your staff may continue to coordinate with Clifton Meek at (415) 972-3370 or meek.clifton@epa.gov. Please send a copy of the Record of Decision and associated response to comments on the Final EIS to the address above (mail code ENF 4-2).</p> <p>Sincerely,</p> <p></p> <p>Lisa B. Hanf, Assistant Director Enforcement Division</p> <p>Enclosures:</p> <ul style="list-style-type: none">(1) EPA Detailed Comments on the South Mountain Freeway Final EIS(2) EPA's Additional Information on Assessing Near-Roadway Health Effects <p>cc via email: Alan Hansen, Federal Highway Administration Rebecca Yedlin, Federal Highway Administration John Halikowski, Arizona Department of Transportation Ralph Ellis, Arizona Department of Transportation Chaun Hill, Arizona Department of Transportation Kathleen Tucker, U.S. Army Corps of Engineers Kelly Wolff-Krauter, Arizona Game and Fish Department Steve Spangle, U.S. Fish and Wildlife Service Gregory Mendoza, Gila River Indian Community Dennis Smith, Maricopa Association of Governments</p> <p>2</p>

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	<p>U.S. EPA DETAILED COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE SOUTH MOUNTAIN FREEWAY PROJECT, MARICOPA COUNTY, ARIZONA, DECEMBER 22, 2014</p> <p><u>Air Quality</u></p> <p>2 Transportation Conformity</p> <p>Since completing our review of the Draft EIS for the South Mountain Freeway project in July 2013, EPA has been working closely with FHWA to address project-level Transportation Conformity requirements, including the need to analyze the “worst-case intersection” with the highest total PM10 concentrations. Both Chapter 4 of the Final EIS and the Air Quality Technical report describe the worst-case intersection, where the new roadway would connect to I-10 west of Phoenix, as being analyzed for the purposes of conformity requirements, while both the 40th Street and Broadway Road intersections are characterized as being analyzed for NEPA purposes only. However, the results of the Transportation Conformity analysis demonstrate that the 40th Street Interchange is the location with the highest total PM10 concentrations. EPA’s PM10 hot-spot guidance states, “it may be appropriate in some cases to focus... on the locations of highest air quality concentrations,” and thus it is important that the 40th Street interchange also be characterized as being analyzed for conformity purposes. EPA recommends that this be clarified in the Record of Decision (ROD).</p> <p><u>Mobile Source Air Toxics</u></p> <p>3 While we appreciate the expanded discussion of Mobile Source Air Toxics (MSATs) in the Final EIS, we have continuing concerns about the characterization of near-roadway emissions directly adjacent to the new freeway corridor. On page 4-79, the Final EIS states that total MSAT emissions are estimated to decline by as much as 91 percent in the study area; however, this is the case only because the document presents an estimated value of MSAT emissions that combines the impact of the new freeway alignment with emissions from the adjacent, and existing, I-10 freeway, as well as other roadways in the area. This methodology does not provide the information needed to characterize the MSAT emissions anticipated solely along the new freeway corridor.</p> <p>The carbon monoxide and PM10 analyses indicate that concentrations of criteria pollutants along the new freeway corridor will increase relative to current levels, which suggests that MSAT emissions along the corridor would increase as well. The potential increase indicated by these analyses would occur despite the fact that per-vehicle emissions are declining substantially over time as a result of EPA regulations. Therefore, the conclusion that MSAT emissions will decrease by as much as 91 percent pertains only to the overall study area, and does not apply to the potential impacts that may be experienced directly adjacent to the project corridor. A refinement to the existing discussion, by limiting the scope of analysis to the near-roadway corridor, would allow for conclusions to be made about possible site-specific increases in emissions. Specifically, what impacts will receptors experience directly adjacent to the new roadway and how does this compare with impacts they may experience currently, in the absence of an adjacent high-volume freeway? This analysis is relevant given the historical interest in potential impacts from the proposed freeway, and will aid in more meaningful disclosure, even when considering the context provided in the Final EIS that previous risk assessments suggest these increases are not likely to pose a significant health risk to populations along the corridor.</p> <p>In addition to recommending an updated discussion of near-roadway health effects in the ROD, EPA is also providing the attached additional information for FHWA and ADOT to consider when discussing</p> <p>1</p>

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2	Air Quality	<p>Based on the U.S. Environmental Protection Agency’s guidance, and in consultation with the Arizona Department of Transportation, Federal Highway Administration, and U.S. Environmental Protection Agency, the Interstate 10 interchange was selected for detailed hot-spot modeling for the purpose of demonstrating project conformity. The Interstate 10 interchange (W59 Alternative) is the freeway-to-freeway interchange between the South Mountain Freeway and Interstate 10 (Papago Freeway) at the north end of the project area. It was selected because it has the highest traffic volumes of any interchange in the project area and is expected to experience poor levels of service during peak hours. Additional analyses were conducted at other locations (Broadway Road interchange and 40th Street interchange) for National Environmental Policy Act purposes and to provide information about projected concentrations at other representative locations along the corridor. The hot-spot analysis showed that the modeled particulate matter (PM₁₀) concentrations were highest at the Interstate 10 interchange (12.9 micrograms per cubic meter) when compared to the Broadway Road interchange (5.3 micrograms per cubic meter) and the 40th Street interchange (3.8 micrograms per cubic meter). When the non-project influences (background value) are added to these modeled values, the 40th Street interchange is the location with the highest total concentration followed by the Interstate 10 interchange and the Broadway Road interchange. The clarification requested by the U.S. Environmental Protection Agency has been added to the Record of Decision in the section, <i>Conformity with Air Quality Plans</i>, beginning on page 68.</p> <p>All of the locations analyzed, Interstate 10, 40th Street, and Broadway Road, resulted in total concentrations below the National Ambient Air Quality Standards, so this change requested by the U.S. Environmental Protection Agency does not affect the project’s conformity determination.</p>
3	Mobile Source Air Toxics	<p>As explained in the Final Environmental Impact Statement and response to comments, Federal Highway Administration mobile source air toxics emissions assessments in the agency’s National Environmental Policy Act documents are designed to evaluate emissions changes within a study area, including roadway segments where traffic volumes change as a result of the project. The U.S. Environmental Protection Agency’s risk estimates for mobile source air toxics pollutants are based on 70-year lifetime exposure. As explained in the Final Environmental Impact Statement and response to comments, it is more likely that a person will be within a study area for 70 years than at a fixed location near the proposed corridor for 70 years. Thus, emissions changes in a study area are a more reliable indicator of potential changes in health risk. Emissions from Interstate 10 and other roadway segments affected by the project are included because people will be exposed to changes in emissions from those roadway segments as well as those from the South Mountain Freeway. While the U.S. Environmental Protection Agency has repeatedly requested estimates of emissions along the project corridor itself, it has never explained why this is believed to be more representative of changes in 70-year health risk than a study area-level analysis.</p> <p>The Federal Highway Administration acknowledges that emissions will be higher on average along the project corridor when the project is built, compared with the No-Action Alternative. However, emissions will likely decrease elsewhere in the Study Area. While the Federal Highway Administration did not calculate any site-specific emissions changes for the South Mountain Freeway or any other roadway segments, the <i>Traffic Overview</i> report provides an indication of where this could occur. For example, Table 19 in the <i>Traffic Overview</i> report shows that traffic</p>

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	<p>and analyzing uncertainty, risk comparison, and literature sources associated with the health effects of MSATs.</p> <p><u>Analysis of the No Action Alternative</u></p> <p>In our comment letter on the Draft EIS, EPA noted the need to analyze the No Action Alternative using updated socioeconomic projections that do not assume completion of the South Mountain Freeway. In the Final EIS, there continues to be a lack of analysis regarding the projected differences in land use and emissions if no freeway were to be built. While we understand that FHWA and ADOT used the information available to them from General Plan documents, we continue to recommend that the likely differences in land use, emissions, and congestion impacts between the Action and No Action alternatives be fully disclosed. Methods exist to complete these types of projections and “scenario planning”, and such analyses can help the public and decision-makers better understand the timing and location of induced growth and traffic impacts that may occur as a result of the action alternatives.</p> <p>As stated in the Final EIS, the traffic analyses for South Mountain Freeway were completed by distributing the Arizona Department of Administration population and employment projections for Maricopa County to smaller geographic areas,</p> <p>“using the latest available data, including general plans for local jurisdictions, and a state-of-the-art land use model system called AZ-SMART. The nationally-recognized UrbanSim microsimulation model was integrated into AZ-SMART and used to allocate county projections of population and employment to regional market areas based upon the pre-existing location of these activities, land consumption, and transportation system accessibility.”</p> <p>These socioeconomic projections were then aggregated to Traffic Analysis Zones using AZ-SMART.</p> <p>As noted in EPA’s comments on the Draft EIS, the underlying general plans used in these analyses assume that the South Mountain Freeway is complete. For example, the Estrella Village Core Plan (Adopted by Phoenix City Council Feb. 4, 2009) states: “Bisecting the core is the proposed Loop 202 that will connect the existing loop 202 in the southeast valley to I-10. This plan is based upon the assumption that the freeway will be an integral part of development within the core.” These assumptions are reflected on Page 4-7 of the Final EIS, which states: “Versions of the proposed action most closely aligned with the W59 and E1 Alternatives have been accounted for in long-range planning by municipalities (most notably, the City of Phoenix).” Additionally, the Final EIS states on page 4-14 that the “Phoenix <i>General Plan</i> for Laveen Village has designated areas for commercial development that cannot support the projected densities without implementation of the proposed action;” and further, on page 4-19, that the “land use plan designations associated with [the Laveen and Estrella village] cores are predicated, in part, on proximity to the freeway corridor.” These statements contradict other conclusions in the document that suggest land-use and development trends in the project area would be maintained regardless of whether the South Mountain Freeway is built. On the contrary, these general plans suggest that future land-use and development trends in areas surrounding the freeway are dependent on the freeway being built and, as such, have explicitly assumed completion of the proposed action.</p> <p>As a result, in the Final EIS, there continues to be inconsistency in the modeling inputs that result in an inability to make comparisons of the traffic operations and emission changes between the No Action Alternative and Preferred Alternative. The “No Action” scenario includes population and employment projections that assume the “Preferred Alternative” is built, with the build and no-build scenarios both using the same forecast of future population and employment. To model traffic volumes, speed, and</p> <p>2</p>

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3 (cont.)		<p>volumes on nearly all sections of Interstate 10 analyzed will decrease with the project; Table 20 shows that traffic volumes on nearly all affected sections of arterial streets will also decrease. It is reasonable to assume that since traffic volumes decrease relative to the No-Action Alternative, mobile source air toxics emissions will also decrease. Tables 23 and 24 of the <i>Traffic Overview</i> report show that travel times will decrease for all representative trips, meaning that mobile source air toxics exposures for these travelers will also likely decrease (since they are spending less time in traffic exposed to emissions). Thus, while people will be exposed to higher concentrations of mobile source air toxics during the portion of their 70-year lifetime that they are located adjacent to the project corridor, they will also be exposed to lower concentrations of mobile source air toxics while they are located elsewhere in the Study Area. Again, a study area analysis best captures the overall likelihood of changes in health outcomes attributable to the project, as compared with the corridor-only analysis that the U.S. Environmental Protection Agency is requesting.</p> <p>Likewise, estimates of “site-specific increases in emissions” do not provide useful information about changes in health risk. As noted in the response to the U.S. Environmental Protection Agency’s comments on the Draft Environmental Impact Statement, there is no “emissions budget” for the corridor (or locations along the corridor) that defines an acceptable level of emissions and no other guideline to help the Federal Highway Administration, U.S. Environmental Protection Agency, or the public to determine whether a given amount of emissions represents a potential health risk. Because no meaningful information about changes in health outcomes can be obtained from stand-alone site-specific emissions estimates, and because site-specific emissions changes are not representative of 70-year lifetime exposure changes, the Federal Highway Administration disagrees that estimates of site-specific emissions “will aid in more meaningful disclosure.”</p> <p>Finally, to address the fact that emissions will increase along the project corridor, the Final Environmental Impact Statement includes a summary of past health risk studies for similar projects. The Federal Highway Administration considers this information more relevant and meaningful for communicating likely health risk than simply reporting an emissions number for the corridor. As explained in the Final Environmental Impact Statement and air quality technical report, all of these studies identified very low health risk, well below the U.S. Environmental Protection Agency’s “Action Level” for addressing risk.</p>

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4	<p>and analyzing uncertainty, risk comparison, and literature sources associated with the health effects of MSATs.</p> <p>Analysis of the No Action Alternative</p> <p>In our comment letter on the Draft EIS, EPA noted the need to analyze the No Action Alternative using updated socioeconomic projections that do not assume completion of the South Mountain Freeway. In the Final EIS, there continues to be a lack of analysis regarding the projected differences in land use and emissions if no freeway were to be built. While we understand that FHWA and ADOT used the information available to them from General Plan documents, we continue to recommend that the likely differences in land use, emissions, and congestion impacts between the Action and No Action alternatives be fully disclosed. Methods exist to complete these types of projections and “scenario planning”, and such analyses can help the public and decision-makers better understand the timing and location of induced growth and traffic impacts that may occur as a result of the action alternatives.</p> <p>As stated in the Final EIS, the traffic analyses for South Mountain Freeway were completed by distributing the Arizona Department of Administration population and employment projections for Maricopa County to smaller geographic areas,</p> <p>“using the latest available data, including general plans for local jurisdictions, and a state-of-the-art land use model system called AZ-SMART. The nationally-recognized UrbanSim microsimulation model was integrated into AZ-SMART and used to allocate county projections of population and employment to regional market areas based upon the pre-existing location of these activities, land consumption, and transportation system accessibility.”</p> <p>These socioeconomic projections were then aggregated to Traffic Analysis Zones using AZ-SMART.</p> <p>As noted in EPA’s comments on the Draft EIS, the underlying general plans used in these analyses assume that the South Mountain Freeway is complete. For example, the Estrella Village Core Plan (Adopted by Phoenix City Council Feb. 4, 2009) states: “Bisecting the core is the proposed Loop 202 that will connect the existing loop 202 in the southeast valley to I-10. This plan is based upon the assumption that the freeway will be an integral part of development within the core.” These assumptions are reflected on Page 4-7 of the Final EIS, which states: “Versions of the proposed action most closely aligned with the W59 and E1 Alternatives have been accounted for in long-range planning by municipalities (most notably, the City of Phoenix).” Additionally, the Final EIS states on page 4-14 that the “Phoenix <i>General Plan</i> for Laveen Village has designated areas for commercial development that cannot support the projected densities without implementation of the proposed action;” and further, on page 4-19, that the “land use plan designations associated with [the Laveen and Estrella village] cores are predicated, in part, on proximity to the freeway corridor.” These statements contradict other conclusions in the document that suggest land-use and development trends in the project area would be maintained regardless of whether the South Mountain Freeway is built. On the contrary, these general plans suggest that future land-use and development trends in areas surrounding the freeway are dependent on the freeway being built and, as such, have explicitly assumed completion of the proposed action.</p> <p>As a result, in the Final EIS, there continues to be inconsistency in the modeling inputs that result in an inability to make comparisons of the traffic operations and emission changes between the No Action Alternative and Preferred Alternative. The “No Action” scenario includes population and employment projections that assume the “Preferred Alternative” is built, with the build and no-build scenarios both using the same forecast of future population and employment. To model traffic volumes, speed, and</p>
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4	No-Action Alternative	<p>The Arizona Department of Transportation and Federal Highway Administration appreciate the U.S. Environmental Protection Agency’s suggestion to use alternative methods to describe the No-Action Alternative and the possibility that future impacts could be different than those presented in the No-Action Alternative analysis in the Final Environmental Impact Statement (if these alternative methods were used). Specifically, the agency suggests that impacts on land use, emissions, and traffic congestion would be different if such alternative methods to describe the No-Action Alternative were used. The comment assumes land use patterns, growth rates, and induced travel patterns would be different (from what is described in the Final Environmental Impact Statement) if the freeway were not in place. In essence, the agency is suggesting that the description of the No-Action Alternative (and its related impacts) in the Final Environmental Impact Statement is misleading.</p> <p>The Arizona Department of Transportation and Federal Highway Administration agree that scenario planning methods have application in some instances; however, in this case, the Arizona Department of Transportation and Federal Highway Administration believe that the methods used to describe the No-Action Alternative as presented in the Draft and Final Environmental Impact Statements are appropriate. At a basic level, the National Environmental Policy Act requires consideration of reasonable alternatives—meaning the No-Action Alternative should be reasonable as well. Speculation about what an alternative and the conditions surrounding the alternative in the future would look like is not appropriate; the effects of alternatives must be reasonably foreseeable. Under this premise, the description of the No-Action Alternative in the Final Environmental Impact Statement is appropriate. The description of this alternative is presented in the section, <i>Alternatives Studied in Detail</i>, in the Final Environmental Impact Statement on page 3-40. Its features include: not extending State Route 202L west of Interstate 10 (Maricopa Freeway), assuming all other projects in the <i>Regional Transportation Plan</i> are completed, and using population, employment, and housing projections officially approved by the Maricopa Association of Governments.</p> <p>The Arizona Department of Transportation and Federal Highway Administration believe that the depiction of impacts caused by the No-Action Alternative are, therefore, appropriate and correctly presented throughout the Final Environmental Impact Statement. In defining the transportation problem in Chapter 1, <i>Purpose and Need</i>, of the Final Environmental Impact Statement, the analysis illustrates the severity of the breakdown in the transportation network if no action were taken in the area. This is further supported by the impact analyses presented throughout Chapter 4, <i>Affected Environment, Environmental Consequences, and Mitigation</i>, of the Final Environmental Impact Statement. To summarize, durations and physical lengths of congestion would worsen, travel times would become longer over the same distances, congestion would continue to spill over into the arterial street network, and monetary costs to the State and its residents would increase.</p> <p>Further justification of why the No-Action Alternative description in the Final Environmental Impact Statement is most appropriate includes:</p> <ul style="list-style-type: none">• At certain points in the Phoenix metropolitan area’s history, growth rates prior to planning for the region’s freeway system exceeded growth rates after planning for and construction of the regional freeway system began. Chapter 1, <i>Purpose and Need</i>, and the sections, <i>Land Use</i> and <i>Economic Impacts</i>, in Chapter 4, establish cost of living, livability, mild climate, technological advancement (affordable air conditioning), employment opportunities, a development-oriented regulatory

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	<p>emissions by removing the road segments representing the South Mountain Freeway corridor, while leaving the socioeconomic inputs constant does not provide an accurate comparison of these alternatives, as is required under NEPA.</p> <p>Since the AZ-SMART model itself includes statistical sub-models of population and employment which include “transportation system accessibility,” to conclude that a project as large as the South Mountain Freeway will do nothing to change where people and jobs are located in the future is not supported by an understanding of land-use transportation linkages. Both the text of the general plans and the statistical models in AZ-SMART point to the conclusion that future population and employment projections in the traffic analysis zones are based on whether or not the South Mountain Freeway is built. While the zoning regulations within general plans may not change as a result of highway accessibility, the development of land parcels within each General Plan area depend on forecast travel time (or other AZ-SMART accessibility factors).</p> <p>We understand that General Plans are voter-approved documents, and as such it is not feasible to modify them for an analysis of the No Action alternative. However, it is possible to use AZ-SMART/UrbanSim to develop alternative socioeconomic forecasts at the Traffic Analysis Zone level that represent transportation infrastructure present in the No Action alternative. In this way, future population and employment forecasts can be estimated, given current General Plans, but in the absence of the new freeway. These projections would then be suitable for modeling the environmental impacts of the No Action alternative, including traffic patterns, congestion, and near roadway health impacts. This analytical concern does not affect the transportation conformity hot-spot analyses for CO and PM10, as they are both based on “Build” scenarios only.</p> <p><u>Children’s Environmental Health and Safety</u></p> <p>We appreciate the additional information and analysis provided in the Final EIS regarding noise impacts to schools adjacent to the proposed freeway. However, the Final EIS does not address other issues specific to children’s environmental health and safety. Further, the conclusion in the Final EIS that children are inherently accounted for in the analyses conducted for the population as a whole does not meet the intent of Executive Order 13045 on Children’s Health and Safety. The order directs that each federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks. It applies to all significant decisions made by federal agencies and is not specific to actions which are regulatory in nature, as suggested on Page B20 of the response to comments in the Final EIS. Additionally, based on current EPA policy and guidance, an analysis of impacts to children’s health should be included in a NEPA analysis if there is a possibility of disproportionate impacts on children related to the proposed action.^{1,2}</p> <p>Many studies have now shown that people who live, work, or attend school near major roads have an increased incidence and severity of health problems that may be related to air pollution from roadway</p> <p><small>1 U.S. EPA. April 4, 1996. Memorandum: Interim OFA Program Guidance on Implementing the EPA Policy on Evaluating Health Risks to Children. Available at: http://www.epa.gov/compliance/resources/policies/nepa/children-health-risks-pg.pdf.</small></p> <p><small>2 U.S. EPA. August 28, 2012. Memorandum: Addressing Children’s Health through Reviews Conducted Pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act. Available at http://www.epa.gov/compliance/resources/policies/nepa/NEPA-Children's-Health-Memo-August-2012.pdf.</small></p>

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4 (cont.)		<p>environment, and key location for industry as primary growth drivers in the Phoenix metropolitan area. Therefore, transportation is not the sole driver of growth.</p> <ul style="list-style-type: none">• As established in the Final Environmental Impact Statement, “pre-freeway” land use planning mimics “post-freeway” land use planning. In 1979, the <i>Phoenix Concept Plan 2000</i> was adopted by the City of Phoenix. The plan called for 25 Phoenix urban villages. Of those, it established 9 villages with instructions for village planning committees to prepare 25-year concept plans. The Laveen and Estrella Villages were included in the list of 25 suggested villages, although they were not among the 9 villages adopted in the initial plan. However, the intent was that Laveen and Estrella Villages would be developed at a later point in time. The freeway system considered in the plan included only Interstate 10, Interstate 17, and U.S. Route 60—it did not include the regional freeway system. <p>The <i>Phoenix Concept Plan 2000</i> was replaced by the <i>Phoenix General Plan, 1985–2000</i> (see Appendix D for both documents). The resolution adopting the <i>General Plan</i> directed the village planning committees to continue in the City of Phoenix’s planning process. The resolution included Laveen and Estrella as villages. Planning for the Laveen and Estrella Villages was completed around the same time as the initial planning for the regional freeway system, including the South Mountain Freeway. Therefore, the land use planning and transportation planning were conducted in parallel, not with one effort depending on the other.</p> <p>To conclude that land use patterns would look different than they do today (as inferred in the U.S. Environmental Protection Agency’s comment) is not consistent with past planning patterns. It is more reasonable to argue that the City of Phoenix would have continued to plan for the urban village core concept as has been envisioned since the late 1970s.</p> <p>The U.S. Environmental Protection Agency suggests that scenario planning be used to better inform decision makers. In this case, scenario planning would be speculative for the following reasons:</p> <ul style="list-style-type: none">• Factors affecting growth vary (see above), and to assume only transportation as a growth driver would be speculative.• Continuation of “pre-freeway” historical land use planning patterns is reasonable to expect. The section, <i>Land Use</i>, documents the growth scenario under the No-Action Alternative and notes that the area would develop in a similar fashion with or without the project. This is supported by:<ul style="list-style-type: none">› The Study Area already has good connecting transportation infrastructure (although congested) to support continued development without the freeway. It is also close to downtown Phoenix. Existing infrastructure plus location would result in growth without the freeway as described in the <i>Purpose and Need</i> chapter. The freeway is not opening up the area to development because existing roads (for example, Pecos Road, Baseline Road, and 51st Avenue) provide access.› To date, approximately 67 percent of the land in the Study Area has already been developed in accordance with the City of Phoenix’s <i>General Plan</i> and zoning ordinance. It is assumed that such development would not be torn down and land uses redistributed if the freeway were not built. <p>As documented in the section, <i>Land Use</i>, in Chapter 4 of the Final Environmental Impact Statement, agricultural (22 percent) and open space (11 percent) land uses in the Study Area represent only 33 percent of land area (it should be noted the 11 percent of open space is mostly not developable because of topographic challenges and floodplain constraints), while the remainder of the area is in some form of “built” land use. Distribution of zoning further supports the conclusion—12 percent of the Study Area is zoned for agricultural and open space uses while 88 percent is zoned for other more intensive land uses.</p>

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4 (cont.)		<p>› Factors contributing to historical and projected growth are well-documented in the Final Environmental Impact Statement in Chapter 1, <i>Purpose and Need</i>, and in the sections, <i>Land Use</i> and <i>Economic Impacts</i>, in Chapter 4. The freeway will be built in an area planned for urban growth as established in local jurisdictions’ land use planning activities for at least the last 25 years (see the section, <i>Induced Growth</i>, beginning on page 4-182 of the Final Environmental Impact Statement).</p> <p>› The sections, <i>Induced Travel</i> and <i>Induced Growth</i>, beginning on pages 4-179 and 4-182, respectively, of the Final Environmental Impact Statement, establish that the freeway would contribute to minimal induced travel demand (which has, to a large degree, been accounted for in the Maricopa Association of Governments’ model).</p> <p>› Section 93.110 of the U.S. Environmental Protection Agency’s conformity rule requires that population and employment projections (which establish growth rates and distribution) used in a conformity analysis be the most recent estimates that have been officially approved by the Maricopa Association of Governments (as the metropolitan planning organization for the Maricopa County nonattainment and maintenance areas). In accordance with the Governor’s Executive Order 2011-04, county-level population projections used for all State agency planning purposes were updated by the Arizona Department of Administration in December 2012, based on the 2010 U.S. Census. To use projections other than the approved demographic trends would be inconsistent with the projections required for use in the transportation conformity assessment.</p> <p>Even if one could argue the only reason the development has occurred as it has is because of the planned freeway (which is not the case—see above) for the last 30 years (in other words, if the freeway had not been planned, development would somehow have been different), the argument is irrelevant. Existing development is now there and, therefore, it is reasonable to assume that the land use distribution and related development will be there in the future.</p> <p>The analysis documented in the Final Environmental Impact Statement leads to the conclusion that the No-Action Alternative and action alternative land uses would be similar, and thus, no “scenario planning” is required. Scenario planning could have application if the area was not developed, but the manner in which the No-Action Alternative was determined and presented in the Final Environmental Impact Statement is “state-of-the-practice.” Defining the No-Action Alternative as including all projected socioeconomic growth and planned transportation projects in the <i>Regional Transportation Plan</i> except the proposed action is common practice. The approach taken in the Final Environmental Impact Statement has standard application in the transportation industry. In Arizona, this method to describe the No-Action Alternative has been commonplace in National Environmental Policy Act documents dating back to at least 1990. Further, the environmental impact statements for Legacy Parkway and Mountain View Corridor in Utah had a similar approach of using local land use plans, growth projections, and interviews with City representatives to determine whether the No-Action Alternative land use would be different than with the proposed action. All of these projects were in similar high-growth regions, and the conclusions were that the areas would develop with or without the project, although the timing may change.</p> <p>The No-Action Alternative as defined in the Final Environmental Impact Statement is appropriate. It satisfies reasonableness, withstands a hard look, and was fully disclosed.</p>

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	<p>emissions by removing the road segments representing the South Mountain Freeway corridor, while leaving the socioeconomic inputs constant does not provide an accurate comparison of these alternatives, as is required under NEPA.</p> <p>Since the AZ-SMART model itself includes statistical sub-models of population and employment which include “transportation system accessibility,” to conclude that a project as large as the South Mountain Freeway will do nothing to change where people and jobs are located in the future is not supported by an understanding of land-use transportation linkages. Both the text of the general plans and the statistical models in AZ-SMART point to the conclusion that future population and employment projections in the traffic analysis zones are based on whether or not the South Mountain Freeway is built. While the zoning regulations within general plans may not change as a result of highway accessibility, the development of land parcels within each General Plan area depend on forecast travel time (or other AZ-SMART accessibility factors).</p> <p>We understand that General Plans are voter-approved documents, and as such it is not feasible to modify them for an analysis of the No Action alternative. However, it is possible to use AZ-SMART/UrbanSim to develop alternative socioeconomic forecasts at the Traffic Analysis Zone level that represent transportation infrastructure present in the No Action alternative. In this way, future population and employment forecasts can be estimated, given current General Plans, but in the absence of the new freeway. These projections would then be suitable for modeling the environmental impacts of the No Action alternative, including traffic patterns, congestion, and near roadway health impacts. This analytical concern does not affect the transportation conformity hot-spot analyses for CO and PM10, as they are both based on “Build” scenarios only.</p> <p>Children’s Environmental Health and Safety</p> <p>We appreciate the additional information and analysis provided in the Final EIS regarding noise impacts to schools adjacent to the proposed freeway. However, the Final EIS does not address other issues specific to children’s environmental health and safety. Further, the conclusion in the Final EIS that children are inherently accounted for in the analyses conducted for the population as a whole does not meet the intent of Executive Order 13045 on Children’s Health and Safety. The order directs that each federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks. It applies to all significant decisions made by federal agencies and is not specific to actions which are regulatory in nature, as suggested on Page B20 of the response to comments in the Final EIS. Additionally, based on current EPA policy and guidance, an analysis of impacts to children’s health should be included in a NEPA analysis if there is a possibility of disproportionate impacts on children related to the proposed action.^{1,2}</p> <p>Many studies have now shown that people who live, work, or attend school near major roads have an increased incidence and severity of health problems that may be related to air pollution from roadway</p> <p>¹ U.S. EPA. April 4, 1996. Memorandum: Interim OFA Program Guidance on Implementing the EPA Policy on Evaluating Health Risks to Children. Available at: http://www.epa.gov/compliance/resources/policies/nepa/children-health-risks-pg.pdf.</p> <p>² U.S. EPA. August 28, 2012. Memorandum: Addressing Children’s Health through Reviews Conducted Pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act. Available at http://www.epa.gov/compliance/resources/policies/nepa/NEPA-Children's-Health-Memo-August-2012.pdf.</p>

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5	Children’s Health	<p>While the U.S. Environmental Protection Agency has provided ample evidence that <i>air pollution</i> has the potential for greater adverse impacts on children compared with the population at large, this does not imply that the project will have disproportionate impacts on children. The project itself will affect all near-road populations equally; it does not include elements that would lead to higher air pollutant concentrations near children compared with other receptors. For example, a review of the project maps at <smfonlinehearing.com/maps/> indicates that while some schools are near the project corridor, the proposed freeway is not located closer to schools than it is to other nearby receptors. Also, the particulate matter receptor diagrams presented in Figure 22 of the Record of Decision (and previously published in the air quality technical report, which the U.S. Environmental Protection Agency has reviewed) show that particulate matter (PM₁₀) impacts from the project decrease rapidly as distance from the roadway increases.</p> <p>The U.S. Environmental Protection Agency’s comment focuses entirely on children’s health impacts related to air pollution. The project study area is designated as attainment for the sulfur dioxide, nitrogen dioxide, lead, and particulate matter (PM_{2.5}) National Ambient Air Quality Standards. The carbon monoxide and particulate matter (PM₁₀) hot-spot analyses (developed in consultation with the U.S. Environmental Protection Agency) demonstrate that no violations of those National Ambient Air Quality Standards will occur, and the project is included in the regional emissions analysis of a conforming plan and transportation improvement program, meeting the conformity requirements related to the ozone National Ambient Air Quality Standards. The U.S. Environmental Protection Agency and Federal Highway Administration agree that the project has met all applicable Clean Air Act and regulatory requirements related to compliance with the National Ambient Air Quality Standards.</p> <p>Clean Air Act Section 109(b)(1) requires the U.S. Environmental Protection Agency to promulgate primary National Ambient Air Quality Standards at levels that allow an adequate margin of safety and that are requisite to protect the public health. As noted by the U.S. Environmental Protection Agency in its 2013 rulemaking for particulate matter, Clean Air Act Section 109’s legislative history demonstrates that the primary standards are “to be set at the maximum permissible ambient air level ... which will protect the health of any [sensitive] group of the population” (78 <i>Federal Register</i> 3086 and 3090) (quoting S. Rep. No. 91-1196, 91st Cong., 2 Sess. 10 [1970]) (alterations in original). Accordingly, the Final Environmental Impact Statement’s National Ambient Air Quality Standards-based evaluation of criteria air pollutants includes a health-based review of sensitive populations, including children and seniors, given the National Ambient Air Quality Standards’ inherent consideration of those factors. Furthermore, the National Ambient Air Quality Standards-based assessment ensures adequate consideration of health-based issues as “[t]he requirement that primary standards provide an adequate margin of safety was intended to address uncertainties associated with inconclusive scientific and technical information ... and to protect against hazards that research has not yet identified” (78 <i>Federal Register</i> 3090). By definition, if a project demonstrates that all National Ambient Air Quality Standards are met, as this project has done, then there cannot be any adverse National Ambient Air Quality Standards-related effects on the health of children or any other segment of the population.</p> <p>For mobile source air toxics, the net emissions impacts of the project affect children in the same manner that they affect the remainder of the population. Emissions will likely be higher along the project corridor and lower elsewhere in the</p>

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	<p>traffic.³ Further, reviews of the literature have concluded that near-roadway traffic emissions may not only trigger and exacerbate asthma symptoms, but also contribute to the development of asthma in children.^{4,5} As such, the construction of a new 8-lane freeway with diesel truck volumes of up to 17,000 per day in an area with a large population of children constitutes a need to analyze, disclose, and mitigate impacts to children.</p> <p>Given the connection between roadways and childhood asthma, the data on existing asthma rates and asthma severity among children living, playing, and attending school and daycare near the proposed project should be considered to determine if targeted mitigation measures, such as improved heating, ventilating, and air conditioning (HVAC) systems, may be appropriate to avoid exacerbating asthma symptoms or instigating the onset of new symptoms. Include any determination of targeted mitigation in the ROD.</p> <p>Impacts to Aquatic Resources</p> <p>EPA acknowledges that much additional field work has been completed between the Draft EIS and Final EIS to determine the extent of jurisdictional waters in the project area, and the Final EIS identifies that projected impacts to Waters of the U.S. have been reduced substantially from the 26 acres of impacts reported in the Draft EIS to under 3 acres in the Final EIS. The preferred alternative involves placing a roadway bridge over the Salt River and the construction of piers in the channel, as well as potential filling of 51 ephemeral washes that originate in the Phoenix South Mountain Park and drain to the south or west, with a potential hydrological connection to the Gila River. As discussed in our comments on the Draft EIS, ephemeral washes perform a diversity of hydrologic and biogeochemical functions that directly affect the integrity and functional condition of higher-order waters downstream.⁶ A commitment to maintain these natural washes, in their present location and natural form, and including adequate natural buffers to the maximum extent practicable, should be included in the ROD. Further, we encourage FHWA and ADOT to continue working with the Army Corps of Engineers throughout project design to further avoid and minimize impacts to Waters of the U.S.</p> <p>Clean Water Act Compliance</p> <p>We understand that potential disturbances of greater than 0.5 acres may be necessary where the project crosses large individual washes, thus requiring an Individual Permit (IP) under Section 404 of the Clean Water Act. When applying for the Section 404 permit, FHWA and ADOT must demonstrate that the proposed action is the least environmentally damaging practicable alternative (LEDPA), while also</p> <p>3 HEI Panel on the Health Effects of Traffic-Related Air Pollution. 2010. Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects. HEI Special Report 17. Health Effects Institute, Boston, MA.</p> <p>4 Anderson H, Favarato G, Atkinson R. 2011a. Long-term exposure to air pollution and the incidence of asthma: meta-analysis of cohort studies. <i>Air Qual Atmos Health</i>. doi:10.1007/s11869-011-0144-5.</p> <p>5 Anderson H, Favarato G, Atkinson R. 2011b. Long-term exposure to outdoor air pollution and the prevalence of asthma: meta-analysis of multi-community prevalence studies. <i>Air Qual Atmos Health</i>. doi:10.1007/s11869-011-0145-4.</p> <p>6 See Levick, L., J. Fonseca, D. Goodrich, M. Hernandez, D. Semmens, J. Stromberg, R. Leidy, M. Scianni, D. P. Guertin, M. Tluczek, and W. Kepner. 2008. <i>The Ecological and Hydrological Significance of Ephemeral and Intermittent Streams in the Arid and Semi-arid American Southwest</i>. U.S. EPA and USDA/ARS Southwest Watershed Research Center, EPA/600/R-08/134, ARS/233046, 116 pp.</p>
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5 (cont.)		<p>Study Area. Regardless of the alternative selected, emissions are expected to decline by over 80 percent in the project study area over the life of the project. In addition, the summary of health risk assessments for past highway projects presented in the Final Environmental Impact Statement suggests that the mobile source air toxics health risks for this project are negligible, especially for the very short exposure time frames (as a fraction of a 70-year lifetime) occurring at schools and day care centers.</p> <p>The Federal Highway Administration also reviewed a recent sampling of the U.S. Environmental Protection Agency’s own National Environmental Policy Act documents to gain a better understanding of the U.S. Environmental Protection Agency’s preferred approach for addressing children’s health under the National Environmental Policy Act. Specifically, the Federal Highway Administration reviewed the two U.S. Environmental Protection Agency Final Environmental Impact Statements posted online at the U.S. Environmental Protection Agency’s environmental impact statement database at <yosemite.epa.gov/oeca/webeis.nsf/AdvSearch?openform>. It also reviewed the 24 environmental assessments/findings of no significant impact posted online at <yosemite.epa.gov/oeca/WebEIS.nsf/viAllNepa?openview>.</p> <p>Executive Order 13045, “Protection of Children from Environmental Health Risks and Safety Risks,” was issued on April 23, 1997. The U.S. Environmental Protection Agency released its “309” guidance (“Addressing Children’s Health through Reviews Conducted Pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act”) on August 14, 2012. All of the National Environmental Policy Act documents the Federal Highway Administration reviewed were finalized by the U.S. Environmental Protection Agency after its 309 guidance was released.</p> <p>The South Mountain Freeway Final Environmental Impact Statement includes a full page of discussion of impacts on children’s health. An example document from the U.S. Environmental Protection Agency with a more extensive discussion of children's health than what is provided in the South Mountain Freeway Final Environmental Impact Statement was not found. Since the approach Federal Highway Administration has used in addressing children’s health in this National Environmental Policy Act document far exceeds the approach the U.S. Environmental Protection Agency has used in its own National Environmental Policy Act documents, the Federal Highway Administration considers the Final Environmental Impact Statement discussion sufficient.</p>

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	<p>traffic.³ Further, reviews of the literature have concluded that near-roadway traffic emissions may not only trigger and exacerbate asthma symptoms, but also contribute to the development of asthma in children.^{4,5} As such, the construction of a new 8-lane freeway with diesel truck volumes of up to 17,000 per day in an area with a large population of children constitutes a need to analyze, disclose, and mitigate impacts to children.</p> <p>Given the connection between roadways and childhood asthma, the data on existing asthma rates and asthma severity among children living, playing, and attending school and daycare near the proposed project should be considered to determine if targeted mitigation measures, such as improved heating, ventilating, and air conditioning (HVAC) systems, may be appropriate to avoid exacerbating asthma symptoms or instigating the onset of new symptoms. Include any determination of targeted mitigation in the ROD.</p> <p>Impacts to Aquatic Resources</p> <p>EPA acknowledges that much additional field work has been completed between the Draft EIS and Final EIS to determine the extent of jurisdictional waters in the project area, and the Final EIS identifies that projected impacts to Waters of the U.S. have been reduced substantially from the 26 acres of impacts reported in the Draft EIS to under 3 acres in the Final EIS. The preferred alternative involves placing a roadway bridge over the Salt River and the construction of piers in the channel, as well as potential filling of 51 ephemeral washes that originate in the Phoenix South Mountain Park and drain to the south or west, with a potential hydrological connection to the Gila River. As discussed in our comments on the Draft EIS, ephemeral washes perform a diversity of hydrologic and biogeochemical functions that directly affect the integrity and functional condition of higher-order waters downstream.⁶ A commitment to maintain these natural washes, in their present location and natural form, and including adequate natural buffers to the maximum extent practicable, should be included in the ROD. Further, we encourage FHWA and ADOT to continue working with the Army Corps of Engineers throughout project design to further avoid and minimize impacts to Waters of the U.S.</p> <p>Clean Water Act Compliance</p> <p>We understand that potential disturbances of greater than 0.5 acres may be necessary where the project crosses large individual washes, thus requiring an Individual Permit (IP) under Section 404 of the Clean Water Act. When applying for the Section 404 permit, FHWA and ADOT must demonstrate that the proposed action is the least environmentally damaging practicable alternative (LEDPA), while also</p> <p>³ HEI Panel on the Health Effects of Traffic-Related Air Pollution. 2010. Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects. HEI Special Report 17. Health Effects Institute, Boston, MA.</p> <p>⁴ Anderson H, Favarato G, Atkinson R. 2011a. Long-term exposure to air pollution and the incidence of asthma: meta-analysis of cohort studies. <i>Air Qual Atmos Health</i>. doi:10.1007/s11869-011-0144-5.</p> <p>⁵ Anderson H, Favarato G, Atkinson R. 2011b. Long-term exposure to outdoor air pollution and the prevalence of asthma: meta-analysis of multi-community prevalence studies. <i>Air Qual Atmos Health</i>. doi:10.1007/s11869-011-0145-4.</p> <p>⁶ See Levick, L., J. Fonseca, D. Goodrich, M. Hernandez, D. Semmens, J. Stromberg, R. Leidy, M. Scianni, D. P. Guertin, M. Tluczek, and W. Kepner. 2008. <i>The Ecological and Hydrological Significance of Ephemeral and Intermittent Streams in the Arid and Semi-arid American Southwest</i>. U.S. EPA and USDA/ARS Southwest Watershed Research Center, EPA/600/R-08/134, ARS/233046, 116 pp.</p>
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6	Waters of the United States	The Arizona Department of Transportation and Federal Highway Administration understand the importance of maintaining the connectivity and functions provided by ephemeral washes in the desert environment. During final design, the Arizona Department of Transportation reviews each wash to ensure flows are maintained both up- and downstream of the project without substantially changing flow conditions or increasing flow velocities downstream. Many of the washes already have been altered by the existing road network adjacent to the project. The Arizona Department of Transportation is committed to maintaining each wash in its current location, to the extent practicable. For example, a commitment has been made to the Gila River Indian Community that the locations and flows that currently cross the freeway alignment and enter its land will be the same after construction. The Arizona Department of Transportation has also committed to continue coordination with the Gila River Indian Community on design elements of the drainage infrastructure as well as other issues through the project development. Finally, as the project moves into construction, the Arizona Department of Transportation and Federal Highway Administration have committed, as noted in the Final Environmental Impact Statement, to work with the U.S. Army Corps of Engineers in complying with requirements of the Clean Water Act permitting process (these commitments are documented in Table 3, beginning on page 38, of the Record of Decision).
7	Waters of the United States	<p>From project initiation, the Arizona Department of Transportation and the Federal Highway Administration have been working collaboratively with the U.S. Army Corps of Engineers regarding evaluation of waters of the United States to ensure the project complies with the Clean Water Act. According to the Clean Water Act Section 404(b)(1), the U.S. Army Corps of Engineers is required to select the least environmentally damaging practicable alternative after considering cost, existing technology, and logistics in light of the overall project purpose in cases where an individual permit is required. To ensure this process was considered, the U.S. Army Corps of Engineers has been involved in developing the purpose and need and alternatives analysis for the project in accordance with Section 404(b)(1). As the alternative analysis demonstrated, there were no practicable alternatives to avoid impacts on waters of the United States and thus the Arizona Department of Transportation has committed to minimization and mitigation of impacts.</p> <p>The U.S. Army Corps of Engineers is the permitting agency for the Clean Water Act. In a letter dated January 28, 2015 (see Appendix D), the agency defined the permitting strategy for the South Mountain Freeway project. The U.S. Army Corps of Engineers noted that “the eastern segment would be permitted as an individual permit if those wash impacts exceed 0.5 acre and the western segment would be permitted as a nationwide permit. Breaking the segment at the South Mountain 12-digit HUC watershed makes the most sense in that the eastern segment is mostly residential/commercial development with the most ephemeral washes. The western segment is predominantly agricultural lands with minimal jurisdictional washes. Each segment would still meet the definition of single and complete and each segment would have independent utility based on 33 CFR § 330.6(d).” The Arizona Department of Transportation will continue to coordinate with the U.S. Army Corps of Engineers as the project moves forward.</p>

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	<p>not causing or contributing to significant degradation of the aquatic ecosystem. If the project is to be permitted and delivered as a single design-build project, this LEDPA demonstration would apply to the project as a whole, rather than a specific crossing or segment of the project.</p> <p>The Final EIS suggests that the project will likely be permitted using a combination of Nationwide Permits (NWP) and an IP. However, NWP issued in advance of the IP or a grouping of NWP and IPs can be issued only if single and complete/independent utility portions of the project can be determined, with the intent being to avoid piecemealing and/or prejudicing the decision on an individual permit. 33 C.F.R. section 330.6(d) states:</p> <p>"...portions of a larger project may proceed under the authority of the NWP while the district engineer evaluates an individual permit application for other portions of the same project, but only if the portions of the project qualifying for NWP authorization would have independent utility and are able to function or meet their purpose independent of the total project. When the functioning or usefulness of a portion of the total project qualifying for an NWP is dependent on the remainder of the project, such that its construction and use would not be fully justified even if the Corps were to deny the individual permit, the NWP does not apply and all portions of the project must be evaluated as part of the individual permit process."</p> <p>If the South Mountain Freeway project is to be delivered as a single design-build project, EPA recommends pursuing an Individual Permit for the project as a whole, as it would be difficult to justify that multiple smaller segments of the project would meet their purpose independent of the total project.</p> <p><u>Wildlife Connectivity</u></p> <p>The project proposes to construct a new 8-lane freeway through multiple ridgelines of South Mountain Park in an area known to be the last remaining connection for wildlife to move between South Mountain and the Sierra Estrella mountains. We note that ADOT has demonstrated national leadership in prioritizing wildlife on other major freeway projects throughout the state. However, despite the anticipated impacts of the project to wildlife movement, little has been proposed in the Final EIS to address and mitigate for the construction of this significant new barrier to wildlife connectivity, with the exception of a few multiuse crossings and culverts. In response to comments on the Draft EIS, FHWA and ADOT suggest that the corridor will only become more degraded as the surrounding area develops, and that it is not the responsibility of ADOT to mitigate for impacts caused by these future unrelated actions. However, as is made clear in local general plans, the future development of the surrounding area is not an unrelated action and is very much dependent on the construction of the proposed project to facilitate access into these core development areas. As such, EPA continues to recommend that FHWA and ADOT identify measures in the ROD beyond standard freeway mitigation to protect and restore this important wildlife linkage.</p> <p>The South Mountain Project is an important opportunity for ADOT to shift their focus from preservation of wildlife movement corridors to the even more challenging and equally important work of restoring a degraded corridor. Currently, we understand that ADOT is partnering with other state and local stakeholders on the State Route 77 wildlife corridor project outside of Tucson to secure connectivity on state and private lands between the Tortolita and Santa Catalina Mountains. A similar approach could be effective on the South Mountain Freeway project, working with local leaders, developers, and the Gila River Indian Community to purchase mitigation lands and/or obtain</p>
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8	Biology, Plants, and Wildlife	<p>The Arizona Department of Transportation and Federal Highway Administration acknowledge the U.S. Environmental Protection Agency's concern regarding the project's impacts on wildlife movement in the Study Area. As the agency noted, the Arizona Department of Transportation has demonstrated national leadership in implementing wildlife connectivity measures on freeways throughout the state. For each project, the Arizona Department of Transportation must prioritize use of transportation funding and does so by considering factors such as potential effects on driver safety, regulatory status of species, the size of wildlife populations in an area, and the likely frequency of use of the crossings.</p> <p>In commenting on this project, the U.S. Environmental Protection Agency states that not enough has been done to mitigate impacts on wildlife connectivity. The agency recommends:</p> <ul style="list-style-type: none">• implementing measures beyond standard mitigation to restore the wildlife linkage• shifting the "focus from the preservation of wildlife movement corridors to the even more challenging and equally important work of restoring a degraded corridor" (including freeway overcrossings and enhancements to 51st Avenue) <p>When considering mitigation, the National Environmental Policy Act, in essence, requires:</p> <ul style="list-style-type: none">• considering mitigation to avoid, reduce, minimize, or otherwise mitigate for impacts caused by the proposed action• ensuring the level of mitigation is appropriate for the magnitude of the impact• considering mitigation for direct and indirect impacts—the project is not obligated to mitigate for impacts caused by others—and recognizing that mitigation of direct impacts contributes to mitigation for cumulative impacts <p>The baseline condition of a resource results from the effects of both past and current actions on that resource. The National Environmental Policy Act does not require a proposed action to improve the baseline condition. The mitigation actions proposed in the Final Environmental Impact Statement and the commitment list in the Record of Decision are appropriate for reasons stated below.</p> <p>The Arizona Department of Transportation and Federal Highway Administration have committed to mitigating the fragmenting effects of the project by enhancing bridges and drainage structures to promote wildlife connectivity between the South Mountains, the Sierra Estrella, and Gila River Indian Community land. The enhancements will include providing fencing to guide wildlife to use the crossing structures at the southwest end of the South Mountains.</p> <p>The U.S. Environmental Protection Agency comment infers that the Arizona Department of Transportation and Federal Highway Administration should do more than the mitigation proposed by restoring the degraded corridor, acknowledging that habitat in the project areas has historically been adversely affected. It is not the obligation of the project to mitigate impacts caused by other unrelated actions. The freeway will be implemented in a historically quickly urbanizing area (most noticeably in the Western Section of the Study Area). Historical and projected growth and the factors contributing to such growth are well-documented in the Final Environmental Impact Statement in Chapter 1, <i>Purpose and Need</i>, and in the Chapter 4 sections, <i>Land Use</i> and <i>Economic Impacts</i>, beginning on pages 4-3 and 4-56, respectively. The freeway will be built in an area planned for urban growth as established in local jurisdictions' land use planning</p>

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	<p>conservation easements in a defined corridor between South Mountain and the Sierra Estrella Mountains. Additional mitigation could be achieved through the provision of overcrossings, or enhancements to 51st Avenue in order to reduce barrier effects. If such a project were executed to protect these resources, construction of the South Mountain Freeway could provide an opportunity to enhance and restore wildlife connectivity rather than threaten it.</p>
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8 (cont.)		<p>activities for at least the last 25 years (see the section, <i>Induced Growth</i>, beginning on page 4-182 of the Final Environmental Impact Statement). Additionally, the area in question has become much more fragmented during the environmental impact statement process and continues to experience fragmentation independent of the project. It is not reasonable to assume this will not continue or that concerned entities will prevent further fragmentation because that has not occurred to date.</p> <p>The freeway will not provide additional access into core areas of the wildlife linkage because it will be a completely access-controlled facility. Right-of-way fencing will prohibit motorists from leaving the freeway right-of-way to access adjacent land. One multifunctional crossing will be located coincident with an existing Maricopa County trail. The other multifunctional crossings along the freeway will facilitate limited pedestrian access from the Gila River Indian Community to culturally important places and will also allow wildlife movement.</p> <p>As mentioned in the comment, the Arizona Department of Transportation and Federal Highway Administration are willing to partner with other stakeholders to enhance wildlife connectivity across transportation facilities. The example given in the comment of the project to construct a wildlife overpass within a priority wildlife priority linkage on State Route 77 is being undertaken in conjunction with the Regional Transportation Authority and the Pima Association of Governments. The Regional Transportation Authority initiated and funded the addition of the wildlife crossing structures and fencing to a planned Arizona Department of Transportation widening project for the highway.</p> <p>Example measures cited by the U.S. Environmental Protection Agency, such as overcrossings and 51st Avenue enhancements, while not necessary or required, are actions the Arizona Department of Transportation and Federal Highway Administration would consider integrating into the project during later design if such improvements were funded by others and did not negatively affect the freeway’s operational characteristics. This is not dissimilar to looking for transit enhancement opportunities as noted in the Final Environmental Impact Statement. Similarly, the Arizona Department of Transportation and Federal Highway Administration have committed to continued coordination with the U.S. Fish and Wildlife Service and Arizona Game and Fish Department on mitigation cited in the Final Environmental Impact Statement.</p>

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9	<p>U.S. EPA ADDITIONAL INFORMATION TO CONSIDER FOR ASSESSING NEAR-ROADWAY HEALTH EFFECTS - FINAL ENVIRONMENTAL IMPACT STATEMENT, SOUTH MOUNTAIN FREEWAY PROJECT, MARICOPA COUNTY, ARIZONA, DECEMBER 22, 2014</p> <p>EPA’s July 23, 2013 comments on the Draft EIS included recommendations regarding the assessment of potential near-roadway health effects of the proposed South Mountain Freeway project. While we appreciate that the Final EIS and Response to Comments for the project included an expanded discussion about health risk from highway projects, we believe the following additional information should also be considered in order to understand possible health effects from this project. Further, we recommend the following information be considered when conducting analyses of future roadway projects.</p> <p>Sources of Uncertainty</p> <p>The discussion under “Health Risk Contributions from Highway Projects” (pp. 4-79 to 4-81) and “The Role of Health Risk Assessment in a National Environmental Policy Act Context” (p. 4-82) are welcome additions to MSAT discussions found in environmental documents for highway projects. However, this discussion describes only those sources of uncertainty that have the potential to lead to a “false positive” statement about health risk (i.e., an overestimation of the risk). Lacking from this discussion is a description of sources of uncertainty that lead to a higher chance of “false negative” statements about health risk. To be balanced, this section should address several notable sources of uncertainty, which create a potential for “false negative” statements of risk.</p> <p>First, exposure to mutagenic carcinogens during early life is associated with elevated risk of lifetime cancer. In EPA’s <i>Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens</i> (http://www.epa.gov/cancerguidelines/guidelines-carcinogen-supplement.htm), exposures occurring during early childhood are assigned “age-dependent adjustment factors” which adjust the “potency” of the chemical for lifetime cancer risk as such:</p> <ul style="list-style-type: none">• For exposures before 2 years of age (i.e., spanning a 2-year time interval from the first day of birth up until a child’s second birthday), a 10-fold adjustment.• For exposures between 2 and <16 years of age (i.e., spanning a 14-year time interval from a child’s second birthday up until their sixteenth birthday), a 3-fold adjustment.• For exposures after turning 16 years of age, no adjustment. <p>Second, the discussion here focuses primarily on uncertainty associated with the parameters included in various models along the chain of models between emissions and risk, which is sometimes called “parametric uncertainty.” However, other sources of uncertainty include “model uncertainty” or “epistemic uncertainty” which results from the limitations in available information about the world contained in one or more models. One major source of epistemic uncertainty here is the assumption that risk assessment procedures adequately represent information about public health. Earlier in 2014, the U.S. authors at the U.S. Centers for Disease Control and Prevention (CDC) published a quantitative meta-analysis of studies of the risks of childhood leukemia associated with living near a major roadway, and found positive risks associated with residence after birth, but not before birth (Boothe et al., 2014). At the U.S. incidence rate of childhood leukemia (for age 0-14 years, 8.8 per 100,000 between 2001-2007 in NCI’s SEER database), the CDC’s relative risk of 1.53 suggests a risk enhancement of $(8.8 * 0.53 =) 4.7$ per 100,000 associated with childhood residence near major roadways), or 0.0047 percent. While the etiologic agents responsible for the enhanced leukemia risks in children are unknown, three MSATs included in this FEIS are leukemogens in adults (i.e., benzene,</p>

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9	Health Risk Assessment	<p>The Federal Highway Administration appreciates the U.S. Environmental Protection Agency’s efforts to help us better understand the uncertainties associated with estimating health risk. The discussion of uncertainties in the National Environmental Policy Act document does not focus only on aspects of the risk assessment process that would lead to an overestimation of risk, as stated by the U.S. Environmental Protection Agency. For example, travel models, emissions models, dispersion models, and Integrated Risk Information System risk estimates can all be incorrect in either direction (high or low); the National Environmental Policy Act document does not claim that any of these tools are “biased high” (such that they would lead to an overestimation of risk). However, the National Environmental Policy Act document does point out that some of the assumptions that practitioners use in conducting risk assessments seem to be biased high; the examples used include the common assumptions that someone will be present at a fixed location for an entire 70-year lifetime, and that emissions levels will remain constant for 70 years and never improve. It is difficult to imagine scenarios in which these assumptions would lead to underestimation of risk (someone would have to be present at a location for longer than an entire lifetime, or the U.S. Environmental Protection Agency would have to rescind its emissions control regulations and allow vehicles to pollute more). In any event, the additional information the U.S. Environmental Protection Agency has provided is helpful, and the Federal Highway Administration will consider including it in uncertainty discussions in future National Environmental Policy Act documents.</p> <p>However, while it is always useful to have a better understanding of the uncertainties involved with health risk assessment, the Federal Highway Administration would like to reiterate that analysis uncertainty is only one of many reasons we have elected not to conduct a health risk assessment for this project. In both the Draft and Final Environmental Impact Statements, the Federal Highway Administration has explained the reasons for this decision. These include the following: 1) mobile source air toxics health risk is very low, particularly compared with overall cancer risk or fatal accident risk; 2) health risk assessments are typically based on 70-year lifetime exposure, which is unreasonable in the context of a roadway project; 3) mobile source air toxics health risk is likely to decline further because emissions are projected to drop by more than 80 percent over the life of the project; 4) the project makes almost no difference in study area mobile source air toxics emissions (the analysis projected an 83.98 percent drop in emissions with the project and an 84.03 percent drop in emissions without the project); 5) the project likely has health benefits for roadway users; and 6) health risk assessment as an analysis technique appears to be inconsistent with the guidelines the Council on Environmental Quality has developed for National Environmental Policy Act documents.</p> <p>The comparison of cancer risk as reported by project risk assessments to the risk of death in traffic fatalities was not meant to be an apples-to-apples comparison. Instead, it was meant to provide a tangible, health-based comparison that lay readers could relate to. While childhood leukemia is (thankfully) rare, even at a rate of 47 in a million, traffic fatalities are common enough that most people can relate to that risk. Many people personally know someone who lost his or her life in a traffic accident, and people have a good understanding of that risk and have adapted to it in various ways, whether driving more carefully, wearing a seat belt, or ignoring the risk altogether. Since the South Mountain Freeway Final Environmental Impact Statement represents the first time that the Federal</p>

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	<p>formaldehyde, 1,3-butadiene). In that the majority of pediatric leukemia cases take place within the first 5 years of life, this suggests that a focus on 70-year lifetime cancer risk and the attendant uncertainties described in the text box on Page 4-82 has the potential to understate risk.</p> <p>As such, this section should include a discussion of sources of uncertainty that are more likely to result in a “false negative” statement of health risk (or an underestimate) than a “false positive” (or an overestimate) associated with health risks. In particular:</p> <ul style="list-style-type: none">• In keeping with EPA’s supplemental risk guidelines for early-life exposure to carcinogens, this section should note that early-life exposures to certain MSATs may result in higher risk than those studies reviewed here.• CDC’s study should be discussed to illustrate that risk assessment focused exclusively on adults may underestimate cancer risks in children. <p>Overall, the qualitative description of uncertainties on p. 4-82 reach the conclusion that the results of, “health risk assessment would be more influenced by the uncertainty introduced into the process through assumptions and speculation rather than by genuine insight into the actual health impacts directly attributable to MSAT exposure associated with a project. Therefore, outcomes of such a health risk assessment do not provide useful information for decision makers.”</p> <p>Given that epidemiology studies of actual cases of childhood cancer have reported statistically significant associations between disease risk and concentrations of MSATs and other pollutants predicted by similar models (see comments below), this statement seems unjustified. If such information is of sufficient quality for use in cancer epidemiology studies, it seems reasonable that such information would also be relevant to NEPA review and of interest to decision makers.</p> <p>Risk Comparison</p> <p>The Final EIS states that, “...the incremental risk of cancer from breathing air near a major roadway is several hundred times lower than the risk of fatal accident from using a major roadway” (p. 4-81). However, given CDC’s estimate for childhood leukemia risk (Relative Risk of 1.53, corresponding to excess risk of 4.7 per 100,000 children), this statement should be reworded to reflect risks of a more comparable magnitude. Comparing traffic fatalities to cancer deaths is not a strictly apples-to-apples comparison. The air pollution risks from MSATs are part of the larger impacts of air pollution on public health, which includes deaths from cardiovascular disease and other causes. Recent studies estimate the annual premature mortality attributable to air pollution in the U.S. to be approximately 200,000. As such, we recommend that MSAT risks be compared to this larger quantified air pollution risk, rather than to traffic fatalities in general.</p> <p>Literature on MSATs</p> <p>The publications described on pages 4-81 to 4-85 represent a small percentage of total articles and publications about MSAT exposures and risks. As such, these publications seem to have been selectively chosen to support FHWA’s conclusion that risk assessment for MSATs is too uncertain to support decision making. In addition to the description of CDC’s meta-analysis, above, which links childhood leukemia rates with living near a major road, where known or likely leukemogens for adults are emitted (e.g., benzene, formaldehyde, and 1,3-butadiene), there are several other studies that discuss how exposure to MSATs affect health including:</p> <p>2</p>

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		<p>Highway Administration has provided a comparative summary of mobile source air toxics health risk from highway projects, the Federal Highway Administration felt it was important to compare mobile source air toxics health risk to another health risk that readers could easily relate to, since most readers deal with it in some way on a daily basis. The Federal Highway Administration agrees that comparison of mobile source air toxics cancer risk to premature mortality from air pollution in general would also be useful, and will consider this for future National Environmental Policy Act documents.</p> <p>The Federal Highway Administration also agrees that the selection of studies reported in the Final Environmental Impact Statement represents a small fraction of the available articles and research reports regarding near-road air pollution health impacts. Rather than cite the hundreds of available studies individually, the Federal Highway Administration summary attempts to capture the important synthesis works, that is, the collections of related studies that are compared and summarized for policymakers and regulators. However, as spelled out in the Federal Highway Administration's 2012 mobile source air toxics guidance and in the section, <i>MSAT Information Status</i>, on page 4-81 of the Final Environmental Impact Statement, the Federal Highway Administration referenced these studies in the Final Environmental Impact Statement as sources of additional background information on mobile source air toxics health effects and research. These studies are not referenced as sources of further information regarding health risk assessment uncertainties, as implied by the U.S. Environmental Protection Agency's comment. While some of these studies do address the topic of uncertainties, they are provided primarily as sources of general background information on mobile source air toxics for readers interested in learning more about the topic.</p>

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	<div><ul style="list-style-type: none">• A study by EPA authors comparing the performance of multiple dispersion models (RLINE, AERMOD with volume sources, AERMOD with area sources, ADMS, CALINE3, and CALINE4) used measurements from tracer studies in two locations to quantify the performance of each of these models.⁷ For CALINE3/4, RLINE, ADMS, and AERMOD, metrics of performance (fractional bias – FB, normalized mean square error – NMSE, correlation – R, and fraction of estimates within a factor of measured values – FAC2) were all published. These metrics suggest good performance of RLINE, AERMOD, and ADMS.• An air quality modeling study using AERMOD’s dispersion of benzene, 1,3-butadiene, and toluene compared the outcomes to measurements near a major highway in Raleigh, North Carolina. “The results presented in the paper demonstrate the suitability of the formulation in AERMOD for estimating concentrations associated with mobile source emissions near roadways.”⁸• In an Italian case-control study, benzene concentrations at children’s residences modeled with the European emissions model (COPERT IV) and CALINE4 dispersion model were associated with the risk of childhood leukemia among 83 cases of leukemia in the years 1998-2009, particularly among myeloid leukemia before age 5 years.⁹ This study was not included in the CDC meta-analysis, which focused only on “traffic,” not specific air pollutants. While benzene could be correlated with other toxics, concentrations of air toxics modeled in the way that this document describes “would not necessarily have a strong nexus to the requirements for high-quality information and accurate scientific analysis” (p. 4-82). Yet such models did provide enough quality-based information to address children’s exposure in an epidemiology study. Such a study is not “risk assessment,” but epidemiology based on actual pediatric cancer cases. If such modeling produces enough information that epidemiology models have sufficient power to statistically associate it with the likelihood of real-world pediatric leukemia, it is hard to understand how such information is described as poor quality.• A case-control study in California used CALINE4 for quantifying Carbon Monoxide (CO) at pregnant women’s residential addresses and found statistically significant associations with their children’s risk of acute pediatric lymphoblastic leukemia (ALL), germ cell tumors, and retinoblastoma.¹⁰ Notably, the study found negative associations between the mothers’ exposure to CO and the risks of acute myeloid leukemia (AML). This study was published after CDC’s publication cutoff, and notably found pediatric cancer risks associated with <i>in utero</i> exposures– risks which CDC’s meta-analysis found nonsignificant. The study also found that average PM2.5 concentrations during pregnancy also created risks for retinoblastoma in children’s residences with much traffic near their home.• A cohort study in Toronto, Canada used “land-use regression (LUR) surfaces” based on Volatile Organic Compound (VOC) measurements in 2002 and 2005 to quantify the exposure for Toronto residents.¹¹ These VOCs included total hydrocarbons and the MSATs benzene</div> <div><p>7 Heist, D.; Isakov, V.; Perry, S.; et al. (2013) Estimating near-road pollutant dispersion: a model inter-comparison. Transportation Research Part D: Transport and Environment 25: 93-105.</p><p>8 Venkatram, A.; Isakov, V.; Seila, R.; Baldauf, R. (2009) Modeling the impacts of traffic emissions on air toxics concentrations near roadways. Atmospheric Environment 43: 3191-3199.</p><p>9 Vincenti, M.; Rothman, K.J.; Crespi, C.M.; et al. (2012) Leukemia risk in children exposed to benzene and PM10 from vehicular traffic: a case-control study in an Italian population. Europe J Epidemiology 27: 781-790.</p><p>10 Heck, J.E.; Wu, J.; Lombardi, C.; et al. (2013) Childhood cancer and traffic-related air pollution exposure in early life. Environmental Health Perspectives 121: 1385-1391.</p><p>11 Villeneuve, P.J.; Jerrett, M.; Su, J.; et al. (2013) A cohort study of intra-urban variations in volatile organic compounds and mortality, Toronto, Canada. Environmental Pollution 183: 30-39.</p></div> <div>3</div>

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	<p>and n-hexane. The exposures (for benzene) were based on a LUR that included distance to expressways and major roads and nearby commercial and industrial land area. The article concluded, “Our exploratory multi-pollutant modeling implicated benzene rather than nitrogen dioxide as the pollutant that may be responsible for the increase in cancer-related mortality, whereas the opposite held true for cardiovascular disease mortality.”</p> <ul style="list-style-type: none">• Formaldehyde exposure has been linked with leukemia in a number of occupational studies, with a particular focus on myeloid leukemia.¹² <p>These studies do not represent all the publications available, but provide sufficient evidence that the references provided in the Final EIS are not representative of the range of publications that are available.</p> <p>With respect to the publications by HEI discussed on pages 4-83 to 4-84, saying that “<i>In general, the authors ... were unable to find that highways were the only source of these pollutants</i>” does not describe the hypotheses for which these studies were designed. In fact, Liroy et al. (HEI Report 160) was intentionally selected to reflect emissions of multiple sources of toxics, including one with “industrial sites serviced by heavy truck traffic” that was hypothesized to be a hot-spot and a comparison site with no industrial sites chosen as a comparison site. While the authors did find that the hypothesized “hot spot” had higher concentrations of PM2.5, toluene, xylenes, and PAHs than the comparison site, the comparison site had concentrations of benzene, MTBE, chloroform, carbon tetrachloride, hexane, and acetaldehyde that were as high or higher. HEI’s Research Committee “concurred with the investigators’ conclusion that, by their alternative definition of a hot spot (i.e., having elevated concentrations compared with those of other, more distant areas in New Jersey and across the United States), both neighborhoods could be considered hot spots for PM2.5, benzene, toluene, MTBE, and aldehydes.” In a saturation-sampling substudy, HEI states that “results showed that, even within a possible hot spot, spatial variability in ambient concentrations can be found, suggesting that people in some locations within a neighborhood are likely to be exposed to much higher concentrations than those recorded at a fixed monitoring site in the same neighborhood.”</p> <p>Similarly, in the statement on Research Report 158 (Spengler et al.), the Research Committee noted, “Although the levels of MSATs in the area near the Peace Bridge in Buffalo may not be high relative to those in other locations in the United States, these data contribute to our understanding of how traffic emissions may result in elevated levels of air toxics in a local area.”</p> <p>Likewise, in HEI report 156, the HEI statement reads:</p> <p>“The study’s main conclusions are that (1) on-road concentrations of all pollutants measured, including several MSATs, were higher than those measured at fixed sites away from the roads, (2) gasoline-powered vehicles are the main sources of VOCs (including BTEX) at the near-road sites, and (3) diesel- and gasoline-powered vehicles contribute about 50% to 60% of TC associated with PM.”</p> <p>Across the studies, the Review Committee noted that the design of studies, such as the selection of a high-traffic comparison site in the Liroy et al. study, the lack of control of ventilation inside vehicles (Fujita et al., Study 156), and the lack of “appropriately selected background sites” in the Smith et al. (truck terminals) study creates problems in defining a particular location as a “hot spot,” but nevertheless underscores the potential for emissions from traffic infrastructure to increase the concentrations of numerous toxics and other pollutants in nearby locations.</p> <p>¹² Zhang, L.; Steinmaus, C.; Eastmond, D.A.; et al. (2009) Formaldehyde exposure and leukemia: a new meta-analysis and potential mechanisms. <i>Mutation Research</i> 681: 150-168.</p> <p>4</p>

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	<div><p>Overall, the HEI Review Committee made numerous comments about the difficulty of defining a “hot spot.” Within local areas, the studies found generally significant gradients within local areas between source locations and backgrounds (one exception is Smith et al.’s trucking terminal study, where the committee noted a lack of appropriate background monitoring and control of wind conditions). However, the HEI Review Committee introduced the notion of comparing study results to concentrations reported in other studies reporting measurements of air toxics in urban areas, which includes locations with numerous other air pollution sources, as an alternative way of defining “hot spot.” To conclude that the studies found that, “<i>no true hot spots were identified</i>” is to overlook nearly all of the written discussion of the studies by the investigators and the HEI Review Committee.</p></div> <div>5</div>

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TRIBAL ENTITY COMMENTS AND RESPONSES

Code Comment Document

Gregory Mendoza
Governor

Stephen Roe Lewis
Lieutenant Governor

GILA RIVER INDIAN COMMUNITY *Executive Office*

"A New Generation of Leadership Serving the People"

December 15, 2014

South Mountain Study Team
Arizona Department of Transportation
1655 West Jackson Street, MD 126F
Phoenix, Arizona 85007

Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project.

Dear South Mountain Study Team:

The Gila River Indian Community (Community or GRIC) has reviewed the Final Environmental Impact Statement (FEIS) for the proposed South Mountain 202 Freeway Project (Project) and submits this letter to renew its opposition to the Project and provide comments on the FEIS.¹ The Community is a Federally-recognized Indian Nation located south of Phoenix, Arizona, with reservation lands encompassing approximately 372,000 acres and approximately 21,000 enrolled members.

I. INTRODUCTION

In a comment letter dated July 11, 2013, the Community submitted comprehensive comments regarding our concerns with the Project's Draft Environmental Impact Statement (DEIS). Upon review of the FEIS, the Community was disappointed to see that the Arizona Department of Transportation (ADOT) failed to carry forward an alternative in the eastern section other than E1. We are also disappointed that ADOT did not undertake the additional surveys, studies, and evaluations that the Community identified in its DEIS comments as necessary for the Project; a true analysis of the impacts of the Project on the Community's Reservation and members remains lacking. Finally, the FEIS continuously references the Community's refusal to permit an on-Reservation alternative and prior concurrence on historic property impacts and mitigation as a justification for selection of E1. The unavailability of an on-Reservation route does not excuse ADOT's failure to study in detail a South Mountain avoidance alternative. Similarly, the Community's concurrence in the resolution of adverse impacts to and mitigation of impacts to cultural resources does not render such impacts acceptable to the Community.

¹ The Community previously submitted comments on the Project's Draft Environmental Impact Statement. See Letter from Gregory Mendoza to South Mountain Study Team, dated July 11, 2013. The Community incorporates its DEIS comments herein.

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1		Comments noted. Responses to specific comments are provided in the following pages.

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	<p><i>December 15, 2014</i> <i>Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project.</i> <i>Page 2 of 7</i></p> <p>II. COMMENTS</p> <p>The Community's specific comments on the FEIS follow:</p> <p>a. <u>The Community Objects to the Preferred Alternative</u></p> <p>The FEIS identifies the W59/E1 Alternative as the Project's Preferred Alternative. The Community does not support the Preferred Alternative – specifically the E1 portion – for the following reasons:</p> <ul style="list-style-type: none"> It is the Community's firm position that ADOT should select the No-Action Alternative to avoid irreversible impacts to Community cultural resources and Traditional Cultural Properties (TCPs) and to protect the health, safety, welfare, and the environment of the Community and its members. E1 is directly adjacent to the Community's Reservation boundary, and therefore will have the greatest environmental and cultural resource impacts on the Community and its members, of all of the build alternatives considered for the Project. E1 will have an unacceptable impact on South Mountain, one of the Community's most significant and important TCPs that figures prominently in oral traditions of the Community. In addition to the impacts to South Mountain generally, Alternative E1 would also affect sites that contribute to the South Mountain's historic and cultural significance, including sites AZ T:12:197 (ASM) and AZ T:12:198 (ASM), both of which continue to function in the traditions of the <i>Akimel O'odham</i> and <i>Pee Posh</i> communities and serve as spiritual places. <p>b. <u>The FEIS Should Have Carried Forward a South Mountain Avoidance Alternative</u></p> <p>The Community continues to take issue with ADOT's failure to carry forward for detailed review in the FEIS an alternative in the eastern section of the Project area that would avoid South Mountain. While the Community appreciates ADOT's efforts to maintain access for Community members, this is not enough to mitigate the significant impact of bisecting South Mountain. Given the impacts of E1, ADOT should not have eliminated from detailed study a South Mountain avoidance alternative. ADOT owes it to the Community – and the National Environmental Policy Act (NEPA) demands in these circumstances – that the FEIS analyze, in detail, at least one alternative in the Project's eastern section that does not bisect South Mountain.</p> <p>c. <u>Environmental Justice</u></p> <p>The FEIS is incorrect in stating that there are no environmental justice impacts with respect to cultural resources. The FEIS notes that TCPs such as South Mountain will experience "substantial" impacts (p. 4-38). The FEIS also recognizes that there will be adverse impacts on resources of cultural and religious significance to the Community. These impacts fall disproportionately on the Community; the fact that the Community's Tribal Historic Preservation Officer concurred in ADOT's proposed mitigation does not negate the fact that the impacts will disproportionately fall on the Community. Thus, the FEIS statement (on page 4-41) that there would be no disproportionate impact on any environmental justice community is incorrect.</p>

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2	Alternatives, No-Action Alternative	The No-Action Alternative was included in the Draft and Final Environmental Impact Statements for detailed study to compare impacts of the action alternatives with the consequences of doing nothing (impacts can result from choosing to do nothing). As stated on page 3-40 of the Final Environmental Impact Statement, the No-Action Alternative will not satisfy the purpose and need of the proposed action because it will result in further difficulty in gaining access to adjacent land uses, increased difficulty in gaining access to Interstate and regional freeway systems from the local arterial street network, increased levels of congestion-related impacts, continued degradation in performance of regional freeway-dependent transit services, increased trip times, and higher user costs.
3	Environmental and Cultural Impacts	The impacts of the E1 Alternative are disclosed in the Final Environmental Impact Statement. Mitigation measures to minimize the impact of the freeway are presented throughout Chapter 4 of the Final Environmental Impact Statement and in the Record of Decision in Table 3, beginning on page 38.
4	Section 4(f) and Section 6(f), Traditional Cultural Properties	<p>Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-141 and 5-26.</p> <p>The physical impact on land designated as part of the South Mountains has been minimized through design, and much has already been done to minimize that effect. Access to the mountain will be maintained and multiple other mitigation measures will be implemented due in part to suggestions made by the Gila River Indian Community itself. For example, the Arizona Department of Transportation and Federal Highway Administration will fund a traditional cultural property evaluation of the South Mountains Traditional Cultural Property to be prepared by the Gila River Indian Community. The proposed mitigation for the South Mountains Traditional Cultural Property is discussed in the Final Environmental Impact Statement on page 4-159, and measures to minimize harm to the South Mountains Traditional Cultural Property are discussed on page 5-27. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38. Consultation with the Gila River Indian Community has been ongoing and will continue until all commitments in the Record of Decision are completed.</p>
5	Cultural Resources	<p>Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-141 and 5-26.</p> <p>Consultation regarding the sites identified in the comment has occurred with Gila River Indian Community government officials, the Tribal Historic Preservation Officer, the Cultural Resource Management Program, many different tribal authorities, and the State Historic Preservation Office. The consultation has resulted in concurrence from the Gila River Indian Community Tribal Historic Preservation Office and the State Historic Preservation Office on National Register of Historic Places eligibility recommendations (including traditional cultural properties), project effects, and proposed mitigation and measures to minimize harm. This consultation has been ongoing and will continue until all commitments in the Record of Decision are completed.</p>

Code	Comment Document
	<div><p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 2 of 7</p><p>II. COMMENTS</p><p>The Community's specific comments on the FEIS follow:</p><p>a. <u>The Community Objects to the Preferred Alternative</u></p><p>The FEIS identifies the W59/E1 Alternative as the Project's Preferred Alternative. The Community does not support the Preferred Alternative – specifically the E1 portion – for the following reasons:</p><ul style="list-style-type: none">It is the Community's firm position that ADOT should select the No-Action Alternative to avoid irreversible impacts to Community cultural resources and Traditional Cultural Properties (TCPs) and to protect the health, safety, welfare, and the environment of the Community and its members.E1 is directly adjacent to the Community's Reservation boundary, and therefore will have the greatest environmental and cultural resource impacts on the Community and its members, of all of the build alternatives considered for the Project.E1 will have an unacceptable impact on South Mountain, one of the Community's most significant and important TCPs that figures prominently in oral traditions of the Community.In addition to the impacts to South Mountain generally, Alternative E1 would also affect sites that contribute to the South Mountain's historic and cultural significance, including sites AZ T:12:197 (ASM) and AZ T:12:198 (ASM), both of which continue to function in the traditions of the <i>Akimel O'odham</i> and <i>Pee Posh</i> communities and serve as spiritual places.<p>b. <u>The FEIS Should Have Carried Forward a South Mountain Avoidance Alternative</u></p><p>The Community continues to take issue with ADOT's failure to carry forward for detailed review in the FEIS an alternative in the eastern section of the Project area that would avoid South Mountain. While the Community appreciates ADOT's efforts to maintain access for Community members, this is not enough to mitigate the significant impact of bisecting South Mountain. Given the impacts of E1, ADOT should not have eliminated from detailed study a South Mountain avoidance alternative. ADOT owes it to the Community – and the National Environmental Policy Act (NEPA) demands in these circumstances – that the FEIS analyze, in detail, at least one alternative in the Project's eastern section that does not bisect South Mountain.</p><p>c. <u>Environmental Justice</u></p><p>The FEIS is incorrect in stating that there are no environmental justice impacts with respect to cultural resources. The FEIS notes that TCPs such as South Mountain will experience "substantial" impacts (p. 4-38). The FEIS also recognizes that there will be adverse impacts on resources of cultural and religious significance to the Community. These impacts fall disproportionately on the Community; the fact that the Community's Tribal Historic Preservation Officer concurred in ADOT's proposed mitigation does not negate the fact that the impacts will disproportionately fall on the Community. Thus, the FEIS statement (on page 4-41) that there would be no disproportionate impact on any environmental justice community is incorrect.</p></div>

Code	Issue	Response
6	Alternatives	Several alternatives were subject to the alternatives development and screening process, not just the E1 Alternative and alternatives located on the Gila River Indian Community (Figure 3-6 on page 3-10 of the Final Environmental Impact Statement illustrates such alternatives). An analysis of avoidance alternatives was completed in accordance with Section 4(f) of the Department of Transportation Act of 1966. The Federal Highway Administration's analysis for the Selected Alternative found that there is no prudent and feasible alternative to using the South Mountains and that the project includes all possible planning to minimize harm to the resource resulting from the use. The U.S. Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions (see letter on page A5 of this Appendix A).
7	Environmental Justice	<p>With regard to impacts on places of spiritual importance to certain population segments, such as the South Mountains Traditional Cultural Property, that raise potential environmental justice concerns with respect to Native American Tribes, in particular, the Gila River Indian Community, extensive consultation, avoidance alternatives analyses, and mitigation measures are discussed throughout the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. While impacts on the South Mountains Traditional Cultural Property will be substantial and unique in context, they will not prohibit ongoing access and the cultural and religious practices by Native American Tribes.</p> <p>Even if one were to reach a contrary conclusion and determine that disproportionately high and adverse effects will occur as a result of the freeway, there is substantial justification for the freeway. It is needed to serve projected growth in population and accompanying transportation demand and to correct existing and projected transportation system deficiencies (see Chapter 1, <i>Purpose and Need</i>, of the Final Environmental Impact Statement). There is no feasible and prudent alternative to the use of the South Mountains, as discussed in Chapter 5, <i>Section 4(f) Evaluation</i>, of the Final Environmental Impact Statement.</p> <p>All populations will benefit from the freeway's implementation through improved regional mobility and reduced local arterial street traffic.</p>

Code	Comment Document
	<p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 3 of 7</p> <p>d. <u>Environmental Impacts Remain Unaddressed</u></p> <p>8 Despite comments from the Community, the Environmental Protection Agency (EPA), and multiple others regarding the failure of ADOT to take the “hard look” at environmental impacts that is required by NEPA, the FEIS fails to remedy these deficiencies.²</p> <p>1. <u>Aquatic Resources</u></p> <p>9 While the Aquatic/Wetlands Communities section of the FEIS now references the Pee Posh wetlands by name, it fails to identify or discuss the impacts to the Pee Posh Wetlands from project construction, or identify any mitigation for such impacts. The Community expressly raised this issue in its DEIS comments. For over 40 years, the Pee Posh Wetlands has been supported by irrigation and runoff return flows released into the Laveen Area Conveyance Channel (LACC). Possible disruption of these flows during construction of the Project could cause a significant loss of native plant and animal life that requires mitigation measures to prevent loss of valuable habitat.</p> <p>10 The Community remains concerned about the ability of the Rio Salado Oeste (RSO) to benefit the Pee Posh wetlands. The FEIS indicates that the RSO restoration project will restore habitat and flow conditions within the Salt River channel, including beneath the freeway bridge, and that the future condition of the Pee Posh Wetlands is likely to improve as a result of the restoration project. The FEIS states (on 4-15) that according to the United States Army Corps of Engineers, the RSO restoration project currently lacks funding to be implemented. This shows that there will likely be a considerable amount of time before the restoration project will be constructed. In addition, once constructed, the RSO may restore conditions within the Salt River channel and beneath the freeway bridge but will not have any beneficial impact to the Pee Posh Wetlands.</p> <p>11 ADOT also seeks to improperly segment the Project into its western and eastern sections for purposes of permitting under Section 404 of the Clean Water Act. For the western portion, the FEIS indicates that Nationwide Wide Permit 14 (authorizing certain linear projects) can be used given the minimal impacts – <i>i.e.</i>, less than .5 acres – to “waters of the United States.” See 4-417. For the eastern section, the FEIS indicates that exact impacts to “waters of the United States” are unknown, but would be identified during the Project’s design phase. See 4-418. On page 4-420, however, the FEIS states that the eastern portion of the project would affect between one and two acres of “waters of the United States.” The Loop 202 project is a single integrated project where its eastern and western segments lack both independent utility and logical termini. As such, the impacts to “waters of the United States” must be considered for the entire project, and to the extent that such impacts exceed .5 acres, an individual Section 404 permit is required.</p> <p>Finally, in June 2013, the Community submitted comments to ADOT regarding drainage concerns. These concerns have not yet been adequately resolved. The Community requests that ADOT resolve these drainage issues to avoid adverse impacts to the Community lands.</p> <p>² ADOT has recently informed the Community that the Project could impact one or more Community-owned wells. The Community is currently gathering additional information regarding these wells from ADOT, and reviewing the FEIS to determine whether impacts to Community-owned wells were adequately addressed. Given the late notice on this issue, the Community reserves the right to supplement its FEIS comments once the Community completes its review and analysis of this issue.</p>

Code	Issue	Response
8	National Environmental Policy Act Process	Comment noted. Responses to specific impacts are discussed in the following rows.
9	Water Resources	<p>The Pee Posh wetlands will not be directly or indirectly affected by the freeway. The freeway will be constructed on a bridge to clear span the Laveen Area Conveyance Channel (see Figure 3-20 on page 3-42 of the Final Environmental Impact Statement).</p> <p>The Arizona Department of Transportation has committed to coordinate with appropriate governmental bodies such as flood control districts and the Gila River Indian Community when designing drainage features, including the crossing of the Laveen Area Conveyance Channel, for the freeway (see the section, <i>Drainage</i>, on page 3-58) of the Final Environmental Impact Statement and Table 3 in the Record of Decision, beginning on page 38.</p>
10	Water Resources	The status and condition of the Rio Salado Oeste project is disclosed in the Final Environmental Impact Statement. The Rio Salado Oeste Conceptual Design Documentation Report (July 2010) shows the design of the river main channel aligned with the channel that supports the Pee Posh Wetlands. The increased flows and general improvement of the immediate upstream habitat are likely to increase the size and value of the Pee Posh habitat.
11	Water Resources	<p>From project initiation, the Arizona Department of Transportation and the Federal Highway Administration have been working collaboratively with the U.S. Army Corps of Engineers regarding evaluation of waters of the United States to ensure the project complies with the Clean Water Act. According to the Clean Water Act Section 404(b)(1), the U.S. Army Corps of Engineers is required to select the least environmentally damaging practicable alternative after considering cost, existing technology, and logistics in light of the overall project purpose in cases where an individual permit is required. To ensure this process was considered, the U.S. Army Corps of Engineers has been involved in developing the purpose and need and alternatives analysis for the project in accordance with Section 404(b)(1). As the alternative analysis demonstrated, there were no practicable alternatives to avoid impacts on waters of the United States and thus the Arizona Department of Transportation has committed to minimization and mitigation of impacts.</p> <p>The U.S. Army Corps of Engineers is the permitting agency for the Clean Water Act. In a letter dated January 28, 2015 (see Appendix D), the agency defined the permitting strategy for the South Mountain Freeway project. The U.S. Army Corps of Engineers noted that “the eastern segment would be permitted as an individual permit if those wash impacts exceed 0.5 acre and the western segment would be permitted as a nationwide permit. Breaking the segment at the South Mountain 12-digit HUC watershed makes the most sense in that the eastern segment is mostly residential/commercial development with the most ephemeral washes. The western segment is predominantly agricultural lands with minimal jurisdictional washes. Each segment would still meet the definition of single and complete and each segment would have independent utility based on 33 CFR § 330.6(d).” The Arizona Department of Transportation will continue to coordinate with the U.S. Army Corps of Engineers as the project moves forward.</p>

Code	Comment Document
	<div><p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 3 of 7</p><p>d. <u>Environmental Impacts Remain Unaddressed</u></p><p>Despite comments from the Community, the Environmental Protection Agency (EPA), and multiple others regarding the failure of ADOT to take the “hard look” at environmental impacts that is required by NEPA, the FEIS fails to remedy these deficiencies.²</p><p>1. <u>Aquatic Resources</u></p><p>While the Aquatic/Wetlands Communities section of the FEIS now references the Pee Posh wetlands by name, it fails to identify or discuss the impacts to the Pee Posh Wetlands from project construction, or identify any mitigation for such impacts. The Community expressly raised this issue in its DEIS comments. For over 40 years, the Pee Posh Wetlands has been supported by irrigation and runoff return flows released into the Laveen Area Conveyance Channel (LACC). Possible disruption of these flows during construction of the Project could cause a significant loss of native plant and animal life that requires mitigation measures to prevent loss of valuable habitat.</p><p>The Community remains concerned about the ability of the Rio Salado Oeste (RSO) to benefit the Pee Posh wetlands. The FEIS indicates that the RSO restoration project will restore habitat and flow conditions within the Salt River channel, including beneath the freeway bridge, and that the future condition of the Pee Posh Wetlands is likely to improve as a result of the restoration project. The FEIS states (on 4-15) that according to the United States Army Corps of Engineers, the RSO restoration project currently lacks funding to be implemented. This shows that there will likely be a considerable amount of time before the restoration project will be constructed. In addition, once constructed, the RSO may restore conditions within the Salt River channel and beneath the freeway bridge but will not have any beneficial impact to the Pee Posh Wetlands.</p><p>ADOT also seeks to improperly segment the Project into its western and eastern sections for purposes of permitting under Section 404 of the Clean Water Act. For the western portion, the FEIS indicates that Nationwide Wide Permit 14 (authorizing certain linear projects) can be used given the minimal impacts – <i>i.e.</i>, less than .5 acres – to “waters of the United States.” See 4-417. For the eastern section, the FEIS indicates that exact impacts to “waters of the United States” are unknown, but would be identified during the Project’s design phase. See 4-418. On page 4-420, however, the FEIS states that the eastern portion of the project would affect between one and two acres of “waters of the United States.” The Loop 202 project is a single integrated project where its eastern and western segments lack both independent utility and logical termini. As such, the impacts to “waters of the United States” must be considered for the entire project, and to the extent that such impacts exceed .5 acres, an individual Section 404 permit is required.</p><p>12 Finally, in June 2013, the Community submitted comments to ADOT regarding drainage concerns. These concerns have not yet been adequately resolved. The Community requests that ADOT resolve these drainage issues to avoid adverse impacts to the Community lands.</p><p>13 ² ADOT has recently informed the Community that the Project could impact one or more Community-owned wells. The Community is currently gathering additional information regarding these wells from ADOT, and reviewing the FEIS to determine whether impacts to Community-owned wells were adequately addressed. Given the late notice on this issue, the Community reserves the right to supplement its FEIS comments once the Community completes its review and analysis of this issue.</p></div>

Code	Issue	Response
12	Drainage Design	The referenced comments were submitted during the review process for the freeway’s design concept report. Through this review process, the project team met with representatives of the Gila River Indian Community’s Department of Transportation and Department of Land Use Planning and Zoning (the original comments and notes from the comment resolution meeting are provided in Appendix D). During the meeting, drainage concerns of the Gila River Indian Community were discussed and the design elements of the freeway were explained so that the concerns were resolved. In addition, the Arizona Department of Transportation committed to coordinate with appropriate governmental bodies such as flood control districts and the Gila River Indian Community when designing drainage features, including the crossing of the Laveen Area Conveyance Channel, for the freeway (see the section, <i>Drainage</i> , on page 3-58 of the Final Environmental Impact Statement and Table 3 in the Record of Decision, beginning on page 38).
13	Water Resources	The Gila River Indian Community facilities were included in the Final Environmental Impact Statement. Active groundwater wells, such as those identified by the Arizona Department of Transportation Right-of-Way Group, are depicted in Figure 4-33 on page 4-104 in the Final Environmental Impact Statement. These facilities, as well as others within the Study Area, were considered in the impacts analysis for the alternatives studied in detail. Mitigation measures and details related to how wells will be addressed during later phases of the project are described beginning on page 4-106 (these commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision).

Code	Comment Document
	<p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 4 of 7</p> <p>2. <u>Biological Resources</u></p> <p>On July 14, 2014, the Community submitted comments on a draft version of the Project's Biological Evaluation report (The Community incorporates these comments herein.). While the FEIS mentions these comments, and indicates that an analysis of culturally-significant species is now included in the final Biological Evaluation, many of the Community's objections and concerns remain unaddressed in the final Biological Evaluation and/or the FEIS. For example:</p> <ul style="list-style-type: none">• The Community commented that it was concerned that ADOT did not survey the portion of the Project's study area that experiences high wildlife usage and includes diverse habitat. This area, which is located south of Pecos Road on Community lands, and consists of the Broad Acres Agricultural Complex (BAAC), Queen Creek drainage, and an abandoned mine complex, remains unsurveyed.• The Community commented that it disagreed with ADOT's determination to exclude the Acuna Cactus from further analysis in the Biological Evaluation on the grounds that the United States Fish and Wildlife Service's website indicates that this species' range includes Maricopa County. It does not appear that ADOT undertook any further analysis.• The Community raised concerns that potential noise and light pollution may affect biological patterns of a variety of nocturnal animals in the vicinity of the Project, and requested that ADOT implement mitigation measures to reduce noise and light pollution to sensitive wildlife species in the vicinity of the Project. This comment went unaddressed. ADOT must consider these impacts and include the latest technologies to mitigate these sources of pollution if the project is implemented. <p>Further, additional wildlife corridors should be located along alternative E1, specifically around the BAAC which is located between the 35th Avenue and 32nd Street alignments, approximately 1.0 mile south of Pecos road. Specifics of this area are discussed in the Community's comments to the ADOT Biological Evaluation which were submitted on July 18, 2014.</p> <p>3. <u>Hazardous Materials</u></p> <p>ADOT's response to the Community's comment summarizes the U.S. Department of Transportation's regulations regarding the transport of hazardous materials on the regional freeway system and addresses Arizona's emergency response protocols. ADOT has not, however, referenced coordination with the Community's Chemical Tribal Emergency Response Commission/Local Emergency Planning Committee (LEPC). It is imperative that GRIC's LEPC be included in any planning for the proposed E1 alignment due to the potential for impacts to Community lands from a release of hazardous materials. The immediate concerns of the Community regarding the transport of hazardous materials on the proposed Loop 202 alignment have not been adequately addressed.</p> <p>4. <u>Air Quality</u></p> <p>The Community's DEIS comments raised a number of concerns regarding on-Reservation air quality impacts in the eastern portion of the project, including the failure of the DEIS to identify and address the Project's potential health impacts. As shown in Table 1 below, ADOT failed to adequately address the Community's air-quality comments.</p>

Code	Issue	Response
14	Biology, Plants, and Wildlife	<p>The comments submitted by the Gila River Indian Community were incorporated into the final Biological Evaluation. The final Biological Evaluation and the Gila River Indian Community comments are available for public review on the project Web site at <azdot.gov/southmountainfreeway>.</p> <p>The Arizona Department of Transportation has committed to continued coordination with the Gila River Indian Community Department of Environmental Quality during the design phase regarding the potential for locating and designing wildlife-sensitive roadway structures.</p>
15	Biology, Plants, and Wildlife	<p>As noted in the sidebar on page 4-3 of the Final Environmental Impact Statement, impacts on the Gila River Indian Community from the proposed action as presented in the Final Environmental Impact Statement are based on data available to the general public and on field observation as appropriate. Discussions in the Final Environmental Impact Statement are limited to only those areas where impacts would occur. This condition was agreed to by the Gila River Indian Community and is a response to the level of information made available to the project team by the Gila River Indian Community (see page 2-10 of the Final Environmental Impact Statement).</p>
16	Biology, Plants, and Wildlife	<p>The Acuna cactus was excluded from further analysis because no suitable habitat is in the project area; that is, no well-drained knolls or gravel ridges in the palo verde-saguaro association of the Arizona Upland subdivision of the Sonoran Desert are found in the project area (see Table 1 on page 10 in the Biological Evaluation, available on the project Web site: <azdot.gov/southmountainfreeway>).</p>
17	Biology, Plants, and Wildlife	<p>The potential impacts on wildlife from the freeway are disclosed beginning on page 4-136 of the Final Environmental Impact Statement. During construction activities, noise disturbance would represent a short-term impact on the environment. The duration and level of construction noise would depend on the activities, such as blasting, ground clearing, utility relocations, the placement of roadbeds and foundations, and construction of structures. Noise may have a temporary impact on nesting birds adjacent to construction. Operation of the freeway would cause a long-term increase in noise levels that would vary in intensity depending on factors such as time of day and day of the week. Nighttime noise levels, excluding evening periods, would be less than daytime noise levels; therefore, species active during daytime periods may be affected more than species active at night. Some species rely on hearing to avoid predators, communicate, and find food (Noise Pollution Clearinghouse 2004). An increase in traffic noise may affect the ability of some animals to hear at a level necessary for survival when near the proposed action. In addition, hearing loss resulting from vehicle noise has been shown to occur in some desert animals (Bondello and Brattstrom 1979).</p> <p>Light from the freeway would be produced from vehicle headlights and taillights and from fixed light poles at interchanges along the freeway. Freeway lighting will be provided along the median of the freeway and at interchanges to achieve desired lighting levels for safety reasons. Any freeway lighting will be designed to reduce illumination spillover onto sensitive light receptors (such as residential and natural areas) (see page 3-58 of the Final Environmental Impact Statement and the commitments in Table 3, beginning on page 38, of the Record of Decision).</p>

Code	Comment Document
	<p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 4 of 7</p> <p>2. <u>Biological Resources</u></p> <p>On July 14, 2014, the Community submitted comments on a draft version of the Project's Biological Evaluation report (The Community incorporates these comments herein.). While the FEIS mentions these comments, and indicates that an analysis of culturally-significant species is now included in the final Biological Evaluation, many of the Community's objections and concerns remain unaddressed in the final Biological Evaluation and/or the FEIS. For example:</p> <ul style="list-style-type: none">• The Community commented that it was concerned that ADOT did not survey the portion of the Project's study area that experiences high wildlife usage and includes diverse habitat. This area, which is located south of Pecos Road on Community lands, and consists of the Broad Acres Agricultural Complex (BAAC), Queen Creek drainage, and an abandoned mine complex, remains unsurveyed.• The Community commented that it disagreed with ADOT's determination to exclude the Acuna Cactus from further analysis in the Biological Evaluation on the grounds that the United States Fish and Wildlife Service's website indicates that this species' range includes Maricopa County. It does not appear that ADOT undertook any further analysis.• The Community raised concerns that potential noise and light pollution may affect biological patterns of a variety of nocturnal animals in the vicinity of the Project, and requested that ADOT implement mitigation measures to reduce noise and light pollution to sensitive wildlife species in the vicinity of the Project. This comment went unaddressed. ADOT must consider these impacts and include the latest technologies to mitigate these sources of pollution if the project is implemented. <p>Further, additional wildlife corridors should be located along alternative E1, specifically around the BAAC which is located between the 35th Avenue and 32nd Street alignments, approximately 1.0 mile south of Pecos road. Specifics of this area are discussed in the Community's comments to the ADOT Biological Evaluation which were submitted on July 18, 2014.</p> <p>3. <u>Hazardous Materials</u></p> <p>ADOT's response to the Community's comment summarizes the U.S. Department of Transportation's regulations regarding the transport of hazardous materials on the regional freeway system and addresses Arizona's emergency response protocols. ADOT has not, however, referenced coordination with the Community's Chemical Tribal Emergency Response Commission/Local Emergency Planning Committee (LEPC). It is imperative that GRIC's LEPC be included in any planning for the proposed E1 alignment due to the potential for impacts to Community lands from a release of hazardous materials. The immediate concerns of the Community regarding the transport of hazardous materials on the proposed Loop 202 alignment have not been adequately addressed.</p> <p>4. <u>Air Quality</u></p> <p>The Community's DEIS comments raised a number of concerns regarding on-Reservation air quality impacts in the eastern portion of the project, including the failure of the DEIS to identify and address the Project's potential health impacts. As shown in Table 1 below, ADOT failed to adequately address the Community's air-quality comments.</p>
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19	
20	

Code	Issue	Response
18	Biology, Plants, and Wildlife	Many drainages occur along Pecos Road between 35th Avenue and 32nd Street and will include culverts that could be used by medium and small mammals, reptiles, and amphibians. Since the Broad Acres Agricultural Complex is approximately 1 mile south of the proposed project, the effects on wildlife using the Broad Acres Agricultural Complex are likely to be minimal. The Arizona Department of Transportation has committed to continued coordination with the Gila River Indian Community Department of Environmental Quality during the design phase regarding the potential for location and design of wildlife-sensitive roadway structures.
19	Hazardous Materials	The Arizona Department of Transportation has committed to continued coordination with certified emergency responders, which will include the referenced Gila River Indian Community commission/committee (see page 4-165 of the Final Environmental Impact Statement and the list of commitments in Table 3, beginning on page 38, of the Record of Decision).
20	Air Quality	The Draft and Final Environmental Impact Statements analyzed all potential significant environmental impacts, and the Federal Highway Administration and Arizona Department of Transportation do not believe additional analysis would change the proposed action. Responses to specific comments in Table 1 are provided in the following pages.

Code	Comment Document														
	<p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 5 of 7</p> <table><tr><th colspan="2">TABLE 1</th></tr><tr><th>COMMUNITY DEIS COMMENT</th><th>CONCERNS REGARDING ADOT RESPONSE</th></tr><tr><td>21 The DEIS does not address the adverse impacts on air quality within the Community. The DEIS should be revised to specifically evaluate the adverse impacts on air quality on the GRIC Reservation.</td><td>The FEIS includes computer modeling of Mobile Source Air Toxics (MSATs) for the Western and Eastern Subareas. Based on Figure 4-27, these areas do not include any portion of the Community. While hot-spot analyses of CO and PM10 were conducted for specific interchanges, criteria pollutant (CO, NOx, PM10, PM2.5, SOx, etc.) transport modeling was not conducted to assess adverse impacts to air quality on the Community.</td></tr><tr><td>The Community requested total estimated air pollution emissions from the Project, including Vehicle Miles Travelled (VMT) per day and the total annual tonnages for criteria pollutants and Hazardous Air Pollutants (HAPs) from construction and operations. The DEIS should be supplemented to include such emission calculations or total tonnages of pollutants.</td><td>The FEIS included daily VMT and total annual tonnages for some HAPS (7 compounds – MSATs) for the Western and Eastern Subareas for freeway operation only for years 2010, 2020, and 2035. Based on Figure 4-27, the Western and Eastern Subareas do not include any portion of the Community. The FEIS also does not contain total annual tonnages for criteria pollutants for construction or operation or HAPs for construction of the freeway.</td></tr><tr><td>The FEIS should include total tonnages of air pollution emissions for the entire Project to provide full disclosure of the adverse impacts. The total should also include total tonnages for MSATs.</td><td>The FEIS included total annual tonnages for MSATs for the Western and Eastern Subareas for freeway operation only for 2010, 2020, and 2035. Based on Figure 4-27, the Western and Eastern Subareas do not include any portion of the Community. The FEIS also does not contain total annual tonnages for criteria pollutants for construction or operation of the freeway, or HAPs for construction of the freeway.</td></tr><tr><td>21 The DEIS lacks modeling of estimated concentrations of air pollutants along the stretch of freeway bordering the Reservation. Concentrations of air pollutants should be modeled along this stretch of the Project. The DEIS should be revised to include modeling of current (background) and post-construction concentrations of criteria pollutants and MSATs to provide information on what expected increased concentration of pollutants will be as a result of the Project.</td><td>The FEIS only includes pre- (current) and post-construction modeled concentrations for CO and annual tonnages for MSATs. The FEIS does not include pre- and post-construction modeling for any of the criteria pollutants (PM10, PM2.5, NOx, SOx, etc.).</td></tr><tr><td>A PM2.5 qualitative analysis was not conducted. The PM10 analysis omitted impacts to GRIC lands. The DEIS should be revised to include a qualitative analysis for both PM10 and PM2.5 on Community</td><td>The PM10 qualitative analysis was revised to a quantitative analysis in the FEIS; however, the PM10 analysis only included a table (4-33) of PM10 concentrations for several monitoring locations near freeways in the Phoenix Metro area. The PM10 analysis concluded that "...it is unlikely that the proposed action alternative would cause or contribute to an exceedance of the</td></tr></table>	TABLE 1		COMMUNITY DEIS COMMENT	CONCERNS REGARDING ADOT RESPONSE	21 The DEIS does not address the adverse impacts on air quality within the Community. The DEIS should be revised to specifically evaluate the adverse impacts on air quality on the GRIC Reservation.	The FEIS includes computer modeling of Mobile Source Air Toxics (MSATs) for the Western and Eastern Subareas. Based on Figure 4-27, these areas do not include any portion of the Community. 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The FEIS also does not contain total annual tonnages for criteria pollutants for construction or operation or HAPs for construction of the freeway.	The FEIS should include total tonnages of air pollution emissions for the entire Project to provide full disclosure of the adverse impacts. The total should also include total tonnages for MSATs.	The FEIS included total annual tonnages for MSATs for the Western and Eastern Subareas for freeway operation only for 2010, 2020, and 2035. Based on Figure 4-27, the Western and Eastern Subareas do not include any portion of the Community. The FEIS also does not contain total annual tonnages for criteria pollutants for construction or operation of the freeway, or HAPs for construction of the freeway.	21 The DEIS lacks modeling of estimated concentrations of air pollutants along the stretch of freeway bordering the Reservation. Concentrations of air pollutants should be modeled along this stretch of the Project. 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	<div>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 5 of 7</div> <table><tr><th colspan="2">TABLE 1</th></tr><tr><th>COMMUNITY DEIS COMMENT</th><th>CONCERNS REGARDING ADOT RESPONSE</th></tr><tr><td>The DEIS does not address the adverse impacts on air quality within the Community. The DEIS should be revised to specifically evaluate the adverse impacts on air quality on the GRIC Reservation.</td><td>The FEIS includes computer modeling of Mobile Source Air Toxics (MSATs) for the Western and Eastern Subareas. Based on Figure 4-27, these areas do not include any portion of the Community. 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23	Air Quality	<p>The air quality analysis for carbon monoxide and particulate matter (PM₁₀) assessed the worst-case conditions (locations immediately adjacent to the freeway, including locations on Gila River Indian Community land in the vicinity of the 40th Street interchange [see Figure 4 of the air quality technical report]).</p> <p>Emissions analysis and modeling for particulate matter (PM_{2.5}) was not conducted because the area is in attainment for particulate matter (PM_{2.5}).</p> <p>For this project, a hot-spot analysis was required for carbon monoxide and particulate matter (PM₁₀). The hot-spot analysis shows that the freeway will not cause new violations of the carbon monoxide and particulate matter (PM₁₀) National Ambient Air Quality Standards, exacerbate any existing violations of the standards, or delay attainment of the standards or any required interim milestones [40 Code of Federal Regulations Section 93.116(a)]. Transportation conformity hot-spot analyses focus on the expected worst-case location along the project corridor; if no violations of the applicable air quality standards are identified at the worst-case location, it is presumed that no violations of the air quality standards would occur anywhere along the corridor. A preconstruction analysis is not required by the U.S. Environmental Protection Agency if the "build" analysis demonstrates that the National Ambient Air Quality Standards are met. Since this project will involve construction of a new roadway, concentrations in a "no-build" scenario would be lower than those identified in the Final Environmental Impact Statement.</p>

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The FEIS does state in the summary section (page S-14) that “increased traffic volumes could produce elevated MSAT emissions near the proposed action;” however, that statement does not indicate the magnitude of the increases in MSAT emissions within the Community. In addition, based on Figure 4-27, the Western and Eastern Subareas that were modeled for MSAT emissions do not include any portion of the Community. Those two subareas already contain urban traffic patterns and are not representative of the rural traffic patterns associated with the Community. In other words, MSAT emissions may decrease when adding a freeway to an urban area due to improved traffic flow; however, adding a freeway to a rural area will certainly increase MSAT emissions due to increased VMT. This is still not evident in the FEIS since the baseline (2010) VMT used in Tables 4-36 and 4-37 is not representative of the area bordering or within the Community. 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24	Air Quality	<p>Federal Highway Administration mobile source air toxics emissions assessments in the agency’s National Environmental Policy Act documents are designed to evaluate emissions changes within a study area, including roadway segments where traffic volumes change as a result of the project. The U.S. Environmental Protection Agency’s risk estimates for mobile source air toxics pollutants are based on 70-year lifetime exposure. As explained in the Final Environmental Impact Statement and response to comments, it is more likely that a person will be within a study area for 70 years than at a fixed location near the proposed corridor for 70 years. Thus, emissions changes in a study area are a more reliable indicator of potential changes in health risk. Emissions from Interstate 10 and other roadway segments affected by the project are included because people will be exposed to changes in emissions from those roadway segments as well as those from the South Mountain Freeway.</p> <p>The mobile source air toxics analysis included the entire Study Area, which does include a large portion of the Gila River Indian Community (see Figure 4-25 on page 4-79 and Table 4-36 on page 4-81 of the Final Environmental Impact Statement). The base year for the mobile source air toxics analysis in the Final Environmental Impact Statement is 2012, not 2010, and the vehicle miles traveled and emissions in Table 4-36 on page 4-81 represent the Study Area, which includes the portion of the Gila River Indian Community that is closest to the project. The base year for the greenhouse gas emissions analysis in the Final Environmental Impact Statement is also 2012, not 2010, and the vehicle miles traveled and emissions shown in Table 4-37 on page 4-86 represent the state of Arizona, which includes the entire Gila River Indian Community.</p> <p>Table 4-32 on page 4-76 of the Final Environmental Impact Statement shows that the highest carbon monoxide emissions in both 2020 and 2035 will be no more than 20 percent higher than the 2012 existing conditions, not double as stated in the comment. In addition, the maximum carbon monoxide concentrations in Table 4-32 are only 16 percent of the 1-hour standard and 51 percent of the 8-hour standard. The worst case 2020 and 2035 concentrations are likely to be much lower than those shown in Table 4-32 because of the replacement of older vehicles with newer, cleaner vehicles each year after 2012 and because of the implementation of the new Tier 3 tailpipe emissions standards beginning in 2017.</p>
25	Health Risk Assessment	<p>Criteria pollutant emissions inventories were not prepared for this project. Emissions analysis and modeling for particulate matter (PM_{2.5}), sulfur oxides, and other pollutants were not conducted because the area is in attainment for these pollutants. The Maricopa Association of Government’s regional emissions analysis for conformity does consider these pollutants and the analysis includes the emissions from the project. The Council on Environmental Quality’s National Environmental Policy Act regulations at 40 Code of Federal Regulations § 1500.1(b) directs National Environmental Policy Act documents to “concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail.” The Phoenix metropolitan area is attaining the National Ambient Air Quality Standards for particulate matter (PM_{2.5}), nitrogen dioxide, sulfur dioxide, and lead, even though the area is already home to several major existing freeways. If these freeways are not contributing to violations of the National Ambient Air Quality Standards, there is no reason to believe that the South Mountain Freeway will do so. In addition, analysis of pollutants for which an area is attainment is not required by the Clean Air Act conformity provisions.</p> <p>To address the fact that emissions will increase along the project corridor, the Final Environmental Impact Statement includes a summary of past health risk</p>

(Response 25 continues on next page)

Code	Comment Document
	<p>December 15, 2014 Re: Comments of the Gila River Indian Community on the Final Environmental Impact Statement for the proposed South Mountain 202 Freeway Project. Page 7 of 7</p> <p>[A]s proposed, the new highway alignment will place 8 lanes of high-volume freeway traffic adjacent to the Gila River Indian Community land, where little development, residences, or sensitive receptors currently exist. The disclosure of the potential health impacts of the highway within the EIS process could assist the future of GRIC land-use planning and zoning decisions regarding the types of land uses that will be appropriate directly adjacent to the new freeway.</p> <p>26 In responding to this comment, ADOT failed to even address EPA's comment concerning Community land-use planning.</p> <p>27</p> <p>III. CONCLUSION</p> <p>For the reasons noted above and in the Community's DEIS and Biological Evaluation comments (incorporated herein), the Community urges ADOT to supplement its FEIS to address the Community's comments herein before issuing the Project's Record of Decision.</p> <p>Thank you,</p> <p>Gregory Mendoza, Governor GILA RIVER INDIAN COMMUNITY</p>

Code	Issue	Response
25 (cont.)		studies for similar projects. The Federal Highway Administration considers this information more relevant and meaningful for communicating likely health risk than simply reporting an emissions number for the corridor. As explained in the Final Environmental Impact Statement and air quality technical report, all of these studies identified very low health risk, well below the U.S. Environmental Protection Agency's "Action Level" for addressing risk.
26	Health Risk Assessment	The underlying comment from the U.S. Environmental Protection Agency was to complete a health risk assessment for the project. While the Federal Highway Administration did not complete a project-specific health risk assessment, the Final Environmental Impact Statement does include a summary of previous health risk assessments for other projects. While the purpose of the document is not for land use planning, we believe that the analysis discussed in the Final Environmental Impact Statement can be used by jurisdictions wanting to make land use planning decisions. For example, while noise impacts are being mitigated for receptors as part of the project, a jurisdiction should be aware in its land use planning efforts that if it were to decide to put a noise-sensitive facility adjacent to the freeway, noise impacts would occur. Further, with air quality, the hot-spot analysis showed that at the 40th Street interchange (the nearest hot spot location to the Gila River Indian Community), particulate matter (PM ₁₀) emissions will increase by 3.8 micrograms per cubic meter attributable to the freeway. While this increase is small and, combined with the existing particulate matter (PM ₁₀) levels in the area, is below the National Ambient Air Quality Standard of 150 micrograms, the jurisdiction may still choose to not place receptors sensitive to dust adjacent to the freeway. Overall, nothing in the analysis indicated that land use plans by jurisdictions should be altered because of the freeway. However, information in the Final Environmental Impact Statement could be used by jurisdictions to inform their planning process, if they so choose.
27	National Environmental Policy Act Process	The Federal Highway Administration determined that a supplemental environmental impact statement is not required at this time because there were no changes to the proposed action that will result in significant environmental impacts not evaluated in the Draft and Final Environmental Impact Statements nor is there new information relevant to environmental concerns and bearings on the proposed action or its impacts that will result in significant environmental impacts not evaluated in the Draft and Final Environmental Impact Statements.

Code

Comment Document

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Submission of Comments to the Arizona Department of Transportation
and the Federal Highway Administration on the South Mountain 202 Freeway Project)

RESOLUTION NO. 14-556

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "consult**
2 **with the Congress of the United States and appropriate federal agencies**
3 **regarding federal activities that affect the Tohono O'odham Nation"**
4 **(Constitution of the Tohono O'odham Nation, Article VI, Section 1(j)); and**
5 **WHEREAS, the Arizona Department of Transportation and the Federal Highway**
6 **Administration have proposed the South Mountain 202 Freeway Project**
7 **("Project") in southwest Phoenix, which would run east and west along Pecos**
8 **Road and then turn north between 55th and 63rd avenues connecting Interstate**
9 **10 on each end and is approximately 22 miles in length; and**
10 **WHEREAS, the Project will be constructed through South Mountain, which is a significant**
11 **Traditional Cultural Place and Sacred Site for all of the O'odham speaking**
12 **people of Arizona; and**
13 **WHEREAS, the O'odham and their ancestors, the Archaic Period peoples and the Hohokam,**
14 **have inhabited Central and Southern Arizona, including the Project area, since**
15 **time immemorial; and**
16 **WHEREAS, the Project will cause adverse impacts to the South Mountain Traditional**
17 **Cultural Place, both by degrading the site and destroying individual cultural**
18 **resource sites; and**
19 **WHEREAS, the Tohono O'odham Nation supports the efforts of the Gila River Indian**
20 **Community to stop the construction of the Project; and**
21 **WHEREAS, the Cultural Preservation Committee and the Agricultural and Natural**
22 **Resources Committee have reviewed and recommend that the Legislative**
23 **Council approve the comments in response to the Final Environmental Impact**
24 **Statement for the South Mountain 202 Freeway Project.**
25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council adopts the**
26 **Nation's comments on the Project in substantially the form attached hereto and**
27 **authorizes the Nation's Chairman to timely submit the Nation's comments to**
28 **the Arizona Department of Transportation and the Federal Highway**
29 **Administration.**

Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	<p>Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-141 and 5-26. Since the beginning of the environmental impact statement process, the Federal Highway Administration and Arizona Department of Transportation have been carrying out cultural resource studies and engaging in an ongoing, open dialogue with the Gila River Indian Community Tribal Historic Preservation Office and other Tribes regarding the identification and evaluation of traditional cultural properties. As a result of these discussions and of studies conducted by the Gila River Indian Community's Cultural Resource Management Program, the Gila River Indian Community and other Native American Tribes, including the Tohono O'odham Nation, participated in consultation to identify traditional cultural properties that are eligible for listing in the National Register of Historic Places and that could be affected by construction of the freeway. For a discussion of traditional cultural properties, see the section, <i>Cultural Resources</i>, beginning on page 4-140 of the Final Environmental Impact Statement and pages 5-26 through 5-28.</p> <p>While impacts on the South Mountains Traditional Cultural Property will be substantial and unique in context, they will not prohibit ongoing access and the cultural and religious practices by Native American Tribes. Mitigation measures and measures to minimize harm as the result of extensive consultation, avoidance alternatives analyses, and efforts in developing mitigation strategies will accommodate and preserve (to the fullest extent possible from the available alternatives) access to the South Mountains for religious purposes. Text relating to this mitigation can be found on pages 4-38, 4-42, and 4-44 of the Final Environmental Impact Statement. Additionally, the section, <i>Mitigation</i>, beginning on page 4-158, presents several measures (e.g., multifunctional crossings, contributing element avoidance) to mitigate effects on cultural resources. The section, <i>Measures to Minimize Harm</i>, beginning on page 5-27, presents several measures to reduce effects on the South Mountains Traditional Cultural Property and other cultural resources. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38. Consultation with Native American Tribes has been ongoing and will continue until all commitments in the Record of Decision are completed.</p>

Code Comment Document


RESOLUTION NO. 14-556

(Authorizing the Submission of Comments to the Arizona Department of Transportation and the Federal Highway Administration on the South Mountain 202 Freeway Project)

Page 2 of 3

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16th day of DECEMBER, 2014 at a meeting at which a quorum was present with a vote of 2,946.5 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(j) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).


TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

23 day of December, 2014

ATTEST:




Evonne Wilson, Legislative Secretary

22 day of December, 2014

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 23 day of December, 2014 at 3:24 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



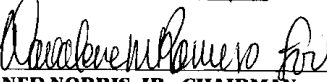
Timothy Joaquin, Legislative Chairman

☒ APPROVED

☐ DISAPPROVED

on the 23 day of December, 2014

at 4:00 o'clock, P.M.





NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION


Code	Issue	Response

Code	Comment Document
1	<div><div>RESOLUTION NO. 14-556 (Authorizing the Submission of Comments to the Arizona Department of Transportation and the Federal Highway Administration on the South Mountain 202 Freeway Project) Page 3 of 3</div><div>Returned to the Legislative Secretary on the <u>23</u> day of <u>December</u>, 2014, at <u>4:12</u> o'clock, <u>p</u>.m. <u>Evonne Wilson</u> Evonne Wilson, Legislative Secretary</div></div>
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Code	Issue	Response



Code	Comment Document
2	<div><div><div><div><div></div><div><div><div><div>Tohono O'odham Nation Office of the Chairman & Vice Chairwoman</div><div>COMPASSION FAITH TRADITION RESPECT</div><div>T:IBDAG 'AMJED S:WOHOCUDA HIMDAG PI:K 'ELID</div><div>Ned Norris, Jr. Chairman</div><div>Wavalene M. Romero Vice Chairwoman</div></div></div></div><div><div><div></div></div></div></div></div><div><p>December 29, 2014</p><p>South Mountain Freeway Project Team Arizona Department of Transportation 1655 West Jackson Street, MD 126F Phoenix, Arizona 85007</p><p>Dear South Mountain Freeway Project Team:</p><p>Thank you for the opportunity to comment on the South Mountain 202 Freeway Project ("Project"). These comments are submitted on behalf of the Tohono O'odham Nation ("Nation") a federally recognized Indian tribe located in southern Arizona. The Nation and its sister tribes of Gila River Indian Community, Ak Chin Indian Community, and Salt River Pima-Maricopa Indian Community have lived in the Project area since time immemorial.</p><p>The Nation and its sister tribes are all O'odham speaking tribes and all consider South Mountain ("Muhadagi Doag") an important Traditional Cultural Place and sacred site. The Nation is writing to express its concern that the Project, if approved, would destroy significant cultural sites associated with South Mountain.</p><p>The Nation has reviewed the Final Environmental Impact Statement ("FEIS") issued in September 2014 and does not believe that it adequately analyzes the impacts to sites culturally significant to the Nation and its sister tribes. The Nation writes to support its sister tribes in their opposition to this Project, including the Gila River Indian Community. The Nation supports and incorporates by reference the comments of the Gila River Indian Community dated July 3, 2013.</p><p>It is the position of the Nation that the Arizona Department of Transportation and the Federal Highway Administration should select the No-Action Alternative to</p><p>P.O. Box 837, Sells, AZ 85634. (520) 383-2028 . Fax (520) 383-3379</p></div></div></div>

Code	Issue	Response
2	Cultural Resources	<p>Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-141 and 5-26.</p> <p>Consultation has occurred with Gila River Indian Community government officials, the Tribal Historic Preservation Officer, the Cultural Resource Management Program, many different tribal authorities, including the Tohono O'odham Nation, and the State Historic Preservation Office. The consultation has resulted in concurrence from the Gila River Indian Community Tribal Historic Preservation Office, other tribal authorities, including the Tohono O'odham Nation, and the State Historic Preservation Office on National Register of Historic Places-eligibility recommendations (including traditional cultural properties), project effects, and proposed mitigation and measures to minimize harm. This consultation has been ongoing and will continue until all commitments in the Record of Decision are completed.</p>

Code	Comment Document
3	<p>avoid irreversible adverse impacts to the South Mountain Traditional Cultural Place and the many cultural sites that are located there. Both the Draft EIS and the FEIS fail to adequately analyze various alternative routes that would avoid adverse impacts to South Mountain. On the proposed western path of Loop 202, five different alternatives were evaluated. On the proposed eastern path of Loop 202 along the boundary of the Gila River Indian Community, only one alternative was considered.</p>
4	<p>The Project will forever alter the natural and cultural landscape of the South Mountain Traditional Cultural Place. For that reason, the Tohono O’odham Nation strongly recommends that the No-Action Alternative be selected in order to avoid significant adverse impacts to the South Mountain Traditional Cultural Place. Alternatively, an alternative that does not adversely impact South Mountain’s cultural resources should be considered.</p> <p>Sincerely,</p>  <p>Dr. Ned Norris, Jr. Chairman, Tohono O’odham Nation</p>

Code	Issue	Response
3	Alternatives, No-Action Alternative	The No-Action Alternative was included in the Draft and Final Environmental Impact Statements for detailed study to compare impacts of the action alternatives with the consequences of doing nothing (impacts can result from choosing to do nothing). As stated on page 3-40 of the Final Environmental Impact Statement, the No-Action Alternative would not satisfy the purpose and need of the proposed action because it would result in further difficulty in gaining access to adjacent land uses, increased difficulty in gaining access to Interstate and regional freeway systems from the local arterial street network, increased levels of congestion-related impacts, continued degradation in performance of regional freeway-dependent transit services, increased trip times, and higher user costs.
4	Alternatives	Several alternatives were subject to the alternatives development and screening process, not just the E1 Alternative and alternatives located on the Gila River Indian Community (Figure 3-6 on page 3-10 of the Final Environmental Impact Statement illustrates such alternatives). Ultimately, the other alternatives (besides the E1 Alternative) were eliminated from further study in the screening process and the Gila River Indian Community decided not to give permission to develop alternatives on its land (see Final Environmental Impact Statement page 3-25). The E1 Alternative, when combined with the W59, W71, and W101 (and its Options) Alternatives in the Western Section, represents three distinct action alternatives from project terminus to project terminus and, therefore, represents a full range of reasonable alternatives for detailed study in the Draft and Final Environmental Impact Statements.
		The analysis of avoidance alternatives was completed in accordance with Section 4(f) of the Department of Transportation Act of 1966. The U.S. Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions (see letter on page A5 of this Appendix A).

STATE AGENCY AND ELECTED OFFICIALS COMMENTS AND RESPONSES

Code	Comment Document
	<div><div></div><div><p>THE STATE OF ARIZONA</p><p>GAME AND FISH DEPARTMENT</p><p>5000 W. CAREFREE HIGHWAY PHOENIX, AZ 85086-5000 (602) 942-3000 • WWW.AZGFD.GOV</p></div><div><p>GOVERNOR JANICE K. BREWER</p><p>COMMISSIONERS VICE CHAIRMAN, J.W. HARRIS, TUCSON ROBERT E. MANSELL, WINSLOW KURT R. DAVIS, PHOENIX EDWARD "PAT" MADDEN, FLAGSTAFF</p><p>DIRECTOR LARRY D. VOYLES</p><p>DEPUTY DIRECTOR TY E. GRAY</p></div></div> <div><p>December 29, 2014</p><p>South Mountain Study Team Arizona Department of Transportation 1655 West Jackson Street, MD 126F Phoenix, Arizona 85007</p><p>RE: South Mountain (Loop 202) Freeway Final Environmental Impact Statement</p><p>Dear Study Team,</p><p>The Arizona Game and Fish Department (Department) has reviewed the Final Environmental Impact Statement (FEIS) for the South Mountain Freeway (Loop 202) and Section 4(f) Evaluation and recent errata. The Department has public trust responsibility and jurisdictional authority under Arizona Revised Statute, Title 17 (§17-102 codifies state ownership of wildlife) to manage and regulate take of fish and wildlife within the state of Arizona irrespective of landownership, excepting those wildlife existing on tribal trust-status lands. We continue to express interest in land planning initiatives that may affect management of the State's fish and wildlife resources and/or wildlife related recreation. In addition, the Department maintains authorities under the Federal Fish and Wildlife Coordination Act (FWCA) to provide federal agencies recommendations to minimize impacts to fish and wildlife and their habitats that may result from federal projects that relate to water. The FWCA is applicable to this project, due to the proposed road crossing the Salt River and numerous other washes. While the Endangered Species Act mandates certain considerations for federally protected species, the FWCA mandates that consideration is given to all other fish and wildlife species. The Department would like to provide further comments and clarification in regards to the Arizona Department of Transportation's (ADOT) responses to the Department's comments within the FEIS.</p><p>The Department requests ADOT work closely and consistently with state and local agencies, and the tribal entities, on projects early and throughout the process. We appreciate the invitation extended by ADOT regarding the development of design and mitigation, as stated in the FEIS, and we are committed to participating in that process. The following comments address concerns of the Department moving into that process.</p><p>The FEIS at B65 states:</p><p><i>"The comments on the Draft Environmental Impact Statement contradict previous communication with the Arizona Game and Fish Department for the project. The last</i></p><div><p>AN EQUAL OPPORTUNITY REASONABLE ACCOMMODATIONS AGENCY</p></div></div>

Code	Issue	Response

Code	Comment Document
	<p>South Mountain FEIS December 29, 2014</p> <p>2</p> <p><i>formal communication received from the Arizona Game and Fish Department in 2006 (see page A139 in Appendix 1-1 of the Final Environmental Impact Statement) stated that the movement corridor between the South Mountains and the Sierra Estrella is degraded by the 51st Avenue travel corridor as well as by planned development in that area. Data presented in the Draft and Final Environmental Impact Statements corroborate this statement (see the sidebar, “Existing versus planned land use,” on page 4-3 of both documents); a large percentage of the land in the Study Area is projected to be converted to nonagricultural uses in the foreseeable future. The above-referenced 2006 letter from the Arizona Game and Fish Department also stated that mule deer are believed to have been extirpated from the area. There was no mention of concerns regarding bighorn sheep.”</i></p> <p>1</p> <p>The Department has provided formal comments on this project from 2001 to present. The FEIS fails to incorporate updated, relevant information, related to wildlife connectivity that the Department has provided since the 2006 letter that is cited in the response above. Our comments have reflected changing concerns over time as more information and data have become available regarding climate, urban development, infrastructure, statewide wildlife linkage information (ADOT, et. al 2006) Maricopa County wildlife linkage information (AGFD 2012), surveys and data from other projects. The Department recognizes the need and responsibility of ADOT to maintain all of the records related to this project, however, requests the most recent, validated, and high quality information that we provided be incorporated into the analysis, design and development of mitigations. Furthermore, the Department requests that indirect and cumulative impacts be included when considering appropriate mitigation.</p> <p>The FEIS at B66 states:</p> <p><i>“Wildlife connectivity across the proposed project corridor is a concern, and multifunctional crossing structures are planned at locations where natural movement corridors occur along major drainages...</i></p> <p><i>In the case of the South Mountains, communication from the Arizona Game and Fish Department in 2006 (see page A139 in Appendix 1-1 of the Final Environmental Impact Statement) states that mule deer are believed to have been extirpated from the area; bighorn sheep are not mentioned and are known to not occur in Phoenix South Mountain Park/Preserve. Further, historic habitat has already been adversely affected in the area; therefore, the current state of habitat limits the baseline condition under consideration.”</i></p> <p>2</p> <p>The conditions on the landscape including ecosystems and wildlife habitat have changed during the decade long planning process. The Department requests ADOT further develop alternatives within the FEIS to reflect the current baseline conditions, consideration of cumulative impacts, and utilize the most current information available we provided. This information must be incorporated when analyzing project impacts and informing project design. The Department understands the implications of planned development in the area. As such, the Department acknowledges and appreciates the incorporation of wildlife connectivity mitigations into the design process for the highway. However, the Department feels that the repeated assertion in the FEIS of future development plans for the area seeks to minimize the perceived effects of this project, when it will be this proposed action which poses a substantial obstacle to wildlife movement. Recognizing that planned land use may include the development of surrounding</p>

Code	Issue	Response
1	Biology, Plants, and Wildlife	<p>The information provided by the Arizona Game and Fish Department was reviewed and considered in the analysis presented in the section, <i>Biological Resources</i>, in Chapter 4 the Final Environmental Impact Statement. An example includes the addition of movement areas to Figure 4-38 on page 4-126 of the Final Environmental Impact Statement. The updated information provided by the Arizona Game and Fish Department did not change the conclusions for biological resources. We thank the Arizona Game and Fish Department for its comments; changes were included in the Final Environmental Impact Statement to provide clarification.</p> <p>The analysis of secondary and cumulative impacts, including such impacts on biological resources, is discussed beginning on page 4-179 of the Final Environmental Impact Statement. Representative project-specific mitigation measures that address secondary and cumulative impacts are discussed on page 4-189. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.</p>
2	Biology, Plants, and Wildlife	<p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the alternatives development and screening process presented in Chapter 3 of the Draft Environmental Impact Statement. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see Figure 3-2 on page 3-4).</p> <p>The information provided by the Arizona Game and Fish Department was reviewed and considered in the analysis presented in the section, <i>Biological Resources</i>, in Chapter 4 of the Final Environmental Impact Statement and in the Biological Evaluation. The Biological Evaluation includes up-to-date information on vegetative communities and results from available survey information; additional species surveys will be conducted prior to project initiation (see Table 3, beginning on page 38, of the Record of Decision).</p>

Code	Comment Document
3	<p>South Mountain FEIS December 29, 2014</p> <p>3</p> <p>habitat, there remains the potential to maintain wildlife movement corridors as part of the project design, by working with local leaders, developers and Gila River Indian Community (GRIC). These partners can provide critical data and insight into the functionality of current corridors, as well as creative solutions to maintain wildlife movement. Furthermore, this project is likely to promote the future conversion of much of the surrounding habitat. Such development projects are likely in turn to reference the fragmented state of the landscape, as imposed by the newly constructed freeway, as grounds for dismissing wildlife connectivity considerations. Current project language in the FEIS passively accepts the loss of these movement corridors to future development and carries an implied endorsement of development without mitigation.</p> <p>The Department requests project language that not only incorporates wildlife connectivity mitigations into the design process for the highway, but also promotes connectivity mitigations in subsequent development projects.</p> <p>The FEIS at B35 states the following:</p> <p><i>“The National Environmental Policy Act does not require the proposed action to improve the baseline condition. In correspondence, the Arizona Game and Fish Department (see page A139 in Appendix 1-1 of the Final Environmental Impact Statement) stated that the movement corridor between the South Mountains and the Sierra Estrella is degraded by the 51st Avenue travel corridor and that future planned development in the areas affected (supported by data presented in the sidebar, “Existing versus planned land use”, on page 4-3 of the Final Environmental Impact Statement, showing the projected conversion of land in the Study Area to nonagricultural uses) will continue to inhibit movement between the South Mountains and the Sierra Estrella. Further, the comment requests enhancement of movement corridors, which indicates the historic habitat has already been adversely affected. Therefore, the current state of habitat limits is the baseline condition under consideration. It is not the obligation of the proposed action to mitigate impacts caused by other unrelated actions”.</i></p> <p>Changes in land use patterns, growth or decline, in a given locale are attributable to many circumstances, events, and activities including Federal, non-Federal, and private actions. While transportation projects are not the only or primary factor in land use changes, the potential for certain transportation proposals such as this one, to influence land use is <i>undeniable</i>.</p> <p>The Department realizes this project has no compliance obligation to address habitat impairments resulting from existing infrastructure such as the 51st Avenue travel corridor; rather, this should be seen as an opportunity to gain support from potential detractors by contributing to habitat improvements and/or enhancements that could restore sustainable populations of wildlife species to a highly visible parcel. While it is not the obligation of the proposed action to mitigate for impacts caused by other unrelated actions, it is ADOT’s responsibility under NEPA to provide an analysis and potential mitigation measures from indirect effects (40 CFR § 1508.8) and/or cumulative effects (40 CFR § 1508.7) depending on whether effects are caused by the action later in time, or if the action results in incremental effects when added to those <i>past, present and reasonably foreseeable future</i> actions. Indirect effects "may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems" (40 CFR § 1508.8).</p>

Code	Issue	Response
3	Biology, Plants, and Wildlife	<p>Example measures cited by the Arizona Game and Fish Department such as freeway overcrossings and 51st Avenue enhancements, while not necessary or required, are actions the Arizona Department of Transportation and Federal Highway Administration would consider integrating into the project during later design if such improvements were funded by others and did not affect the freeway’s operational characteristics. This is not dissimilar to looking for transit enhancement opportunities as noted in the Final Environmental Impact Statement. Similarly, the Arizona Department of Transportation and Federal Highway Administration have committed to continued coordination with the U.S. Fish and Wildlife Service and Arizona Game and Fish Department on mitigation cited in the Final Environmental Impact Statement.</p> <p>The Arizona Department of Transportation’s mitigation strategy is robust in terms of the provision of multiple wildlife crossings, fencing strategies, collision avoidance measures, and native plant protection. The Arizona Department of Transportation has committed to designing the wildlife crossings to standards for mule deer and designing additional wash crossings for wildlife passage in cooperation with the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, Gila River Indian Community Department of Environmental Quality, U.S. Army Corps of Engineers, and City of Phoenix.</p>

Code	Comment Document
	<p>South Mountain FEIS December 29, 2014</p> <p>3</p>
4	<p>habitat, there remains the potential to maintain wildlife movement corridors as part of the project design, by working with local leaders, developers and Gila River Indian Community (GRIC). These partners can provide critical data and insight into the functionality of current corridors, as well as creative solutions to maintain wildlife movement. Furthermore, this project is likely to promote the future conversion of much of the surrounding habitat. Such development projects are likely in turn to reference the fragmented state of the landscape, as imposed by the newly constructed freeway, as grounds for dismissing wildlife connectivity considerations. Current project language in the FEIS passively accepts the loss of these movement corridors to future development and carries an implied endorsement of development without mitigation.</p>
4	<p>The Department requests project language that not only incorporates wildlife connectivity mitigations into the design process for the highway, but also promotes connectivity mitigations in subsequent development projects.</p> <p>The FEIS at B35 states the following:</p> <p><i>“The National Environmental Policy Act does not require the proposed action to improve the baseline condition. In correspondence, the Arizona Game and Fish Department (see page A139 in Appendix 1-1 of the Final Environmental Impact Statement) stated that the movement corridor between the South Mountains and the Sierra Estrella is degraded by the 51st Avenue travel corridor and that future planned development in the areas affected (supported by data presented in the sidebar, “Existing versus planned land use”, on page 4-3 of the Final Environmental Impact Statement, showing the projected conversion of land in the Study Area to nonagricultural uses) will continue to inhibit movement between the South Mountains and the Sierra Estrella. Further, the comment requests enhancement of movement corridors, which indicates the historic habitat has already been adversely affected. Therefore, the current state of habitat limits is the baseline condition under consideration. It is not the obligation of the proposed action to mitigate impacts caused by other unrelated actions”.</i></p>
4	<p>Changes in land use patterns, growth or decline, in a given locale are attributable to many circumstances, events, and activities including Federal, non-Federal, and private actions. While transportation projects are not the only or primary factor in land use changes, the potential for certain transportation proposals such as this one, to influence land use is <i>undeniable</i>.</p>
5	<p>The Department realizes this project has no compliance obligation to address habitat impairments resulting from existing infrastructure such as the 51st Avenue travel corridor; rather, this should be seen as an opportunity to gain support from potential detractors by contributing to habitat improvements and/or enhancements that could restore sustainable populations of wildlife species to a highly visible parcel. While it is not the obligation of the proposed action to mitigate for impacts caused by other unrelated actions, it is ADOT’s responsibility under NEPA to provide an analysis and potential mitigation measures from indirect effects (40 CFR § 1508.8) and/or cumulative effects (40 CFR § 1508.7) depending on whether effects are caused by the action later in time, or if the action results in incremental effects when added to those <i>past, present and reasonably foreseeable future</i> actions. Indirect effects "may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems" (40 CFR § 1508.8).</p>

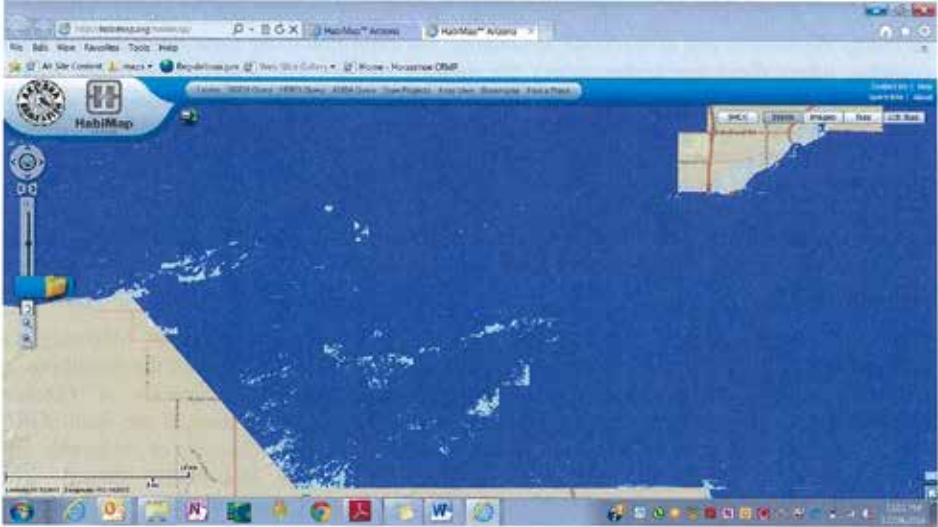
Code	Issue	Response
4	Biology, Plants, and Wildlife	While both the Arizona Game and Fish Department and U.S. Environmental Protection Agency note that the designated corridor is important (and is recognized as such in the section, <i>Biological Resources</i> , beginning on page 4-125 of the Final Environmental Impact Statement), the baseline condition of the resource is not pristine. The Arizona Game and Fish Department points out that the movement corridor between the South Mountains and the Sierra Estrella is degraded by the 51st Avenue travel corridor and that future planned development independent of the project in the areas affected will continue to inhibit wildlife movement between the South Mountains and the Sierra Estrella. To date, most of the land in the Study Area has already been developed in accordance with the City of Phoenix’s <i>General Plan</i> and zoning ordinance. It is assumed that such development would not be torn down to restore habitat to previous historical conditions. As documented in the section, <i>Land Use</i> , in Chapter 4 of the Final Environmental Impact Statement, agricultural (22 percent) and open space (11 percent) land uses in the Study Area represent only 33 percent of land area (it should be noted that the 11 percent of open space is mostly not developable because of topographic challenges and floodplain constraints), while the remainder of the area is in some form of “built” land use. Distribution of zoning further supports the conclusion: 12 percent of the Study Area is zoned for agricultural and open space uses while 88 percent is zoned for other more intensive land uses. The sections, <i>Induced Travel</i> and <i>Induced Growth</i> , beginning on pages 4-179 and page 4-182, respectively, of the Final Environmental Impact Statement, establish that the project will have little contribution to indirect effects on surrounding land use conditions.
5	Secondary and Cumulative Impacts	See response code 3 related to potential wildlife corridor enhancements. The analysis of secondary and cumulative impacts, including such impacts on biological resources, is discussed beginning on page 4-179 of the Final Environmental Impact Statement. Representative project-specific mitigation measures that address secondary and cumulative impacts are discussed on page 4-189. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.

Code	Comment Document
	<p>South Mountain FEIS December 29, 2014</p> <p>4</p>
6	<p>The Department remains concerned with wildlife connectivity opportunities between South Mountain, the Sierra Estrella Mountains, and maintaining and enhancing the crossing at the Salt River. The implementation of this freeway would create an island effect, cutting off the last remaining connection for wildlife to move between South Mountain Park, GRIC, agricultural lands and the Sierra Estrella Mountains, not just through the Gila River corridor as referred to in the FEIS. We recognize the current habitat conditions include pockets of sparse development; however, the habitat continues to be conducive to movement of ungulates and other wildlife from the Sierra Estrella Mountains to South Mountain. It remains highly likely that areas on the southeastern sides of South Mountain function as a seasonal travel corridor for a population of mule deer (see the below discussion of multi-functional crossings).</p> <p>The FEIS at B78 dismisses impacts to water sources;</p> <p><i>“No stock tanks have been identified near the action alternative corridors; therefore, none would be removed nor would access to stock tanks be affected by the proposed action. The Draft Environmental Impact Statement addressed the Pee Posh eagles, although not by name, on page 4-124. A Biological Evaluation was submitted to the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and the Gila River Indian Community Department of Environmental Quality that addressed threatened and endangered species. The U.S. Fish and Wildlife Service concurred with the species determinations in the Biological Evaluation (see Appendix 1-1 of the Final Environmental Impact Statement). The Biological Evaluation also addressed the breeding eagles in the Pee Posh wetlands in conformance to the Bald and Golden Eagle Protection Act. The concrete-lined irrigation canals in the Study Area are typically narrow and steep-sided and contain water for only short periods during field irrigation. The water velocity, steep sides, and short duration of water delivery in the concrete lined canals do not constitute a reliable or appropriate water source for wildlife compared with unlined canals or standing water sources that may be available. The steep canal sides and velocities can be a danger to wildlife. This was clarified in the Final Environmental Impact Statement on page 4-127.”</i></p>
6	<p>The Department would like to clarify that while there may not be direct impacts to water sources in the immediate area, there are impacts to wildlife’s ability to access these water sources. There are water sources in the area on the adjacent GRIC that attract wildlife to the area, especially those with year round water. While not a direct travel corridor, the irrigation canals contribute to those areas maintaining year round water. In addition, the Department maintains a wildlife water catchment on the eastern end of South Mountain Park. Therefore, the proposed project continues to be of concern in limiting access of wildlife to water sources in the area.</p>
7	<p>The Department appreciates the addition of the Arizona’s Species of Greatest Conservation Need (SGCN) to the FEIS. The Department would like to provide some clarity and background on the SGCN and Habimap™. The FEIS at B65 and B73 states:</p> <p><i>“The section, General Impacts on Vegetation, Wildlife, and Wildlife Habitat, beginning on page 4-136 of the Final Environmental Impact Statement, explains that the project would result in a decrease in resources for species that occur in and adjacent to the Study Area. It also describes additional short-term impacts related to construction. The analysis generally describes the effects on species of greatest conservation need that may occur in the vicinity. Most of the Study</i></p>

Code	Issue	Response
6	Biology, Plants, and Wildlife	<p>The Arizona Department of Transportation must prioritize the use of limited transportation project funding. When considering the use of transportation funding to construct additional structures beyond those needed to convey drainage or cross roads, canals, trails, etc., the Arizona Department of Transportation weighs factors such as potential effects on driver safety, regulatory status of species, wildlife linkage priority, the size of wildlife populations in an area, and whether crossings of the roadway are likely to occur frequently or seasonally. Using State transportation funding to provide wildlife overcrossings beyond those needed in the project design is not a priority of the project. The Arizona Department of Transportation and Federal Highway Administration have committed to enhancing the needed bridges and drainage structures to allow wildlife connectivity and providing fencing to guide wildlife to use the crossing structures at the southwest end of the South Mountains.</p> <p>The Arizona Department of Transportation is willing to partner with other stakeholders to enhance connectivity. For example, a project to construct a wildlife overpass within a priority wildlife priority linkage on State Route 77 is being undertaken in conjunction with the Regional Transportation Authority and the Pima Association of Governments. The Regional Transportation Authority initiated and funded the addition of the wildlife crossing structures and fencing to an Arizona Department of Transportation widening project for the highway.</p> <p>The project will not prevent wildlife from accessing the water sources identified in the comment. The Arizona Department of Transportation has committed to wildlife crossings and fencing designed for mule deer at the southwestern end of Phoenix South Mountain Park/Preserve, which will allow access to the Arizona Game and Fish Department’s water catchment. Design of drainage structures for smaller wildlife connectivity along the Pecos Road section of the freeway will allow for north-to-south movement across the freeway in those washes. The Arizona Department of Transportation has committed to discuss design of the crossings and additional mitigation that may be needed during final design (see Table 3, beginning on page 38, of the Record of Decision).</p>
7		<p>Comment noted.</p>

Code	Comment Document
8	<p>South Mountain FEIS December 29, 2014</p> <p>5</p> <p><i>Area has a moderate-to-low value for species of greatest conservation need on HabiMap, including the western end of the South Mountains. The exception is the area along the Salt River corridor, where there are higher values for riparian species. The project is designed with a bridge over the Salt River to minimize effects on riparian habitat. Those species of greatest conservation need that have the potential to occur in the Study Area have been added to Table 4-43 that begins on page 4-129 of the Final Environmental Impact Statement. These species were also addressed in a Biological Evaluation that was submitted to the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and Gila River Indian Community's Department of Environmental Quality. The U.S. Fish and Wildlife Service concurred with the species determinations in the Biological Evaluation (see Appendix 1-1 of the Final Environmental Impact Statement).</i></p> <p>The State Wildlife Action Plan (SWAP) was developed by the Department following the requirements of Congress and contains a comprehensive statewide analysis of the conditions of Arizona's wildlife and habitats. The SWAP identifies Arizona's Species of Greatest Conservation Need (SGCN). The Department appreciates the consideration of the state SGCN list in the FEIS, and requests inclusion of the Department's SERI (Species of Economic and Recreational Importance) as well (see representation through HabiMap™ below). The Department agrees with the assessment that a large portion of the study area and preferred alignment is represented in HabiMap™ SGCN layer with moderate level scores. However, the SGCN layer represents weighted richness of SGCN species across the landscape. A moderate score indicates a fewer number of species may be present than an area with higher scores. It does not indicate that there are no biological values associated with the area. Investigation of the modeled distributions of SGCN and SERI species in HabiMap™ reveals potential habitat for at least six tier 1a SGCN species in the western end of South Mountain that appears to have been dismissed in the comment response and FEIS. More importantly, the SWAP layers are intended to inform at a state-wide scale, and are not to be used as a sole source of information at site-specific evaluation. This is made clear in the 'terms of use', agreed to by users and clearly outlined throughout the tool and within the metadata contained in the developed models and model layers. We realize that not all of these species may be present across the modeled habitat extents, but suggest giving separate consideration of each species (both tier 1a and tier 1b) on the list and the potential for impacts by the project as potential habitat exists either within, adjacent or in the vicinity of the project. Alternatively, the Department would encourage the inclusion of language that clarifies the valuation of the SGCN and SERI layers as a weighted quantification of the number of SGCN and SERI species present, rather than a qualification of the relative importance of these lands to the individual species represented on the list.</p> <p>Species of Economic and Recreational Importance graphic represented through HabiMap™</p>

Code	Issue	Response
8	Biology, Plants, and Wildlife	<p>The HabiMap layer for Species of Economic and Recreational Importance is based on 13 Arizona game species and the demand and revenue generated by those species. The intent, as described in HabiMap for this layer, is to show the relative importance of that area based on variables pertaining to hunting. Because hunting is not permitted in the Phoenix metropolitan area, the Species of Economic and Recreational Importance layer does not provide specific relevant or substantial information that would have a bearing on the analysis or conclusions in the Final Environmental Impact Statement.</p> <p>Tier 1a species of greatest conservation need were evaluated for likelihood of presence in the project area in the Final Environmental Impact Statement (page 4-129) and in the Biological Evaluation (page A-4 in the appendix). The HabiMap layer for Species of Greatest Conservation Need indicates the greatest potential for species richness along the western end of the South Mountains, and in proximity to the E1 Alternative, is within a small rural residential area. As the Arizona Game and Fish Department recognizes, this modeled information is at a statewide scale and, therefore, does not indicate specific verified species richness including the potential for Tier 1a species to occur in any given area identified on the layer. Threatened and endangered species and other sensitive species were addressed in the Final Environmental Impact Statement, and the species richness information as shown on the Species of Greatest Conservation Need layer would not have any affect on the conclusions in the Final Environmental Impact Statement.</p> <p>The analysis presented in the <i>Biological Resources</i> section of Chapter 4 of the Final Environmental Impact Statement and the Biological Evaluation completed in 2014 contains an appropriate analysis of existing conditions and potential impacts based on field surveys and available literature. No further analysis is required.</p>

Code	Comment Document
	<div>South Mountain FEIS December 29, 2014</div> <div>6</div> <div></div> <div>The FEIS at B80 notes: <i>"...the proposed freeway would be lined with right-of-way fencing that would prevent vehicular collisions with wild horses and burros."</i></div> <div>9 The Department requests ADOT utilize wildlife friendly fencing within the right-of-way.</div> <div>The FEIS at B66, B82, B86, B87, and B89 states: <i>"he intended uses of the multifunctional crossings would vary by location within the Study Area. If the crossings were near existing recreational features or trails, more human use would be expected. However, multifunctional crossings in remote areas through the South Mountains would allow limited use by people. Use of the crossings by people in this area is proposed solely to accommodate those members of the Gila River Indian Community who wish to gain access to areas of the South Mountains for ceremonies important for their culture (see Final Environmental Impact Statement page 4-151). A right-of-way fence would limit access to these areas by freeway users, but would allow Gila River Indian Community members to gain access to the area (see page 5-27 of the Final Environmental Impact Statement). The underpasses would not be associated with trailheads into the park and would not be designated as such for pedestrian, equestrian, off-highway vehicle, or bicyclist use. Other use of the underpasses by humans would be neither actively promoted nor encouraged through the signs posted." FEIS B66, B82, B86, B87, and B89.</i></div> <div>The FEIS at B67 states: <i>"We do not dispute the potential benefit of conducting a "multi-year" study to locate wildlife mitigation measures. However, it is also important to recognize that such studies</i></div>


Code	Issue	Response
9	Design	The freeway will be lined with right-of-way fencing to restrict wildlife from entering the travel lanes of the freeway. The Arizona Department of Transportation has made the commitment to consider wildlife in the design of crossings and fencing (see page 4-138 of the Final Environmental Impact Statement). The fencing and crossing design will occur hand-in-hand, and determinations will be made in coordination with the Arizona Game and Fish Department, Gila River Indian Community Department of Environmental Quality, and U.S. Fish and Wildlife Service during final design. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.

Code	Comment Document
	<div>South Mountain FEIS December 29, 2014</div> <div>7</div> <div><p><i>need to be conducted in areas exhibiting priority wildlife-related highway safety and connectivity issues; the section of the highway corridor proposed parallel to Pecos Road was not identified as a linkage zone within the 2006 Arizona Wildlife Linkages Assessment or the 2012 Maricopa County Wildlife Connectivity Assessment. It would likely exhibit relatively low wildlife vehicle collision incidence in the future given the low wildlife densities found within this portion of the corridor. The 2012 Maricopa County Wildlife Connectivity Assessment did identify a movement corridor at the southwestern end of Phoenix South Mountain Park/Preserve. Multifunctional crossing structures proposed in this area would allow continued wildlife connectivity in this area. Wildlife species in the Study Area (including mule deer, mountain lion, and javelina) are commonly found in the urban interface. They are generally not reluctant to use structures crossing beneath roadways; this is partially attributable to the fact that the most common times of use for humans and wildlife tend to occur at different times of the day. The proposed crossings would be located at washes, which are the most likely wildlife movement corridors given topography and resources. In addition to these larger crossings, culverts at smaller washes would serve as connection points for smaller wildlife. Culverts would generally be placed in natural drainage areas that are not heavily used by humans. Some past research indicates that human use of wildlife passages may affect wildlife use to varying degrees. The most well-known example of this research focused on crossings of the Trans-Canada Highway in Banff National Park. The results of the extensive research on the Trans-Canada Highway did not show that human use has a dramatic impact on wildlife use of the Banff structures, which has been substantial and continues to increase. In Arizona, research by the Arizona Game and Fish Department along State Route 260 found highly compatible use of a dual-use (multifunctional) underpass that linked the communities of Christopher Creek and Hunter Creek. This particular underpass exhibited some of the most diverse and substantial wildlife use of the underpasses monitored during the long-term project (Dodd et al. 2012). Along State Route 77, a Wildlife Technical Advisory Committee closely scrutinized this issue for the two planned wildlife passages that will be built within a similar urban-influenced landscape in and adjacent to Oro Valley. The Wildlife Technical Advisory Committee evaluated all available information and determined that the temporal patterns of human (daytime) versus wildlife (crepuscular and nocturnal) use are not expected to result in a significant degree of incompatibility. Furthermore, such dual-use, multifunctional structures situated within urban-influenced landscapes, in this instance adjacent to Phoenix South Mountain Park/Preserve with its extensive trail network, offer effective and efficient use of limited taxpayer funds.”</i></p><div>10</div><p>The Department continues to support placing crossing underpasses within the drainage areas (washes, etc.). However data indicates that wildlife show reluctance to move through multi-functional underpass crossing structures (i.e. US260), often displaying reluctance and stalling at the mouth of the underpass (pers. comm. Jeff Gagnon 2014). Thus the Department requests some underpasses be dedicated specifically to wildlife crossings and not be multi-functional. In addition, the Department, requests commitment for funnel fencing leading up to the crossings to increase the success rate for use at the crossing. We request a buffer of 200ft. or more to any multi-functional use trail. The Department appreciates the invitation and opportunity to participate on the design of the project.</p></div>

Code	Issue	Response
10	Design	<p>In Figure 16 on page 28 of the Record of Decision, multiuse crossing 4 is identified as being aligned with a Maricopa County trail. The remaining four locations will serve wildlife movement with limited use by Gila River Indian Community members to access the South Mountains.</p> <p>The Arizona Department of Transportation and Arizona Game and Fish Department are in agreement that designing crossings for use by wildlife with limited use for Gila River Indian Community members to access the South Mountains is an acceptable way to proceed (see Arizona Game and Fish Department comment at top of next page).</p> <p>The Arizona Department of Transportation has committed to include fencing along with the crossing structures to be designed in coordination with the Arizona Game and Fish Department, Gila River Indian Community Department of Environmental Quality, and U.S. Fish and Wildlife Service. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.</p>



Code	Comment Document
	<p>South Mountain FEIS December 29, 2014</p> <p>8</p>
11	<p>The Department’s primary concern with the concept of multi-use crossing structures is the proximity to the densely Phoenix metropolitan area. With the neighboring urban center, there is real potential for increased human use at much greater levels than the State Route 260 underpass referenced in the EIS response. With the clarification that these structures will not be accessible from the roadway (or from transportation interchanges), and will not be incorporated into the park’s trail system, the Department agrees that levels of human use associated with the cultural access by the Gila River Indian Community are not likely to preclude functionality as wildlife connectivity mitigation structures. The Department requests ‘limiting human use’ (excepting the GRIC cultural access) be identified as a priority and carried forward in the design of infrastructure surrounding all underpasses designated for use by wildlife.</p>
12	<p>The Department continues to request overpasses where the proposed alignment intersects with the major ridgelines of South Mountain to allow for movement of larger ungulates and other wildlife species, while decreasing risk to public safety. While there is minimal documented road mortality data provided for Pecos Road, it is known that there are high numbers of coyotes, tortoise, small mammals, etc. The Department recommends survey work be conducted to better understand the numbers and to further inform the placement of underpasses. The Department has provided several examples previously of where this has been successful for both deer and bighorn sheep and more effective than multi-functional crossing. In order to design the overpass appropriately, the Department again recommends game surveys be conducted to gain a better understanding of the movement areas and numbers potentially utilizing the area. The Department provides the following discussion to inform, clarify and support the comments provided previously. Historical data supports the use of the area by bighorn sheep and mule deer. In 1997, a bighorn sheep ram mortality was recorded on the east side of the Sierra Estrella Mountains. According to Department data, 25 bighorn sheep were observed during survey efforts between the Estrella’s, North and South Maricopa Mountains. This population of bighorn sheep is low and at risk of extirpation. In 2010, the Department conducted a standard aerial survey of the Sierra Estrella Mountains in which 8 bighorn sheep were observed and classified (4 on BLM and 4 on GRIC) resulting in an estimated population based on the observation rate for the Estrella Mountains to be a minimum of 8 bighorn sheep on the GRIC and a minimum of 8 bighorn sheep on adjacent BLM property totaling 16 estimated. This location of the mortality demonstrates the importance of maintaining connectivity of mountain ranges in this area (Buckeye Hills and Sierra Estrellas). Local radio telemetry data obtained from collared bighorn sheep in the Buckeye Hills documents that the expansive range sheep travel between mountain ranges may expand to areas of vast distances between locales. Assumptions could be made from this data that bighorn sheep within the Sierra Estrellas would travel similar distances between mountain ranges, utilizing important travel corridors. Further research and evaluation is needed. The Department has previously had and continues to have discussions of augmenting the population of bighorn sheep in the Sierra Estrella Mountains with the continued development pressures in Rainbow Valley. As such, wildlife connectivity and travel corridors will continue to be vital in enhancing and sustaining the bighorn sheep population within this area into the foreseeable future.</p> <p>The Sierra Estrellas are also known to contain mule deer in low numbers and the Maricopa Mountains contain a larger population. Mule deer are known to occur on the bajadas of the Sierra Estrella Mountains in low densities on the north and east sides (pers. comm. Dave Conrad, AGFD 2014). Communications with South Mountain Park staff (pers. comm. 2014), evidence of mule deer over the years has been found within the park. In 2011, a mule deer mortality was</p>

Code	Issue	Response
11	Design	The Arizona Department of Transportation has made the commitment to limit human use of the crossings as noted in the comment.
12	Design	<p>Example measures cited by the Arizona Game and Fish Department such as freeway overcrossings and 51st Avenue enhancements, while not necessary or required, are actions the Arizona Department of Transportation and Federal Highway Administration would consider integrating into the project during later design if such improvements were funded by others and did not affect the freeway’s operational characteristics. This is not dissimilar to looking for transit enhancement opportunities as noted in the Final Environmental Impact Statement. Similarly, the Arizona Department of Transportation and Federal Highway Administration have committed to continued coordination with the U.S. Fish and Wildlife Service and Arizona Game and Fish Department on mitigation cited in the Final Environmental Impact Statement.</p> <p>The Arizona Department of Transportation has committed to conduct additional surveys to better understand the types of crossings to implement during final design to ensure the greatest benefit to wildlife. The Arizona Department of Transportation and Federal Highway Administration have also committed to enhancing the planned bridges and drainage structures to allow wildlife connectivity and providing fencing to guide wildlife to use the crossing structures.</p> <p>The Arizona Department of Transportation appreciates the additional data provided on occurrence of bighorn and mule deer in the Sierra Estrella and mule deer in Phoenix South Mountain Park/Preserve and on Gila River Indian Community land south of the project area.</p>

Code	Comment Document
	<p>South Mountain FEIS December 29, 2014</p> <p>9</p> <p>observed by Kelly Wolff-Krauter (AGFD) at Pecos Road/Loop 202/I-10; origin was believed to be from the agricultural fields along Pecos Road, due to the water sources and available forage. This information suggests mule deer movement between the Maricopa Mountains and the Sierra Estrellas. Communications with the GRIC support the Department's belief that there is a bighorn sheep population in the Estrella Mountains and a mule deer population in the vicinity of South Mountain. In the area where the project corridor traverses the park, there are sources of year round water and evidence suggests mule deer persist in the area as communicated by the GRIC. Based on this information, the Department continues to support that habitat is likely being used by mule deer in unknown numbers and frequency. Surveys would provide more information to inform the mitigations necessary for providing and designing appropriate crossing structures.</p> <p>The FEIS at B81 states:</p> <p><i>"The Sonoran Desert toad was added to the list of species occurring in the Study Area in the Biological Evaluation. Table 4-44 of the Draft Environmental Impact Statement indicates that these bat species may occur throughout the Study Area; this was updated to "may occur" in the Final Environmental Impact Statement (see Table 4-43 on pages 4-129 to 4-132). Surveys to determine the presence and distribution of the wide range of species, including bat species, is beyond the scope of the proposed project. Designing bridges for bat habitat is not a standard accommodation that the Arizona Department of Transportation currently provides."</i></p> <p>13 The Department believes the previous request to survey for bats and provide suitable roosting structures where appropriate is not an unreasonable request (please see the language contained in the FEIS response) and recommends providing bat day-roost design characteristics on the wildlife crossing structures and bridges. Surveys prior to design must be performed to inform the final design.</p> <p>The Department appreciates the opportunity to provide comment on the FEIS. We look forward to working closely with the project team on the project design for further development of the mitigation and design plans for the crossing structures necessary to facilitate connectivity and permeability for wildlife. If you have questions about this letter, please contact Kelly Wolff-Krauter @ 480-324-3550 or kwolff-krauter@azgfd.gov.</p> <p>Sincerely,</p> <p> Joyce Francis Habitat Branch Chief</p> <p>Cc: Clifton Meek, Environmental Review Specialist, US EPA</p> <p>M13-04265313</p>

Code	Issue	Response
13	Biology, Plants, and Wildlife	The Arizona Department of Transportation has committed to conducting surveys for the Sonoran desert tortoise and other species as determined by the Arizona Department of Transportation and Federal Highway Administration to be necessary and to continuing coordination with the Arizona Game and Fish Department (see Table 3 in the Record of Decision, beginning on page 38). The surveys for Sonoran desert tortoise are already underway and are being conducted by the Arizona Game and Fish Department. The resulting documentation will include recordings of all species observed. If other species are determined to exist in the project area and will be affected by the project, additional coordination with the Arizona Game and Fish Department will occur. Designing bridges for bat habitat is not a standard accommodation that the Arizona Department of Transportation currently provides.


BUSINESS COMMENTS AND RESPONSES

Code	Comment Document
1	<div><p>From: Zyburt, Melody [mailto:melody.zyburt@stantec.com] Sent: Tuesday, November 25, 2014 3:36 PM To: Projects Cc: Donovan L. Neese (dneese@rooseveltirrigation.org); Buras, David; Dinesh Doshi; Seyedkamal Mirtalaei; Mohamed A. Noun Subject: Roosevelt Irrigation District Comment - ADOT South Mountain Freeway FEIS Importance: High</p><p>To Whom it may concern,</p><p>For the Roosevelt Irrigation District (RID), please find attached comments to the Final Environmental Impact Statement for the ADOT South Mountain Freeway (Loop 202) project.</p><p>Due to the size of the attachment, we have also provided the RID Comment package on a temporary Stantec FTP site for your downloading requirements. Provided below are access instructions:</p><p>Please use the automatic login link below to access your site. You have also been provided a manual link, username and password in case your computer disables the automatic login link.</p><p>Automatic Login FTP site link: ftp://s1209153135:9208539@ftptmp.stantec.com By clicking on the link above (or pasting the link into Windows Explorer) you will be automatically logged into your FTP site.</p><p>Manual Login FTP link: ftp://ftptmp.stantec.com Login name: s1209153135 Password: 9208539 Disk Quota: 2GB Expiry Date: 12/9/2014</p><p>Do not hesitate to contact either Donovan Neese or me if you have any immediate questions or would like to schedule a coordination meeting to discuss the comments.</p><p>Regards, Melody</p><p>Melody Zyburt Project Manager Stantec 8211 South 48th Street Phoenix AZ 85044-5355 Phone: 602-438-2200 ext 4773 Fax: 602-431-9562 melody.zyburt@stantec.com</p><p></p><p>Celebrating 60 years of community, creativity, and client relationships.</p><p>The content of this email is the confidential property of Stantec and should not be copied, modified, retransmitted, or used for any purpose except with Stantec's written authorization. If you are not the intended recipient, please delete all copies and notify us immediately.</p><p> Please consider the environment before printing this email.</p><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>


Code	Issue	Response
1		Comment noted. Responses to specific comments are provided on the following pages.

Code	Comment Document
2	<p>ROOSEVELT IRRIGATION DISTRICT</p> <p>103 West Baseline Road • Buckeye, AZ 85326 • Phone (623) 386-2046 • Fax (623) 386-4360</p> <p><u>Board of Directors</u> W. Bruce Heiden, President Dwight B. Leister K. C. Gingg</p> <p><u>Superintendent</u> Donovan L. Neese</p> <p>19 November 2014</p> <p>South Mountain Freeway Project Team Arizona Department of Transportation 1655 W. Jackson Street, MD 126F Phoenix, AZ 85007</p> <p>Attention: South Mountain Freeway Project Team</p> <p>Dear South Mountain Freeway Project Team,</p> <p>Reference: South Mountain Freeway (Loop 202) Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway) ADOT Project No. 202L MA 054 H5764 01L FHWA-AZ-EIS-14-01-F RID Comments to Final Environmental Impact Study</p> <p>The Roosevelt Irrigation District (RID) is hereby providing comments to the September 2014 published Final Environmental Impact Study (FEIS) for ADOT's South Mountain Freeway (Loop 202) project. RID is not opposed to the alignments that have been presented, but are concerned that several RID irrigation facilities were overlooked during the planning stages of this project.</p> <p>On behalf of RID, Stantec Consulting Services Inc. (SCSI) completed a review of the FEIS report and associated supplementary documents. The purpose of the review was to confirm that the FEIS properly identified RID facilities within the ADOT South Mountain Study Area, and that conflicts with RID facilities were addressed. Subsequently, SCSI prepared a technical memorandum identifying those RID facilities what were in conflict with the Loop 202 project, but were not incorporated into the published FEIS. The memorandum identifies those portions of the RID Main Canal, Salt Canal and RID wells # 107 and 108 which will be impacted by the construction of the Loop 202 project, and provided prior rights documents specific to the preferred W59 alignment alternative (please refer to the attached SCSI technical memorandum for locations and prior rights documentation).</p> <p>Per discussion with SCSI, the RID understands that the FEIS report will not be updated to incorporate these potential conflicts, but these facilities will be addressed in the Federal Highway Administration's Record of Decision (ROD) document that is anticipated to be issued in early 2015.</p>
3	

Code	Issue	Response
2	Water Resources	<p>The Roosevelt Irrigation District facilities were included in the Final Environmental Impact Statement. Active groundwater wells, such as the Roosevelt Irrigation District's wells number 107 and 108, are depicted in Figure 4-33 on page 4-104 in the Final Environmental Impact Statement. Irrigation canals, such as the Roosevelt Irrigation District's Main Canal and Salt Canal, are depicted in Figure 4-34 on page 4-107 of the Final Environmental Impact Statement. These facilities, as well as others within the Study Area, were considered in the impacts analysis for the alternatives studied in detail. Mitigation measures and details related to how wells and canals will be addressed during later phases of the project are described beginning on page 4-106.</p> <p>The attached technical memorandum and prior rights documentation was forwarded to the Arizona Department of Transportation Utilities and Railroad Engineering group for use in future coordination with the Roosevelt Irrigation District during final design.</p>
3	Record of Decision	<p>The letter and supporting documentation from the Roosevelt Irrigation District will be incorporated into the project record as part of this Appendix A. No further consideration of the specific facilities will be made in the Record of Decision because they were addressed in the Final Environmental Impact Statement, and future coordination with the Roosevelt Irrigation District will occur during final design.</p>

Code	Comment Document
2	<div><p>Accordingly, RID has only two comments at this time;</p><ol style="list-style-type: none">1. We are requesting that the RID facilities in direct conflict with the studied alignments and the preferred W59 alignment be incorporated into the official ADOT records;2. And that RID's requirement for relocation of their facilities be included within the FHWA's ROD.<p>Please contact us if you have any questions or would like to schedule a coordination meeting to further discuss the comments and conflicting facilities.</p><p>Sincerely,</p><p>ROOSEVELT IRRIGATION DISTRICT</p><div> Donovan L. Neese Superintendent</div><p>Attachments: RID Prior Rights Letter & attachments</p><p>c. File, David Buras (Stantec), Melody Zybert (Stantec), Dinesh Doshi (ADOT), Mohamed Noun (ADOT)</p><p><small>two a 152813active1181300255adot - south mountain corridor (htr)project_managementstantec_proposal_and_contract2014-11-19_rid_adot_fewa_comment_resolution_letter.doc</small></p></div>
3	

Code	Issue	Response

Code	Comment Document
4	<div><p>ROOSEVELT IRRIGATION DISTRICT</p><p>103 West Baseline Road ♦ Buckeye, AZ 85326 ♦ Phone (623) 386-2046 ♦ Fax (623) 386-4360</p><div><div><u>Board of Directors</u> W. Bruce Heiden, President Dwight B. Leister K. C. Gingg</div><div><u>Superintendent</u> Donovan L. Neese</div></div><p>19 November 2014</p><p>Arizona Department of Transportation Utilities & Railroad Engineering Section 205 S. 17th Avenue – Mail Drop 618E Phoenix, AZ 85007</p><p>Attention: Mr. Dinesh Doshi</p><p>Dear Mr. Doshi,</p><p>Reference: South Mountain Freeway (Loop 202) Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway) ADOT Project No. 202L MA 054 H5764 01L FHWA-AZ-EIS-14-01-F</p><p>Enclosed is the Roosevelt Irrigation District (RID) prior rights documentation for those portions of the RID Main Canal, Salt Canal and RID wells # 107 and 108 which will be impacted by the construction of the referenced freeway project.</p><p>This documentation is being submitted to demonstrate RID's prior rights within the ADOT preferred W59 alignment, but also documents potential impacts for the non-preferred W71 alignment and the W101 Western, Eastern and Central alignments.</p><p>Please contact us if you have any questions or need additional information.</p><p>Sincerely,</p><p>ROOSEVELT IRRIGATION DISTRICT</p><div> Donovan L. Neese Superintendent</div><p>Attachments: Technical Memo FEIS and Prior Rights Documents</p><p>c. File, David Buras (Stantec), Melody Zyburdt (Stantec), Mohamed Noun (ADOT)</p><p><small>file:///C:/Users/Donovan/OneDrive/Documents/2014-11-19_rid_prior_rights_letter.doc</small></p></div>

Code	Issue	Response
4		Prior rights documentation reviewed.

Code	Comment Document
	<div>19280418_DEED_220_226_1</div> <div>226</div> <div>Unofficial Document</div> <div><p>7. That no building, house, garage or other out-building shall be erected or placed on said Place, the main wall of which is nearer than thirty feet (30 ft.) to the front line of lot or house, garage or other out-building is built.</p><p>8. That the lots in said Alvarado Place shall not be leased, let, sold or transferred to any person or persons not of the White or Caucasian Race. It being expressly understood and agreed that the said Alvarado Place has been set out and subdivided and is now set out and subdivided as a choice residential subdivision.</p><p>And it is hereby agreed by and between the parties hereto that the foregoing covenants and restrictions shall run with and shall appertain to and be appurtenant with each and every lot in said Alvarado Place, as the said Alvarado Place at the date of these presents is subdivided, platted or laid out, and that in the event of the breach of any of the foregoing covenants or restrictions that the lot or lots upon which breach any of the foregoing covenants or restrictions is committed or suffered to be permitted shall, so and become the property of the Grantor, or its successors and assigns; any person, firm or corporation owning any right, title, claim or interest in and to any of the lots in said Alvarado Place may be plaintiff in any suit or action filed to prevent the violation of any covenant or restriction or to enforce the same, and no such action shall in anywise affect any valid mortgage or lien made in good faith and not made for the purpose of defeating such forfeiture when such mortgage or lien shall have been of record prior to the time when the right to bring such action for forfeiture shall have been acquired; provided further that in the event of the foreclosure of said mortgage and the sale of the property therein the purchaser thereof under such sale shall be bound by the covenants and conditions and stipulations herein contained.</p><p>TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Sam P. Applewhite, Jr., heirs and assigns forever.</p><p>And the said corporation hereby binds itself and its successors to warrant and forever defend, all and singular, the premises unto the said Sam P. Applewhite, Jr., heirs and assigns, against every person whomsoever, lawfully claiming or to claim the same or any part thereof.</p><p>IN WITNESS WHEREOF, the said LANE-SMITH INVESTMENT COMPANY, by its President and Secretary-Treasurer thereunto duly authorized, has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed this 18th day of April, 1928.</p><p>(Corporate Seal) LANE-SMITH INVESTMENT COMPANY By Eden E. Lane, President. By Milton P. Smith, Secretary and Treasurer.</p><p>STATE OF ARIZONA, County of Maricopa, ss.</p><p>Before me, J. M. Downie, a Notary Public in and for said County, State of Arizona, personally appeared Eden E. Lane and Milton P. Smith, known to me to be the persons whose names are subscribed to the foregoing instrument as the President and Secretary-Treasurer of the Corporation described in the foregoing instrument and as such officers acknowledged to me that they executed the same for said Corporation, for the purpose and consideration therein expressed, as its free act and deed, and by each of them voluntarily executed.</p><p>Given under my hand and seal of office, this 18th day of April, A. D., 1928.</p><p>(Seal) (My Commission Expires 3/7/32.) Jno. M. Downie, Notary Public.</p><p>Filed and recorded at request of Sam P. Applewhite, Jr., Apr. 18 1928 at 3:40 P. M.</p><p>#13461 W. E. Linville, County Recorder. By Addie F. Maury, Deputy.</p><p>COMPARED READ TO READ BY</p><p>WARRANTY DEED</p><p>APPROVED Date 4/18/28 Jno. B. White Clerk Board of Supervisors, Maricopa County.</p><p>STATE OF ARIZONA, County of Maricopa, ss.</p><p>KNOW ALL MEN BY THESE PRESENTS: That JAMES E. CARLTON and AMY E. CARLTON, man and wife, of the County of Maricopa, State of Arizona, for and in consideration of Ten Thousand Five Hundred (\$10,500.00) DOLLARS, to them in hand paid by THE ROOSEVELT IRRIGATION DISTRICT, a corporation, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said THE ROOSEVELT IRRIGATION DISTRICT, a corporation, all that certain premises in Maricopa County, Arizona, described as follows, viz:</p><p>A strip of land in the Northeast quarter (NE$\frac{1}{4}$) of Section 18, T 1 N, R 2 E of the G & S R B & M, 90 feet in width, 45 feet on each side of a center line described as follows:</p><p>Using as a base the north half of the east line of Section 18, with an assumed bearing of N 0° 27' N and beginning at a point 45 feet north and 33 feet west of the NE corner of said section 18; thence North 89° 15' West, a distance of 1290.4' to a point; thence N 0° 17' East, a distance of 1535.8 feet to a point; thence E 89° 43' West, a distance of 1263.3' to a point; thence N 0° 15' E a distance of 215' to a point; said point being 1225' south of the north line of said Section 18, containing 8.2 acres, more or less.</p><p>To have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said THE ROOSEVELT IRRIGATION DISTRICT, a corporation, its successors and assigns forever.</p><p>And we hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend, all and singular, the premises unto the said THE ROOSEVELT IRRIGATION DISTRICT, a corporation, — every person whomsoever, lawfully claiming or to claim the same or any part thereof.</p><p>Witness our hands this 10th day of April, A. D. 1928.</p><p>Signed, Sealed and Delivered in the presence of -- James E. Carlton (Seal) Amy E. Carlton (Seal)</p><p>STATE OF ARIZONA, County of Maricopa, ss.</p><p>Before me, — a Notary Public in and for the County of Maricopa, State of Arizona, on this day personally appeared JAMES E. CARLTON and AMY E. CARLTON, man and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration therein expressed.</p><p>Given under my hand and seal of office, this 10th day of April, A. D. 1928.</p><p>(Seal) (My Commission expires September 22-1928. Em. Mishka, Notary Public.</p><p>Filed and recorded at request of Roosevelt Irrigation District Apr 18 1928 at 3:45 P. M. #13462 W. E. Linville, County Recorder. By Addie F. Maury, Deputy.</p><p>COMPARED READ TO READ BY</p></div>

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6633 W. V. Bureau 6E-57N

DEED

Know all men by these presents, that the SALT RIVER VALLEY WATER USERS' ASSOCIATION, a corporation, organized and existing under the laws of the State of Arizona, for and in consideration of the sum of Two Hundred Twenty-two Thousand (\$222,000.00) Dollars, to it in hand paid by ROOSEVELT IRRIGATION DISTRICT, a municipal corporation existing under and by virtue of the laws of the State of Arizona, has granted, sold, conveyed and transferred, and does hereby grant, sell, convey and transfer, free of all liens and encumbrances, unto said Roosevelt Irrigation District, all of the right, title, claim and interest which said Salt River Valley Water Users' Association has in and to certain twenty-six (26) pumping plants, consisting of wells with pumps, motors, houses and appurtenant appliances and equipment, and ten (10) certain ditches with appurtenant structures and connections for carrying water produced by the aforesaid pumping plants, excepting from the property so conveyed and transferred, however, all headgates, ditches, connections and appliances appurtenant to any or all of said pumping plants or ditches which were constructed or which are or may be used for the delivery of water from any or all of said pumping plants or ditches to individual tracts of the Salt River Arizona Project lands, or to Salt River Arizona Project ditches, the title to said headgates, ditches, connections and appliances so excepted to remain in the Salt River Valley Water Users' Association or the United States of America, and said headgates, ditches, connections and appliances shall be left by the District in place and in condition for use in the event of it becoming necessary or desirable at any time to utilize them.

APPROVED
DATE 12/2/78
BY B. White
CLERK BOARD OF SUPERVISORS
MARICOPA COUNTY

375
50 KUM

KNOW ALL MEN BY THESE PRESENTS:

That the SALT RIVER VALLEY WATER USERS' ASSOCIATION, a corporation, organized and existing under the laws of the State of Arizona, for and in consideration of the sum of Two Hundred Twenty-two Thousand (\$222,000.00) Dollars, to it in hand paid by ROOSEVELT IRRIGATION DISTRICT, a municipal corporation existing under and by virtue of the laws of the State of Arizona, has granted, sold, conveyed and transferred, and does hereby grant, sell, convey and transfer, free of all liens and encumbrances, unto said Roosevelt Irrigation District, all of the right, title, claim and interest which said Salt River Valley Water Users' Association has in and to certain twenty-six (26) pumping plants, consisting of wells with pumps, motors, houses and appurtenant appliances and equipment, and ten (10) certain ditches with appurtenant structures and connections for carrying water produced by the aforesaid pumping plants, excepting from the property so conveyed and transferred, however, all headgates, ditches, connections and appliances appurtenant to any or all of said pumping plants or ditches which were constructed or which are or may be used for the delivery of water from any or all of said pumping plants or ditches to individual tracts of the Salt River Arizona Project lands, or to Salt River Arizona Project ditches, the title to said headgates, ditches, connections and appliances so excepted to remain in the Salt River Valley Water Users' Association or the United States of America, and said headgates, ditches, connections and appliances shall be left by the District in place and in condition for use in the event of it becoming necessary or desirable at any time to utilize them.

The pumping plants hereby conveyed and transferred are more particularly described as follows, all being within Maricopa County, State of Arizona, and lying North and East of the Gila and Salt River Base and Meridian, to-wit:

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TOTAL	48,000	00	48,000	00	48,476	00	48,476	0
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THIS STATEMENT COVERS MONEY SETTLEMENT THROUGH ESCROW ONLY KEEP IT AS A REFERENCE FOR TAX PURPOSES
FATCOA 6319

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All, excepting that part occupied by the County Road, of the North 83 feet of the West 83 feet of the Northwest Quarter of the Northwest Quarter of Section 20, Township 2 North, Range 1 East.

PUMPING PLANT 1 E - 6 N ✓

and appurtenances, with well-site described as follows:
All, excepting that part occupied by the County Road, of the South 83 feet of the West 83 feet of the Southwest Quarter of the Southwest Quarter of Section 20, Township 2 North, Range 1 East.

PUMPING PLANT 2 E - 6 N ✓

and appurtenances, with well-site described as follows:
Beginning at the Southeast corner of said tract, which corner is 33 feet due North of a point 34 feet due West of the Southeast corner of Section 32, Township 2 North, Range 1 East, Gila and Salt River Base and Meridian; thence due West 30 feet to the Southwest corner of said tract; thence due North 25 feet to the Northwest corner said tract; thence due East 30 feet to the Northeast corner of said tract; thence due South 25 feet to the Southeast corner said tract, to the point of beginning, containing Seventeen thousandths (0.017) of an acre, more or less.

PUMPING PLANT 3 E - 6 N ✓

and appurtenances, with well-site described as follows:
All, excepting the part occupied by the County Road, of the North 98 feet of the East 98 feet of the Northeast Quarter of the Northeast Quarter of Section 4, Township 1 North, Range 1 East.

PUMPING PLANT 4 E - 6 N ✓

and appurtenances, with well-site described as follows:
Using as a base the line between the North Quarter N¹ corner and the Northwest corner of Section 12, Township 1 North, Range 1 East, based on a magnetic bearing of South 89° 40' West, beginning at the Northwest corner of said tract, which is 83 feet North 89° 40' East from a point 38 feet South 0° 20' East from the Northwest corner of Northwest corner of said Section 12; thence North 89° 40' East 25 feet to the Northeast corner said tract; thence South 0° 20' East 30 feet to the Southeast corner said tract; thence South 89° 40' West 25 feet to the Southwest corner said tract; thence North 0° 20' West 30 feet to the Northwest corner said tract, the point of beginning, containing seventeen thousandths (0.017) of an acre, more or less.

PUMPING PLANT 5 E - 5 N ✓

and appurtenances, with well-site described as follows:
Using as a base the line between the North Quarter N¹ corner and the Northwest corner of Section 12, Township 1 North, Range 1 East, based on a magnetic bearing of South 89° 40' West, beginning at the Northwest corner of said tract, which is 83 feet North 89° 40' East from a point 38 feet South 0° 20' East from the Northwest corner of Northwest corner of said Section 12; thence North 89° 40' East 25 feet to the Northeast corner said tract; thence South 0° 20' East 30 feet to the Southeast corner said tract; thence South 89° 40' West 25 feet to the Southwest corner said tract; thence North 0° 20' West 30 feet to the Northwest corner said tract, the point of beginning, containing seventeen thousandths (0.017) of an acre, more or less.

PUMPING PLANT 6 E - 5 N ✓

and appurtenances, with well-site described as follows:
Beginning at the Northwest (NW) corner said tract, which corner is 55 feet South of a point on the North line of Section 7, Township 1 North, Range 2 East, distant 208.71' East from the Northwest (NW) corner of said Section; thence East 25 feet to

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the Northeast (NE) corner; thence South 30 feet to the Southeast (SE) corner; thence West 25 feet to the Southwest (SW) corner; thence North 30 feet to the Northwest (NW) corner; the point of beginning, containing 0.017 acres, more or less.

PUMPING PLANT 7 E - 5 N ✓

and appurtenances, with well-site described as follows:
Using as a base the line between the South Quarter (S $\frac{1}{4}$) corner Section Six (6) Township One (1) North, Range Two (2) East, and Northwest corner of said Section 8 of said Township, based on a magnetic bearing of South 89° 38' West, beginning at the Northwest corner said tract, said corner being 33 feet North 89° 38' East of a point 58.5 feet South 0° 22' East from Northwest corner said Section 8; thence North 89° 38' East 25 feet to the Northeast corner said tract; thence South 0° 22' East 30 feet to the Southeast corner said tract; thence South 89° 38' West 25 feet to the Southwest corner said tract; thence North 0° 22' West 30 feet to the Northwest corner said tract; the point of beginning, containing Seventeen Thousandths (0.017) of an acre, more or less.

• PUMPING PLANT 8 E - 5 N ✓

and appurtenances, with well-site described as follows:
Beginning at the NW corner which is 53 feet South of a point on the North line of Section 9, Township 1 North, Range 2 East, distant 33 feet East of the NW corner of said Section 9; thence East 25 feet to the NE corner; thence South 30 feet to the SE corner; thence West 25 feet to the SW corner; and thence North 30 feet to the NW corner of the place of beginning, containing 0.017 acres, more or less.

PUMPING PLANT 9 E - 5 N ✓

and appurtenances, with well-site described as follows:
Using as a base the line between the South Quarter (S $\frac{1}{4}$) corner of Section 5, Township 1 North, Range 2 East, and the Northwest corner Section 9 of said Township, based on a magnetic bearing of South 89° 38' West, beginning at the Northwest corner said Section 9, thence North 89° 22' 30" East 600 feet; thence North 89° 23' East 2200 feet; thence North 89° 22' East 1655.8 feet; thence South 0° 38' East 75 feet to the true point of beginning; thence South 0° 38' East 30 feet; thence South 89° 22' West 25 feet; thence North 0° 38' West 30 feet; thence North 89° 22' East 25 feet to the true point of beginning, containing seventeen thousandths (0.017) of an acre, more or less.

PUMPING PLANT 10 E - 5 N ✓

and appurtenances, with well-site described as follows:
Beginning at the NE corner of said tract, which corner is 53.0 feet N 89° 08' West of a point 83.0 feet S 0° 52' W. of the NE corner of Section 10, Township 1 North, Range 2 East, based on magnetic declination of 14° 22'; thence S 0° 52' W., 30 feet to the SE corner of said tract; thence N 89° 08' W., 25 feet to the SW corner of said tract; thence N 0° 52' E., 30 feet to the NW corner of said tract; thence S 89° 08' East 25 feet to the NE corner of said tract; the point of beginning, containing 0.017 acres, more or less.

and appurtenances, with well-site described as follows:

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	<p><u>PUMPING PLANT 11 E - 5 N</u> ✓</p> <p>and appurtenances, with well-site described as follows: Beginning at the Northeast (NE) corner of said tract, which corner is 72.2 feet South of a point on the North line of Section 11, Township 1 North, Range 2 East, distant 605.95 feet West from the Northeast (NE) corner of said Section; thence South 30 feet to the Southeast (SE) corner; thence West 25 feet to the Southwest (SW) corner; thence North 30 feet to the Northwest (NW) corner and thence East 25 feet to the Northeast (NE) corner; the place of beginning, containing 0.017 acres, more or less.</p> <p><u>PUMPING PLANT 11½ E - 5 N</u> ✓</p> <p>and appurtenances, with well-site described as follows: Beginning at the Northeast corner of said tract, which corner is 20 feet South 88° 22' West of point 77 feet South 1° 38' East from the North Quarter corner of Section 12, Township 1 North, Range 2 East, (based on a magnetic declination of 14° 22') thence South 88° 22' West 25 feet to the Northwest corner of said tract; thence South 1° 38' East 30 feet to the Southwest corner said tract; thence North 88° 22' East 25 feet to Southeast corner said tract; thence North 1° 38' West 30 feet to the Northeast corner said tract, the point of beginning, containing seventeen thousandths (0.017) of an acre, more or less. Above tract being in Lot One (1), Block One (1), Warren Tract, Section 12, Township 1 North, Range 2 East.</p> <p><u>PUMPING PLANT 11½ E - 3½ N</u> ✓</p> <p>and appurtenances, with well-site described as follows: The South 50 feet of the East 50 feet of the Northwest Quarter of the Northeast Quarter of Section 13, Township 1 North, Range 2 East.</p> <p><u>PUMPING PLANT 11 E - 3½ N</u> ✓</p> <p>and appurtenances, with well-site described as follows: The South 50 feet of all, excepting the portion occupied by the County Road, of the East 83 feet of the NE¼ of the NE¼ of Section 14, Township 1 North, Range 2 East, containing .057 acres, more or less.</p> <p><u>PUMPING PLANT 10 E - 3½ N</u> ✓</p> <p>and appurtenances, with well-site described as follows: The North 50 feet of all excepting the portion occupied by the County Road of the West 83 feet of the SW¼ of the NW¼ of Section 14, Township 1 North, Range 2 East, containing .057 acres, more or less.</p> <p><u>PUMPING PLANT 9 E - 3½ N</u> ✓</p> <p>and appurtenances, with well-site described as follows: The South 50 feet of all, excepting the portion occupied by the County Road, of the West 83 feet of the Southwest Quarter of the Northwest Quarter of Section 15, Township 1 North, Range 2 East, containing .057 acres, more or less.</p> <p><u>PUMPING PLANT 8 E - 3½ N</u> ✓</p> <p>and appurtenances, with well-site described as follows:</p>
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	<p>The North 50 feet of the South 140 feet of all, excepting the part occupied by the County Road, of the West 83 feet of the Southwest Quarter of the Northwest Quarter of Section 16, Township 1 North, Range 2 East.</p> <p><u>PUMPING PLANT 12½ E - 3¼ N</u></p> <p>and appurtenances, with well-site described as follows: Tract of land Fifty (50) feet square described as follows: Commencing at a point 30 feet West and 30 feet North of the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 18, Township 1 North, Range 3 East, Gila and Salt River Base and Meridian, thence Westerly parallel to the South line of said Northeast Quarter of said Northwest Quarter a distance of 50 feet to a point 80 feet West and 30 feet North of the said Southeast corner of said Northeast Quarter of said Northwest Quarter, thence Northerly a distance of 50 feet to a point, said point being 80 feet West and 80 feet North of said Southeast corner of said Northeast Quarter of said Northwest Quarter, thence Easterly a distance of 50 feet to a point 30 feet West and 80 feet North of said Southeast corner of said Northeast Quarter of said Northwest Quarter, thence Southerly a distance of 50 feet more or less to the place of beginning.</p> <p>The ditches herein referred to are more particularly described as follows, all being within Maricopa County, Arizona, lying North and East of the Gila and Salt River Base and Meridian, to-wit:</p> <p><u>APPROXIMATELY FIFTEEN AND THREE-FOURTHS (15¾) MILES OF PUMP LATERALS, viz</u></p> <p>① 1/2 mile of existing Pump Lateral, extending from NW cor. Section 4, Township 2 North, Range 1 East, South along East line of County Road to W½ corner of said Section 4.</p> <p>② 1-¼ miles of existing Pump Lateral, extending from Pumping Plant 4E-12N West 3/8 miles along North line of County Road, thence Southwesterly through Section 3, Township 2 North, Range 1 East to a point approximately 1/4 mile North of the SW corner of said Section 3.</p> <p>③ 1-¼ miles of existing Pump Lateral, extending from SE corner Section 4, Township 2 North, Range 1 East, 3/4 miles West along North line of County Road, thence Southwesterly through Section 9 of said Township to a point approximately 450 feet North of W½ corner of said Section 9.</p> <p>④ 1/2 mile of existing Pump Lateral, extending from NW corner Section Township 2 North, Range 1 East, South along East line of County Road to point approximately 450 feet North of W½ corner of said Section 9.</p> <p>⑤ 1/2 mile of existing Pump Lateral, extending from NW corner Section 2, Township 1 North, Range 1 East, South along East line of County Road to SW corner of said Section 2.</p> <p>⑥ 4 miles of existing Pump Lateral, extending from SE corner Section 1, Township 1 North, Range 2 East, West along North line of County Road to SW corner Section 2, Township 1 North, Range 1 East, thence South 1/4 mile.</p> <p>⑦ 1½ miles of existing Pump Lateral, extending from NW corner Section 10, Township 1 North, Range 2 East, South along East line of County Road to a point approximately 1/4 mile North of SW corner Section 15 of said Township.</p> <p>-6-</p>

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	<p>2 miles of existing Pump Lateral, extending from NW corner Section 11, Township 1 North, Range 2 East, South along East line of County Road to SW corner Section 14 of said Township.</p> <p>2-$\frac{1}{2}$ miles of existing Pump Lateral, extending from NE$\frac{1}{4}$ corner Section Township 1 North, Range 2 East, West along South line of County Road to NW corner of said Section 12, thence South along East line of County Road to SW corner of said Section 12, thence South approximately 300 feet along West line of County Road, thence South along East line of County Road to SW corner Section 13 of said Township.</p> <p>1 mile of existing Pump Lateral, extending from Pumping Plant 11$\frac{1}{2}$-33 in the NE$\frac{1}{4}$ Section 13, Township 1 North, Range 2 East, West approximately 1 mile, thence South approximately 1/4 mile to center of said Section and thence West to W$\frac{1}{2}$ corner of said Section 13.</p> <p>It is understood by the grantee that the title to certain of the aforesaid pump laterals is vested in the United States of America, and that in accordance with the approval of the supplemental agreement between the grantor and the grantee herein, approved by E. C. Finney, First Assistant Secretary of the Interior, on February 12th, 1927, this instrument conveys to the district only the right to the possession of and use by the district of said ditches as contemplated by the agreements now existing between the grantor and the grantee herein, as duly approved by the Secretary of the Interior, and does not transfer the title to said ditches.</p> <p>It is further understood by the grantee herein that certain other of the aforesaid pump laterals were constructed on public highways of Maricopa County, Arizona, under license agreement, by the Board of Supervisors of said County and that this instrument conveys only the interest of the grantor has under and by virtue of said license agreements and by virtue of its occupation and use of said pump laterals.</p> <p>This deed and transfer is made under and in pursuance of the agreement entered into on the 25th day of August, 1921, by and between the Carrick & Mangham Agua Fria Lands and Irrigation Company, and the Salt River Valley Water Users' Association, assigned to the grantee herein by said Carrick & Mangham Agua Fria Lands and Irrigation Company, as modified by the supplemental agreement which became effective on February 12th, 1927, and shall vest in the grantee each and every right and privilege intended to be conferred</p> <p>-7-</p>

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	<p>STATE OF ARIZONA</p> <p>upon the said Carriok & Mangham Agua Fria Lands and Irrigation Company, and its successors and assigns under said agreement and said supplemental agreement, and is made subject to the provisions of said agreements and to the reservation made by the Secretary of the Interior in his approval of said supplemental agreement above mentioned.</p> <p>IN WITNESS WHEREOF, said Salt River Valley Water Users' Association has caused this instrument to be executed this <u>27th</u> day of December, 1927.</p> <p>SALT RIVER VALLEY WATER USERS' ASSOCIATION, By <u>F. A. Reid</u> President.</p> <p>ATTEST: <u>F. B. Hensha</u> Secretary.</p> <p>P. J. L. G.</p> <p>STATE OF ARIZONA) COUNTY OF MARICOPA) SS.</p> <p>Before me, <u>W. J. Simpson</u> Notary Public, in and for said County of Maricopa, State of Arizona, personally appeared <u>F. A. Reid</u> and <u>F. B. Hensha</u> known to me to be the persons whose names are subscribed to the foregoing instrument as President and Secretary of the Salt River Valley Water Users' Association, the corporation described in the foregoing instrument, and as such President and Secretary acknowledged to me that they executed the same for said corporation, for the purposes and consideration therein expressed, as its free act and deed, and by each of them voluntarily executed.</p> <p>Given under my hand and seal of office, this <u>27</u> day of December, 1927.</p> <p><u>W. J. Simpson</u> Notary Public.</p> <p>My commission expires: <u>July 27-1929</u></p> <p>-8-</p>

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	<div><div><p>59 INDEXED 2011 PAGED</p><p>RECORDERS OFFICE Phoenix Maricopa County, A-H Filed and recorded as instrument of</p><p><i>Wm. H. Linville</i> JAN 20 1928 Date 3287 Book 67-62-63 Page W. H. LINVILLE County Recorder <i>Wm. H. Linville</i> m 67 219 Anne Richards</p></div><div><p>STATE OF ARIZONA COUNTY OF MARICOPA I, W. H. LINVILLE, County Recorder, do hereby certify that the within and above file is a true and correct copy of the original as filed in the County of Maricopa, Arizona, at Phoenix, Arizona, on the 19th day of January, 1928.</p><p>Witness my hand and official seal this 19th day of January, 1928.</p><p>W. H. LINVILLE County Recorder <i>Wm. H. Linville</i> Deputy</p><p>Salt Canal → 19th Ave to 1/4 mile west of 83rd Ave</p></div></div>

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#5900

Recorded 1-20-1928
Book 218 Deeds
Pages 61, 62 & 63

DEED

KNOW ALL MEN BY THESE PRESENTS:

That the SALT RIVER VALLEY WATER USERS' ASSOCIATION, a corporation organized and existing under the laws of the State of Arizona, for and in consideration of the conveyance to it of certain ditches with appurtenances, the sum of Fifteen Thousand Dollars (\$15,000), and other valuable considerations, to it in hand paid by ROOSEVELT IRRIGATION DISTRICT, a municipal corporation existing under and by virtue of the laws of the said State of Arizona, has granted, sold, conveyed and transferred, and does hereby grant, sell, convey and transfer, free of all liens and encumbrances, unto said ROOSEVELT IRRIGATION DISTRICT, the right to the possession and use by said district as contemplated by the agreements now existing between the grantor and the grantee herein and as duly approved by the Secretary of the Interior of the United States, those certain ditches, appliances, easements and rights-of-way hereinafter described, excepting from the property so conveyed and transferred, however, all headgates, ditches, connections and appliances appurtenant thereto which are or may be used, without the use of checks for raising the water level, for the service of water to Salt River Project lands or for disposing of waste or drainage water from said lands or from ditches of said project, such headgates, ditches, connections and appliances so excepted to be left by the said district in place and in condition for use in the event of it becoming necessary or desirable at any time to utilize them; the said ditches, appliances, easements and rights-of-way conveyed and transferred hereby being described as follows:

1. All that part of that certain irrigation ditch or canal known as the "SALT RIVER VALLEY CANAL" situated between the approximate Northeast corner of Section Twelve (12), of Township One North (T.1N.), Range Two East (R.2E.), of the Gila and Salt River Base and Meridian and a point approximately one quarter mile west of the northeast corner of Section Ten (10) of Township One North (T.1N.), Range One East (R.1E.), also of the said Base and Meridian; together with all rights-of-way, easements, headgates, structures and appliances in any way thereto appertaining.

2. Also, that certain ditch now operated and used by said Salt River Valley Water Users' Association, together with the right-of-way appurtenant thereto and within which said ditch is constructed and located, said right-of-way being described as follows:

A right of way and easement to construct, operate and maintain a ditch to be not more than four feet wide on the bottom and to carry not more than

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	<p>2$\frac{1}{2}$ feet in depth of water, through, over and across the East Half of Section 8, Township 2 North, Range 1 East, Gila and Salt River Base and Meridian, Maricopa, County, Arizona; the center line of said ditch and right-of-way being described (using as a base the North Half of the East Line of said Section 8, with an assumed bearing of North), as follows, to-wit:</p> <p>Beginning at a point on the West line of the County Road, 33 feet West of a point on the East line of said Section 8, distant 353.3 feet North of the East Quarter corner thereof; thence South 64 degrees 13 minutes West, 135 feet; thence South 65 degrees 41 minutes West, 200 feet; thence South 46 degrees 43 minutes West, 265 feet; thence South 71 degrees 25 minutes West, 69 feet; thence South 89 degrees 51 minutes West, 721.8 feet; thence West, 660 feet; thence South 9 feet; thence South 89 degrees 59 minutes West, 656.4 feet; and thence South 0 degrees 29$\frac{1}{2}$ minutes West, 394 feet, to a point in the Grand Canal, being the easement conveyed by quit-claim deed dated June 2, 1920, by W. R. Johnson, et al, as grantors, to the United States of America, as grantee, said deed being recorded in the office of the County Recorder of Maricopa County, Arizona, in Book 150 of deeds at Pages 204-205.</p> <p>3. Also, such rights as the said Salt River Valley Water Users' Association still has in and to that certain ditch hereinafter in this paragraph described, with the right-of-way and easements thereto appertaining, said ditch now being obliterated, but formerly constructed and located within the South Half of Section Eight (8), and the North Half of Section Seventeen (17), both of Township Two North (T. 2 N.) Range One East (R. 1 E.), Gila and Salt River Base and Meridian, the center line of said ditch, as it existed on October 12, 1921, being described, (using as a base the West Half of the South line of said Section Eight (8), with an assumed bearing of East), as follows, to-wit:</p> <p>- 2 -</p>

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	<p>Beginning at a point 367.51 feet North 88 degrees 59 minutes West of a point on the North and South center line of said Section 8, distant 240.61 feet North 1 degree 01 minutes East from the South Quarter Corner thereof, thence South 7 degrees 59 minutes West 241.93 feet; thence West 87.76 feet; and thence South 37 degrees 01 minute West 87.5 feet, more or less, to a point 79 feet South of the South line of said Section 8; being a part of the property also conveyed to the United States of America in the deed above mentioned, by J. J. Addington, et al, as grantors, said deed being recorded in the Office of the County Recorder of Maricopa County, Arizona, in Book 165 of Deeds at Pages 90-91, the said ditch never having been actually taken possession of or used by or on behalf of the United States.</p> <p>X 4. Also, that certain ditch located in the Southwest Quarter of Section Three (3), Township Two North (T.2N.), Range One East (R.1E.), Gila and Salt River Base and Meridian, being located along and in the vicinity of the West boundary line of said Quarter-section, beginning at a point on the East side of the County Road in the Southwest end of the ditch heretofore conveyed to the said Roosevelt Irrigation District by the said Salt River Valley Water Users' Association by deed on December 27, 1927, and described in said deed under the heading "APPROXIMATELY FIFTEEN AND THREE-FOURTHS (15$\frac{3}{4}$) MILES OF PUMP LATERALS," in Paragraph 2 under said heading and extending Southerly along the East side of said County Road, approximately One Quarter mile to the intersection of the North and South and East and West roads at the Southwest Corner of said Section 3, and thence West, crossing the North and South County Road to the East end of the ditch conveyed by the said Salt River Valley Water Users' Association to said Roosevelt Irrigation District by Deed on December 27, 1927, and described in said deed under the heading "APPROXIMATELY FIFTEEN AND THREE-FOURTHS (15$\frac{3}{4}$) MILES OF PUMP LATERALS," in Paragraph 3 under said heading.</p> <p>X 5. Also, that certain pump ditch located in the West Part of Section Nine (9), Township Two North (T.2N.), Range One East (R. 1 E.), Gila and Salt River Base and Meridian, beginning at Pumping Plant 22-10$\frac{3}{4}$N conveyed by the Salt River Valley Water Users' Association to the said Roosevelt Irrigation District by deed on December 27, 1927, and extending Northerly along the East side of the County Road, along and in the vicinity of the West boundary of said Section 9, to the Southwest end of the ditch conveyed by the said Salt River Valley Water Users' Association to the said Roosevelt Irrigation District by deed dated December 27, 1927 and described in said deed under the heading "APPROXIMATELY FIFTEEN AND THREE-FOURTHS (15$\frac{3}{4}$) MILES OF PUMP LATERALS," in Paragraph 3 under said heading.</p> <p>Provided, however, that in any case where utilization by the said District of any of the ditches, rights-of-way or facilities described above under Items 2, 3, 4, and 5 interferes with any facilities for the irrigation of Salt River Project lands, substitute means satisfactory to the said SALT RIVER VALLEY WATER USERS' ASSOCIATION, shall be provided by the said District for taking care of such irrigation so interferred with, and</p> <p>Provided further, that all of the ditches, rights-of-way and facilities hereby conveyed shall be so used and the level of the water surface therein so regulated</p> <p>-3-</p>

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	<p>that the Association shall be able to discharge waste or drainage water from Salt River Project lands or ditches therein in the same manner heretofore practised, whenever said Association shall find it necessary or advisable so to do.</p> <p>The grantor shall be allowed <u>to Mar. 15, 1928</u> from the date hereof within which to provide substitute facilities for those hereby transferred and to complete the transfer of possession of said facilities to said grantee.</p> <p>It is understood by the grantee that the title to the ditches, appliances, easements and rights-of-way hereby conveyed is vested in the United States of America and that the right to the possession and use thereof is vested in the grantor by virtue of certain contracts with the United States and that this deed and transfer does not convey the legal title, but such rights to possession and use as are vested in the said grantor.</p> <p>This deed and transfer is made for the purpose, among other things, of providing for greater economy and efficiency in the carrying out of the provisions of the agreements between the grantor and the grantee herein and to the end that the said grantor and grantee shall each profit to a greater extent by the operation of said agreements and it is specifically understood that the said agreements are not modified or affected in any way by this deed and transfer.</p> <p>IN WITNESS WHEREOF, said Salt River Valley Water Users' Association has caused this instrument to be executed this <u>16th</u> day of <u>January</u>, 1928.</p> <p>SALT RIVER VALLEY WATER USERS' ASSOCIATION BY <u>F. A. Reid</u> F. A. Reid, President.</p> <p>ATTEST: <u>F. C. Hanshaw</u> F. C. Hanshaw, Secretary.</p> <p>COO OK. 956</p> <p>-4-</p>

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	<div><p>STATE OF ARIZONA,)) ss COUNTY OF MARICOPA.)</p><p>Before me, <u>Leon H. Tolleman</u>, a Notary Public in and for said County of Maricopa, State of Arizona, personally appeared <u>E. A. Ruiz</u> and <u>E. G. Henshaw</u>, known to me to be the persons whose names are subscribed to the foregoing instrument as President and Secretary of the Salt River Valley Water Users' Association, the corporation described in the foregoing instrument, and each such President and Secretary acknowledged to me that they executed the same for said corporation, for the purposes and consideration therein expressed, as its free act and deed, and by each of them voluntarily executed.</p><p>Given under my hand and seal of Office, this <u>18th</u> day of <u>January</u> 1928.</p><p><u>Leon H. Tolleman</u> Notary Public.</p><p>My commission expires <u>Mar. 6, 1929</u>.</p><p>-5-</p></div>

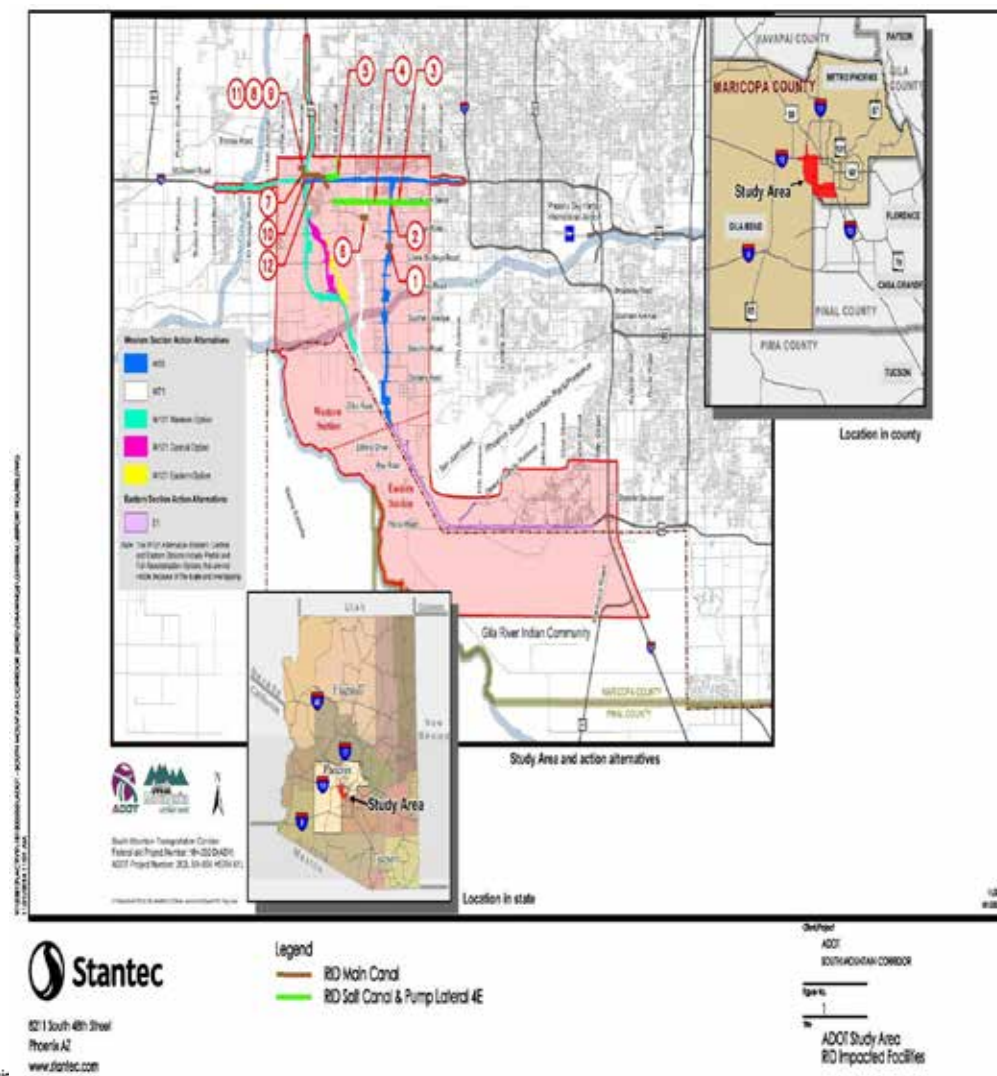
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5	Water Resources	<p>The Roosevelt Irrigation District facilities were included in the Final Environmental Impact Statement. Active groundwater wells, such as the Roosevelt Irrigation District's wells number 107 and 108, are depicted in Figure 4-33 on page 4-104 in the Final Environmental Impact Statement. Irrigation canals, such as the Roosevelt Irrigation District's Main Canal and Salt Canal, are depicted in Figure 4-34 on page 4-107 of the Final Environmental Impact Statement. These facilities, as well as others within the Study Area, were considered in the impacts analysis for the alternatives studied in detail. Mitigation measures and details related to how wells and canals will be addressed during later phases of the project are described beginning on page 4-106.</p> <p>This memorandum was forwarded to the Arizona Department of Transportation Utilities and Railroad Engineering group for use in future coordination with the Roosevelt Irrigation District during final design.</p>



Technical Memorandum

Figure 1 - ADOT Study Area & RID Impacted Facilities




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LOCATION ID	LOCATION	RID FACILITY IN DIRECT CONFLICT
1	Approx 1/2 mile south of Buckeye Road	Main Canal and O&M Roads
2	SEC Van Buren Street and 59th Avenue	Well #107 (7E - 5N)
3	Approx 1/2 mile east of the intersection of Van Buren Street and 59th Avenue	Well #108 (7 1/2 E - 5N)
4	Southside Van Buren Street - Interstate 17 to 83rd Avenue	Salt Canal
5	Northside I-10 from 83rd Avenue to 91st Avenue	Pump Lateral 4E
6	UPRR 1/2 mile west of 67th Ave	Main Canal and O&M Roads
7	Intersection of McDowell Road and Loop 101 to Approx 1/2 mile north of McDowell Road	Main Canal and O&M Roads
8	APN 102-33-006 - Approx 1/4 mile north of the intersection of McDowell Road and 99th Avenue	RID Property
9	APN 102-33-007 - Approx 1/4 mile north of the intersection of McDowell Road and 99th Avenue	RID Property
10	Approx 1/8 mile east of the intersection of McDowell Road and 99th Avenue	Well #76 (2E - 6N)
11	APN 102-33-003F - Approx 1/4 mile north of the intersection of McDowell Road and 99th Avenue	RID Property

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Reference: RID Irrigation Facilities - ADOT South Mountain Corridor

Final Environmental Impact Study Report Response and Prior Rights Letter

ADOT PREFERRED W59 ALIGNMENT

Table 2 – ADOT W59 Alignment

LOCATION ID	LOCATION	RID FACILITY IN DIRECT CONFLICT
1	Approx 1/2 mile south of Buckeye Road	Main Canal and O&M Roads
2	SEC Van Buren Street and 59th Avenue	Well #107 (7E - 5N)
3	Approx 1/2 mile east of the intersection of Van Buren Street and 59th Avenue	Well #108 (7 1/2 E - 5N)
4	Southside Van Buren Street - Interstate 17 to 83rd Avenue	Salt Canal

6

This alignment is ADOT's preferred alternative. The FEIS recommends a full bridged crossing of the RID Main Canal approximately ½ mile south of Buckeye Road at 59th Avenue. This would restrict currently available RID access from 59th Avenue and require new access routes to be developed for RID maintenance personnel. Wells #107/108 and the Salt Canal have not been identified as conflicts within the FEIS.

ADOT NON-PREFERRED ALIGNMENTS

The RID facilities that would be impacted by the planned ADOT alignments are W71, W101 Western, W101 Central, and W101 Eastern. Since ADOT has identified these alignments as non-preferred, they have been briefly summarized in the following Tables 3 through 6.

Please refer to Figure 1 for irrigation facility locations.

Table 3 – ADOT W71 Alignment

LOCATION ID	LOCATION	RID FACILITY IN DIRECT CONFLICT
4	Southside Van Buren Street - Interstate 17 to 83rd Avenue	Salt Canal
5	Northside I-10 from 83rd Avenue to 91st Avenue	Pump Lateral 4E
6	UPRR 1/2 mile west of 67th Ave	Main Canal and O&M Roads

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6	Water Resources	The Roosevelt Irrigation District facilities were included in the Final Environmental Impact Statement. Active groundwater wells, such as the Roosevelt Irrigation District's wells number 107 and 108, are depicted in Figure 4-33 on page 4-104 in the Final Environmental Impact Statement. Irrigation canals, such as the Roosevelt Irrigation District's Main Canal and Salt Canal, are depicted in Figure 4-34 on page 4-107 of the Final Environmental Impact Statement. These facilities, as well as others within the Study Area, were considered in the impacts analysis for the alternatives studied in detail. Mitigation measures and details related to how wells and canals will be addressed during later phases of the project are described beginning on page 4-106. During final design, efforts will be made to avoid or relocate utilities to eliminate conflicts with the freeway.

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Reference: RID Irrigation Facilities - ADOT South Mountain Corridor

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Table 4 – ADOT W101 Alignment – Alternative Western Alignment

LOCATION ID	LOCATION	RID FACILITY IN DIRECT CONFLICT
7	Intersection of McDowell Road and Loop 101 to Approx 1/2 mile north of McDowell Road	Main Canal and O&M Roads
8	APN 102-33-006 - Approx 1/4 mile north of the intersection of McDowell Road and 99th Avenue	RID Property
9	APN 102-33-007 - Approx 1/4 mile north of the intersection of McDowell Road and 99th Avenue	RID Property
10	Approx 1/8 mile east of the intersection of McDowell Road and 99th Avenue	Well #76 (2E - 6N)
11	APN 102-33-003F - Approx 1/4 mile north of the intersection of McDowell Road and 99th Avenue	RID Property

Table 5 – ADOT W101 Alignment – Alternative Central Alignment

LOCATION ID	LOCATION	RID FACILITY IN DIRECT CONFLICT
7	Intersection of McDowell Road and Loop 101 to Approx 1/2 mile north of McDowell Road	Main Canal and O&M Roads
10	Approx 1/8 mile east of the intersection of McDowell Road and 99th Avenue	Well #76 (2E - 6N)

Table 6 – ADOT W101 Alignment – Alternative Eastern Alignment

LOCATION ID	LOCATION	RID FACILITY IN DIRECT CONFLICT
7	Intersection of McDowell Road and Loop 101 to Approx 1/2 mile north of McDowell Road	Main Canal and O&M Roads
10	Approx 1/8 mile east of the intersection of McDowell Road and 99th Avenue	Well #76 (2E - 6N)

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7	<div><div>ROOSEVELT IRRIGATION DISTRICT</div><div><div>103 West Baseline Road ♦ Buckeye, AZ 85326 ♦ Phone (623) 386-2046 ♦ Fax (623) 386-4360</div><div><div><div>Board of Directors</div><div>W. Bruce Heiden, President Dwight B. Leister K. C. Gingg</div><div><div>Superintendent</div><div>Donovan L. Neese</div></div></div><div>October 2011</div><div><div>Reference: Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div><div><div>1. Introduction</div><div>The following Roosevelt Irrigation District (District) policies and standards are provided as guidelines for Developers and Planners involved in projects impacting existing District irrigation and drainage facilities. These guidelines are presented as generalized criteria only; the District reserves the right to modify policies, specifications and/or design requirements for each project on a case-by-case basis. Independent, professional planners, engineers, attorneys, or other consultants whose professional expertise is appropriate for a particular project will assist the District. All costs and fees associated with the review of development plans and/or the modification of District facilities are the responsibility of the Developer. These costs are typically incurred for, but not limited to, pre-design engineering planning and analysis, engineering survey and design, legal work, construction, construction inspection and project administration. An independent engineer selected by the District will design all modifications to the District's irrigation and drainage facilities. All District facilities modified to accommodate a development project will be designed and constructed to current applicable District standards. Generally, a licensed contractor selected by the Developer will complete the construction of relocated District facilities. However, the District reserves the right to selectively determine that some or all of the relocated facilities will be constructed by the District. A construction observer selected by the District will monitor the construction of all District facilities. Prior to the commencement of work by the District beyond the initial planning and coordination stage of a development project, the Developer must sign a Participation Agreement Letter with the District and provide advance funds covering the estimated cost of the work.</div></div></div></div></div></div>
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7		Roosevelt Irrigation District guidelines reviewed.

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	<div><div>Roosevelt Irrigation District October 2011 Page 2 of 12</div><div><div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div><div><p>The following general topics are discussed in these guidelines:</p><ul style="list-style-type: none">District Funding RequirementsGeneral Procedure for the Relocation of District FacilitiesDistrict EasementsPlacement of Relocated District FacilitiesUtilitiesDistrict Landscaping RestrictionsAcceptance of Surface DrainageDistrict Irrigation WellsGates for Irrigation Delivery StructuresFrames and Covers for Irrigation ManholesMaintenance of District Irrigation Service<p>2. District Funding Requirements</p><p>All costs, directly or indirectly, associated with the relocation of District irrigation and/or drainage facilities are the sole responsibility of the Developer. The District will not share in the costs of funding a relocation project.</p><p>Typical costs incurred by the District that must be funded by the Developer in association with a relocation project include, but are not limited to: engineering planning and design, construction coordination and observation, as-constructed survey; project management, engineering and legal costs for modification of easements, coordination and plan review with utility companies, utility location services, governmental and/or municipal plan review fees, and project administration and overhead costs.</p><p>In general, the Developer's Contractor will complete the physical construction of the District facilities for a relocation project. The District does not typically incur costs for the labor and materials directly associated with the construction of their relocated facilities.</p><p>The District requires the Developer to provide funds for the expected estimated costs that will be incurred by the District for a specific relocation project prior to the commencement of any substantial work by the District. In this regard the District will typically provide the Developer with separate funding requirement notifications for the pre-design, design and post design (construction) phases of the project.</p><p>The District will place these funds in a special account to be applied against costs incurred by the District in association with the relocation project. Once these funds are depleted, the District has no obligation to incur further costs or to proceed further with the design, modification or relocation of its facilities until the Developer provides subsequent funds in the amount(s) requested by the District.</p></div></div></div>

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	<div>Roosevelt Irrigation District October 2011 Page 3 of 12</div> <div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div> <p>Any funds remaining in the project account at the end of the design phase of the relocation project will be credited towards the subsequent post design phase of the project. Funds remaining in the project account after the final acceptance by the District of the adequacy of the relocated facilities will be refunded to the payor.</p> <p>3. General Procedure for the Relocation of District Facilities</p> <p>3.1 General</p> <p>The procedure for the relocation of District facilities is a multi-step process divided into three distinct phases; pre-design, design and post-design. The District will provide a separate notification of the funding requirement for each phase of the project to the Developer at an appropriate time.</p> <p>3.2 Pre-Design Phase</p> <p>The pre-design phase of a District relocation project includes the initial meetings with the Developer, and typically the Developer's Engineer, to discuss the details of the development project, District procedures and requirements, and the District's preparation of a scope-of-work and budget for the subsequent design phase.</p> <p>The Developer should arrange to meet with the District and the District's Engineer as early as possible during the planning phase of the development project in order to obtain information concerning the District's rights, responsibilities, and requirements prior to the preparation of a preliminary plat and/or final plans. At this meeting the Developer should provide a plan or plat depicting the location of streets, lands dedicated for public use, open space, retention areas, lot layouts, utility locations, etc. It is the District's policy to cooperate with the Developer's requests for information about the easements held by the District, the conditions upon which the District easements might be used, released or modified, and other planning matters of mutual interest.</p> <p>The District and the District's Engineer will review the Developer's preliminary plans to determine the impact the development will have on the integrity and operational flexibility of the District's facilities. If it is determined that relocation of District facilities is required for the development project and that relocating the District's facilities is in the District's best interest, the District and the District's Engineer will work with the Developer to determine the general scope and breadth of the relocations, identify potential alignment alternatives and note potential complications in the design process. The approval of a new alignment, and/or the location of any new District facility, is solely the responsibility of the District.</p> <p>At the Developer's request, the District will prepare and submit a scoping package for the design phase of the project. This package will include a detailed scope of work, an engineering budget and a Participation Agreement Letter (PAL). To initiate the preparation of this package the Developer must provide a non-refundable fee of \$10,000 to the District. The District will provide a written notification of the fee requirement to the Developer when requested.</p>

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	<div>Roosevelt Irrigation District October 2011 Page 4 of 12</div> <div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div> <p>The estimated scope of work and budget for the design phase will be based on the alternatives and features discussed with the Developer and the Developer's Engineer and will typically include a schematic layout of the proposed RID facilities. The PAL is the standardized contractual agreement between the District and the Developer. Any changes proposed by the Developer to this document must be reviewed by the District's Attorney and may require approval of the District's Board of Directors.</p> <p>The Developer should carefully review the scoping package for the design phase to ensure that it will meet the requirements of the development project. The scoping package is valid for 90-days from the date of its transmittal letter.</p> <p>3.3 Design Phase</p> <p>The design phase of the relocation project includes the engineering design of the District's facilities, the preparation of construction plans, and the procurement of any municipal and/or governmental approvals required for the plans. Any required modifications to the District easements within the development boundary are typically initiated in this phase of the project as well.</p> <p>To initiate the design phase the Developer must return a signed PAL to the District along with the required funding as detailed in the scoping package. Once the PAL and funds have been received, the District will issue a notice to proceed with the project to the District's Engineer.</p> <p>Ideally, the paving and grading design for the development should be approximately 60% complete prior to the commencement of the District's relocation design. This will provide the best opportunity for the Developer's Engineer and the District's Engineer to effectively coordinate and accommodate elements of the interdependent design projects.</p> <p>The Developer's Engineer will need to provide all pertinent CADD files and preliminary plans for the development project. The District's Engineer will typically utilize the same horizontal coordinate system and vertical datum established for the development project by the Developer's Engineer to facilitate both the coordination of the design process and the construction of the District facilities. To avoid a duplication of effort, the District's Engineer, to the extent practicable, will utilize the provided CADD files for the preparation of the District's construction plans.</p> <p>The Developer is solely responsible for the accuracy of the plans and/or CADD files supplied by the Developer's Engineer. The District and/or the District's Engineer will not be responsible for any costs resulting from errors and/or emissions in the plans and/or CADD files provided by the Developer.</p>

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	<div>Roosevelt Irrigation District October 2011 Page 5 of 12</div> <div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div> <p>The District's Engineer will schedule and perform any surveying required to complete the hydraulic design of the relocated facilities. To the extent possible, any survey information provided by the Developer's Engineer will be utilized for this purpose.</p> <p>The District's Engineer will evaluate and identify the need for locating existing underground utilities that may be in conflict with the relocated facilities. If utility locating is required, the District's Engineer will provide a detailed request to the Developer identifying these locations for the Developer to obtain. If requested, the District's Engineer will obtain a cost estimate from a licensed Contractor for these services and provide this information to the Developer for funding.</p> <p>The completed preliminary plans will be submitted to both the Developer and any appropriate municipal agencies for review and comment. The Developer is solely responsible for any review fees levied by municipal agencies and any notification for payment of these fees received by the District's Engineer will be forwarded to the Developer for payment directly to the appropriate agency.</p> <p>When the review comments have been addressed and any necessary approvals granted by the municipal agencies involved have been secured, the approved plans will be released by the District to the Developer. The release of the approved plans effectively ends the design phase of the relocation project.</p> <p>Prior to the release of the approved plans, any outstanding costs incurred by the District during the design phase of the project that exceed the funds provided by the Developer must be paid in full. Any excess funds remaining in the project account at the end of the design phase are generally applied toward the estimated costs of the post design phase of the project.</p> <p>The District's approved plans are valid for one year from their date of release. If the construction of the project has not commenced within that period the District reserves the right to reevaluate the plans for conformance to current applicable District standards and specifications and any other changes that may affect the design and/or proposed location of District facilities. The determination of the suitability for construction of expired plans, and any modifications needed to bring the plans into conformance with the current standards, is solely at the discretion of the District.</p> <div>3.4 Post-Design Phase</div> <p>The post design phase of the relocation project covers the construction, testing and final acceptance of the relocated District facilities.</p> <p>Prior to the commencement of any construction of District facilities the Developer must fund the estimated costs and expenses that will be incurred by the District during this phase of the relocation project. The Developer or the Developer's Contractor must also obtain a License to Construct from the District before beginning any work.</p>

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	<div><div>Roosevelt Irrigation District October 2011 Page 6 of 12</div><div><div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div><div><p>When a general schedule for the construction of the District facilities has been determined, the Developer should request the District to provide a scoping package for the post design phase of the relocation project. The scoping package will include an estimated scope of work and budget for items including construction observation, as-constructed survey, post-design engineering support and the completion of record drawings and mapping updates for the District's records.</p><p>The package will typically also include a License to construct for the project. The license must be signed by the Developer or the Developer's Contractor and returned to the District's office, along with the \$500 license fee, for approval signature by the District. A copy of the signed license must be available at the construction site at all times. A signed License to Construct will not issued by the District until the post-design funding has been provided.</p><p>4. District Easements</p><p>With the exception of the Main Canal and irrigation wells, the majority of the District's existing facilities throughout their service area are typically covered by a "blanket" type easement that may encompass multiple individually owned properties within one or more sections of land. The relocation of District facilities within an area covered by a blanket easement is generally acceptable to the District without any modification of the existing easement.</p><p>In some cases, the District will allow the termination of blanket easements that may encompass multiple individually owned properties within one or more sections of land. However, there may also be instances in which the District determines that, for legal and other reasons, it may be in the District's best interest to simply release a portion of an existing blanket easement. The District will make the ultimate determination regarding whether to terminate the blanket easement and redefine a new easement or merely release a portion of the existing blanket easement. The District has prepared standardized forms to accommodate these circumstances and they will be provided to the Developer upon request.</p><p>Each of the forms requires a separate legal description, and accompanying exhibit of the property in question. The legal description and exhibit must be prepared and sealed by a registered Arizona land surveyor and describe the property using distances and directions from established legal monuments. The termination of a blanket easement for a development project should include all of the property within the development boundary. If the District determines it is in its best interest to release a portion of the blanket easement, the Developer may be required to provide a legal description of that portion of the blanket easement that will continue to exist.</p><p>The District's Engineer will determine appropriate dimensions and limits for the creation of these legal descriptions. These dimensions will be provided to the Developer for the preparation of the respective legal descriptions.</p></div></div></div>

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	<div><div>Roosevelt Irrigation District October 2011 Page 7 of 12</div><div><div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div><p>The Developer will submit the completed easement documents for the termination and/or definition, including the sealed legal descriptions, to both the District's Engineer and Attorney for review and approval. Once the documents have been approved, the District's Attorney will have them recorded.</p><p>Under no circumstance will the District agree to the termination of any existing blanket easement without the coincidental establishment of a defined easement covering their facilities that are active at that time. To accommodate the termination of a blanket easement prior to the completed construction, testing and acceptance of the relocated District facilities, a defined easement for the existing operational facilities within the project boundaries must be established. Once the District accepts the relocated facilities as adequate, a defined easement can then be recorded, and the easement for the facilities that are being abandoned can be terminated.</p><p>An easement for a District pipeline may contain, or be used for among other things, driveways, limited parking, sidewalks, lawns or alleys. While the easement is typically centered along the pipeline, it may be offset to accommodate specific features of a particular project. District easements for open ditch facilities are typically exclusive; the inclusion of any other public or private facilities within these easements is solely at the District's discretion.</p><p>A District easement for a pipeline and appurtenant structures may be located either wholly or partially within a City, Town or County right-of-way based on the consenting approval of the jurisdictional municipal agency. District easements for an open ditch and an adjacent operations and maintenance road are typically located wholly outside of municipal rights-of-way and public utility easements.</p><p>For Development projects expected to include a modification or revision of the existing easement, a minimum \$10,000 deposit for expected District legal costs will be included in the funding requirement for the project. The Developer will be responsible for any additional legal costs above this amount incurred by the District in regards to the modification of an existing easement.</p><div><div>5. Placement of Relocated District Facilities</div><div><div>5.1 Open Ditch Facilities</div><p>The District has no requirement that existing open ditch facilities be piped (tiled) as part of a relocation project. However, the governing municipality generally requires the piping of the District's facilities within the boundary of the development project as part of the development agreement.</p><p>In general, most of the District's existing lateral canals follow an approximate alignment along section or mid-section lines. Rarely do the existing facilities exactly parallel these boundary lines, and in many instances the alignment may meander from one side of the boundary line to the other.</p></div></div></div></div>

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	<div>Roosevelt Irrigation District October 2011 Page 8 of 12</div> <div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div> <div><p>The District's existing open ditch facilities include not only the prism of the ditch, but also the adjacent operations and maintenance (O&M) road(s). Even when the prism of the existing ditch is located wholly outside of the development area boundary, the District's Engineer must assess the impact of the development project on the District's ability to access, maintain and operate their facility and potential impacts to neighboring properties.</p><p>Should the Developer wish to accommodate an existing District ditch without relocation, the District may require that the property wall or other permanent features constructed for the development project be offset from the boundary line of the property to provide sufficient clearance for District facilities. The District's Engineer will determine the width required to accommodate the existing facilities and provide this information to the Developer.</p><p>Typical cross-sections for lined and unlined District ditches and O&M roads are shown on Figure 1. In general, the width requirement for these facilities is approximately 40 feet, but contributing factors such as vertical grades and accessibility can extend this requirement to 50 feet or more.</p><p>The construction of an unlined ditch as a relocation of a District facility is not allowed. Any existing unlined District ditch that will be relocated as part of a development project must be constructed as a concrete lined ditch or pipeline.</p><p>5.2 Piped Facilities</p><p>Typical requirements for placement of a District pipeline are illustrated on Figures 2 and 3.</p><p>As shown on Figure 2, the preferred location for a District pipeline is behind the proposed curb and gutter and beneath the sidewalk. This location will generally maximize the area that can be landscaped within the right-of-way while protecting the pipeline. Alignments placing a District pipeline within the paved section of a roadway are not preferred and are generally only considered along small residential streets. If a pipe must be located under the street, a minimum horizontal clearance of two feet is required from the lip of the gutter to the outside wall of the pipe. District pipelines may not be located beneath drainage channels or retention basins.</p><p>Minimum clearances from the outside wall of a District pipe to any permanent above-grade structure such as a building or wall are illustrated in Figure 3. A four-foot minimum clearance is required around all sides of a District delivery structure.</p><p>6. Utilities</p><p>The District facilities have senior prior rights over most municipal and public service utility lines within their service area. All proposed and existing utility lines must cross beneath the District facilities and the relocation of District facilities will often require that existing utility lines be lowered to resolve conflicts.</p></div>

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	<div>Roosevelt Irrigation District October 2011 Page 9 of 12</div> <div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div> <p>Requests by the Developer to lower a District pipeline to avoid the relocation of an existing utility line, or to accommodate the installation of a new utility line, will be reviewed by the District on a case-by-case basis. Unless the crossing utility holds a more senior prior right, the determination regarding the lowering of a District pipeline is solely at the discretion of the District.</p> <p>Restrictions for utility pipelines, conduits and/or ducts that cross, or run parallel to, a District pipeline are illustrated on Figure 4. All underground utilities paralleling a District pipeline must maintain a minimum two-foot horizontal clearance between the outside of the District pipe and the open excavation for the utility. All utilities crossing a District pipeline must pass beneath the pipe with a minimum vertical clearance of one foot. Sanitary sewer conflicts will be evaluated on a case-by-case basis.</p> <p>Single service residential utility lines of 1" or less, street light electrical lines and traffic signal lines may over-cross a District pipeline with a 6" minimum clearance. All proposed over-crossings of a District pipeline by a utility line larger than 1" would be reviewed on a case-by-case basis. Prior written approval from the District must be obtained before any over-crossing utility is installed.</p> <p>The Developer is solely responsible for the coordination and relocation of all conflicting utilities.</p> <p>The District's Engineer will make all reasonable efforts to identify conflicting utilities on the District's construction plans. To aid in this task, the District requires that all known utilities crossing the District's proposed alignment be potholed to determine their actual location and elevation. However, the utilities identified on the plans may not represent all existing and/or proposed conflicting utilities within the project limits. Neither the District, nor the District's Engineer, guarantees the location and/or the elevation of utilities, and neither will be responsible for their relocation.</p> <p>7. District Landscaping Restrictions</p> <p>Restrictions concerning landscape plantings adjacent to a District pipeline are shown on Figure 5. A minimum clearance of four feet between the outside wall of the pipeline and a tree trunk is required. Mature tree canopies must not overhang a District pipeline. The spacing between trees along the alignment must provide at least 16 feet of clearance both longitudinally and transversely. Plant groupings are limited to a maximum length of 16 feet as measured along the pipeline alignment. Spacing requirements between plant groupings are identical to those for tree spacing.</p> <p>Landscape plantings within a District easement containing a lateral canal or ditch are not permitted. Canopies of mature trees planted adjacent to a District easement containing a lateral canal or drainage ditch may not encroach into the easement.</p> <p>Landscaping plans for the development project must be submitted to the District for review and approval.</p>


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	<div><p>Roosevelt Irrigation District October 2011 Page 10 of 12</p><p>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</p><p>8. Acceptance of Surface Drainage</p><p>The District may accept agricultural return flows at historically established points of inflow into their system. Under no circumstance will the District allow a proposed commercial, industrial or residential development to discharge storm water, surface water flows, or flood flows into District facilities.</p><p>9. District Irrigation Wells</p><p>District irrigation well sites are typically located upon deeded property owned by the District. The site boundaries can generally be adjusted to meet the needs of the development provided the total area of the site remains the same.</p><p>There are a number of minimum requirements regarding the location of the well pad relative to the site enclosure and the accessibility to the site for District equipment. The Developer should discuss these requirements with the District's Engineer on a case-by-case basis.</p><p>The District requires that all of their well sites be fully enclosed, and all construction plans prepared by the District's Engineer will specify 6' chain link fence topped with 1' of barbed wire per MAG standards. However, the Developer may arrange for some other type of approved enclosure such as a decorative block wall. In this regard the Developer must provide detailed construction plans for the alternative enclosure to the District's Engineer for review and approval. All designs for alternative enclosures must include:</p><ul style="list-style-type: none">• A total minimum height of 7' including a feature designed to prohibit entrance by scaling the enclosure. A 6' high block wall topped with outwardly curved wrought iron bars is an example of an acceptable alternative.• A feature providing visibility into the site from the main point of access and/or adjacent roadways such as one or more panels of wrought iron bars set within a block wall.<p>10. Gates for Irrigation Delivery Structures</p><p>For operational and maintenance continuity throughout their system, the District specifies the installation of mild steel gates fabricated by Fresno Valves and Castings, Inc. (Fresno) at their delivery structures. The dimensions of the individual gates are unique to each delivery structure and must be designed and fabricated accordingly.</p><p>The lead-time for procurement of these gates can be substantial (3 to 4 months) and the Developer should consider the impact this may have on construction scheduling and sequencing for the project.</p></div>

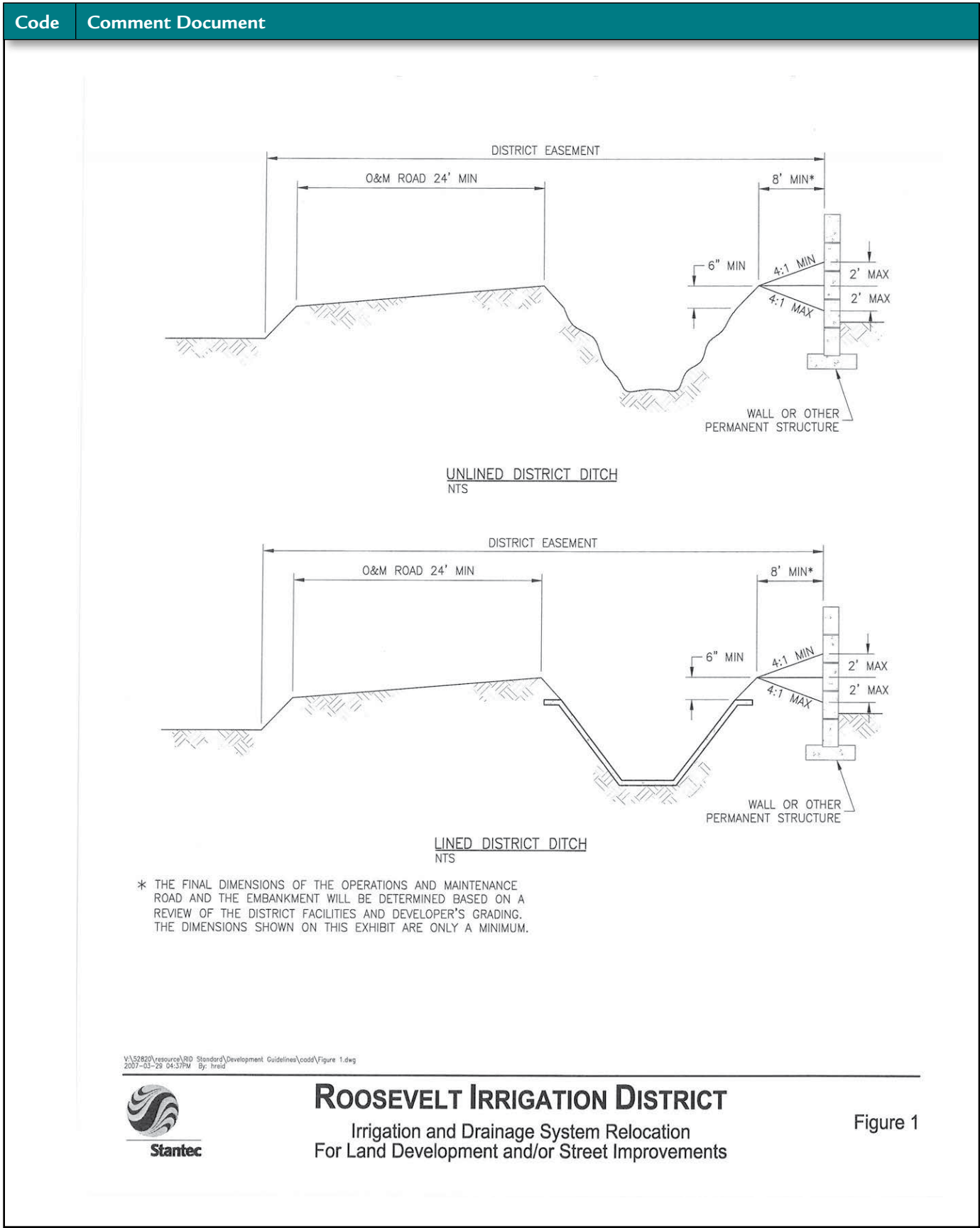
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	<div><div>Roosevelt Irrigation District October 2011 Page 11 of 12</div><div>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</div><div><p>To expedite the delivery of the gates the District's Engineer can initiate the shop drawing review process and purchase of the gates provided the Developer pre-funds the purchase of the gates to the District.</p><p>In this regard, the District's Engineer will provide the specific dimensions and specifications of the gates to Fresno for a cost quote. The Fresno quote will then be provided to the Developer for consideration. Once the District has received funds for the gates, the District's Engineer will accept the Fresno quote on behalf of the District and initiate Fresno's preparation of shop drawings. The completed gates will be shipped to the District's Buckeye maintenance yard where the Developer's Contractor can pick them up. Any additional costs incurred by the District during the manufacturing or shipping in excess of the original quoted cost will need to be reimbursed prior to the Contractor taking delivery of the gates.</p><p>Shop drawings for any gates purchased directly by the Developer or the Developer's Contactor must be reviewed and approved by the District's Engineer. The installation of unapproved gates is not acceptable, and are at the Developer's sole risk. Any gates rejected by the District under this circumstance must be removed and replaced with approved gates at the discretion of the District.</p><p>11. Frames and Covers for Irrigation Manholes</p><p>The District maintains an inventory of manhole frames and covers as specified in their construction plans. The Developer's Contractor is encouraged to purchase these items directly from the District at their cost. The District Construction Observer and/or Engineer must approve the use of frames and covers not purchased directly from the District. Any frames or covers installed without District approval is at the Developer's own risk and may require removal and replacement at the District's discretion.</p><p>12. Maintenance of District Irrigation Service</p><p>Existing District facilities must remain operational, and may not be disturbed or rendered inaccessible to the District until the construction of the relocated District facilities have been completed, tested and accepted as adequate by the District.</p><p>The scheduling for an irrigation outage to complete a tie-in between new and existing facilities must be coordinated with the District Watermaster and the District Construction Observer. The District schedules an annual, district-wide "dry-up" for approximately eleven consecutive days during the second and third weeks of November. The availability and duration of an unscheduled irrigation outage during any other time period will be determined solely at the discretion of the District.</p><p>The Developer should be aware that the construction of new facilities along the same alignment as the existing facilities will likely increase the irrigation outage time required for construction.</p></div></div>

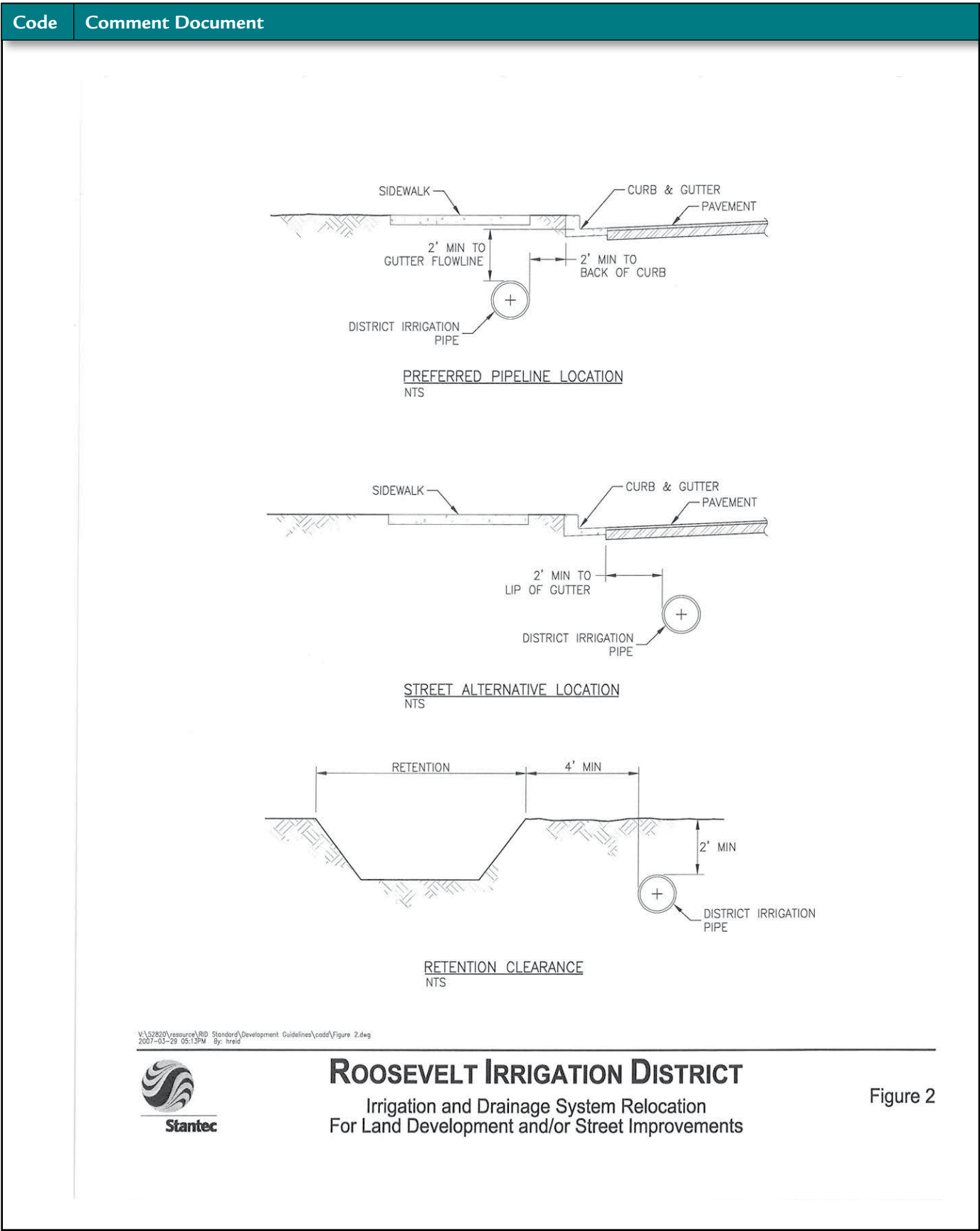
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	<div><p>Roosevelt Irrigation District October 2011 Page 12 of 12</p><p>Irrigation and Drainage System Relocation Guidelines For Land Development and/or Street Improvements</p><p>Temporary irrigation by-pass facilities may be constructed to facilitate the demolition of the existing District facilities prior to the completion of the proposed permanent facilities. The District must grant prior approval for the use of a temporary irrigation by-pass. At the discretion of the District, sealed engineering plans for the by-pass facilities may be required. These plans must be submitted to the District for review and approval prior to construction. The abandonment and demolition of the existing District facilities replaced by the temporary by-pass may proceed only after the constructed temporary facilities have been field verified and accepted as adequate by the District.</p><p>ROOSEVELT IRRIGATION DISTRICT</p><div> Donovan L. Neese Superintendent</div><p>C.</p><p><small>fwc v:\52820\resource\rid standard\development guidelines\word\2011-10-01 rid dev pol.doc</small></p></div>

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PIPELINE CLEARANCE SCHEDULE

Pipe Diameter	24"	30"	36"	42"	>42"
A Minimum	7'	7'	8'	8'	*

*REQUIRES ENGINEERING REVIEW

PIPELINE CLEARANCE
NTS

DISTRICT DELIVERY STRUCTURE

DELIVERY STRUCTURE CLEARANCE – PLAN
NTS

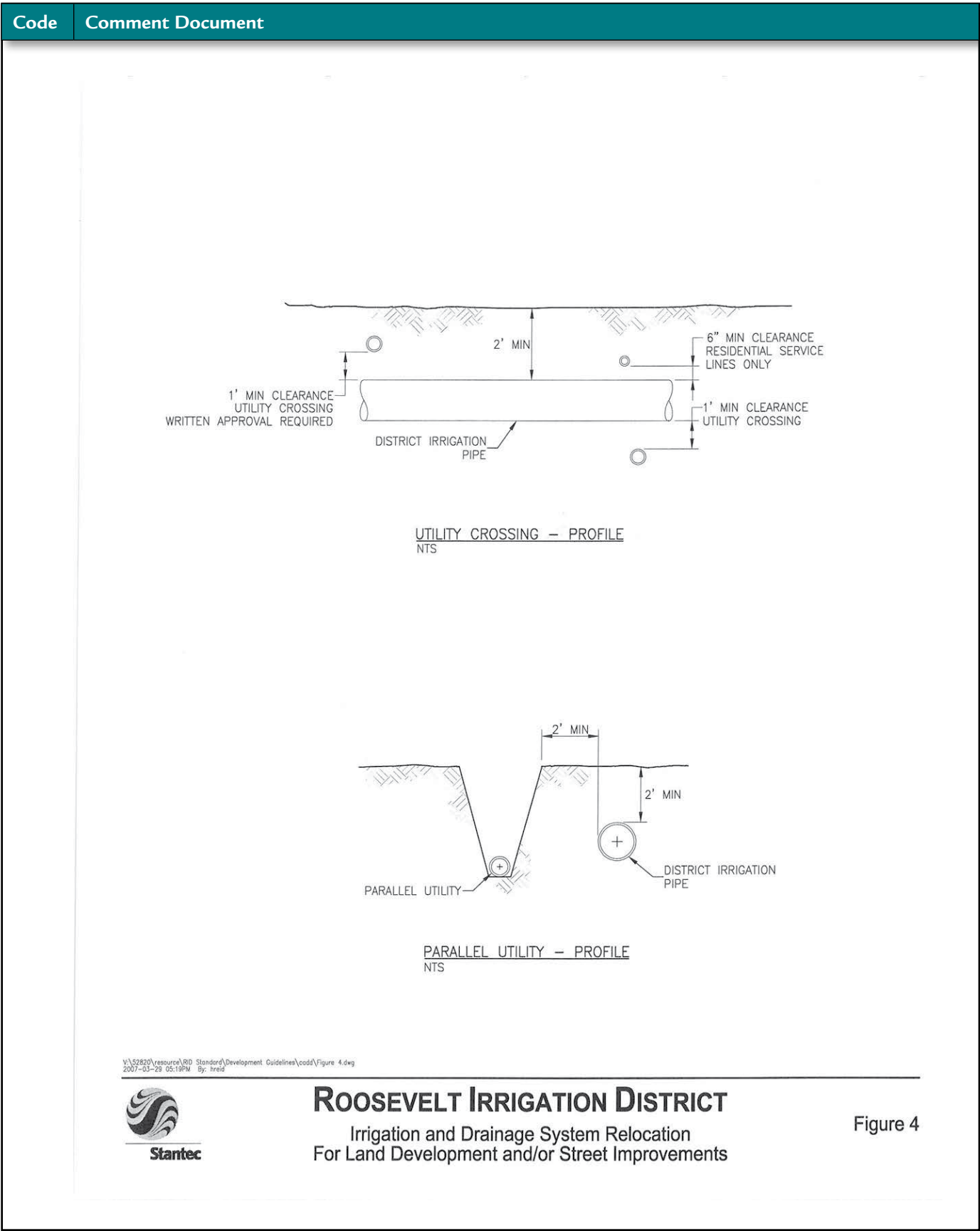
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ROOSEVELT IRRIGATION DISTRICT

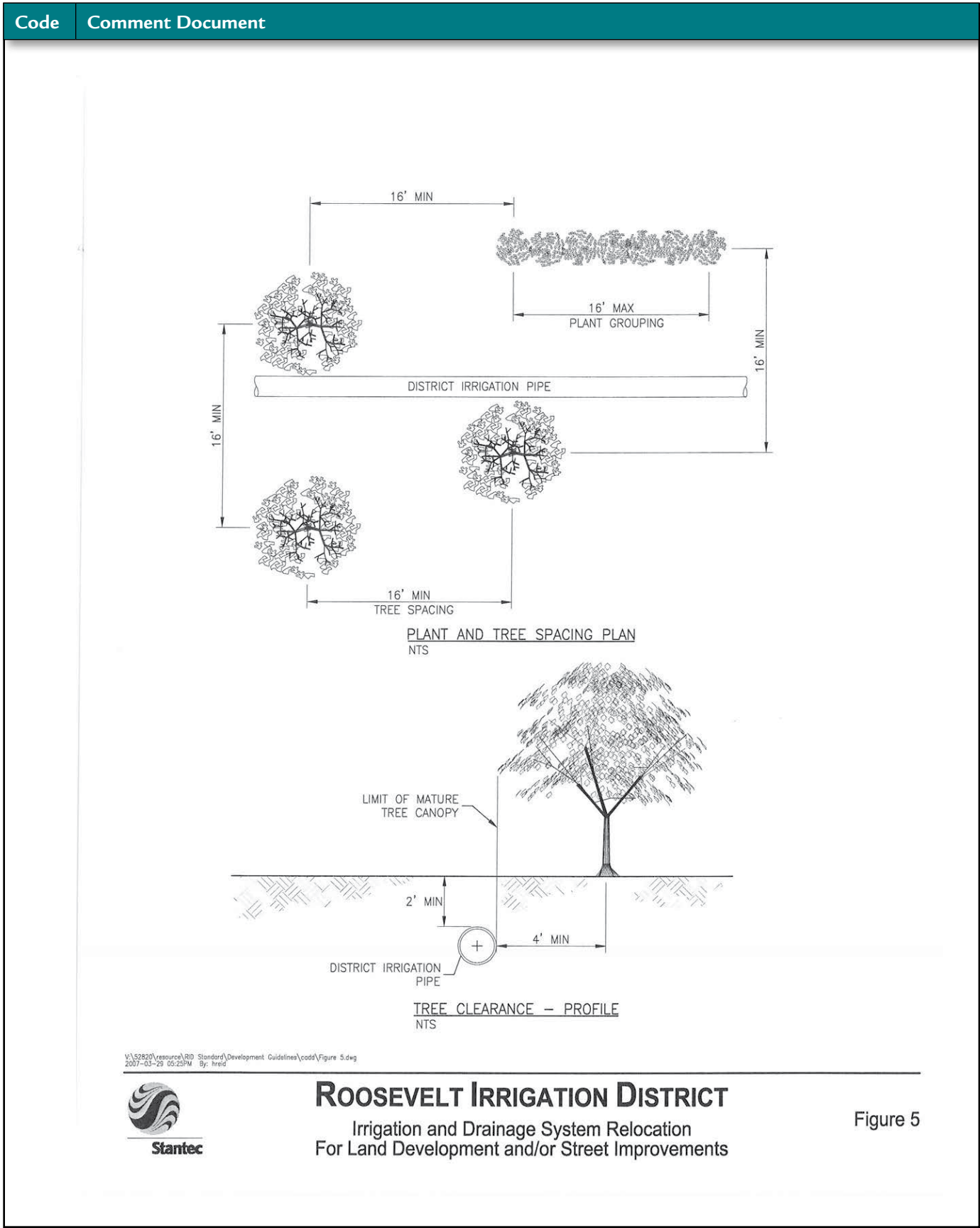
Irrigation and Drainage System Relocation
For Land Development and/or Street Improvements

Figure 3

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	<div><div><div><div><div><div>ROOSEVELT IRRIGATION DISTRICT</div></div></div><div><div><div>DIRECTORS</div><div>W. BRUCE HEIDEN, PRESIDENT</div><div>DWIGHT B. LEISTER</div><div>K.C. GINGG</div></div><div><div>103 WEST BASELINE ROAD</div><div>BUCKEYE, ARIZONA 85326</div><div>TELEPHONE (623) 386-2046</div><div>FAX (623) 386-4360</div></div><div><div>SUPERINTENDENT</div><div>DONOVAN L. NEESE</div></div></div></div></div></div>
	<p>Reference: Well Replacement Guidelines and Specifications</p> <p>Roosevelt Irrigation District (RID) (District) understands the risks associated with well drilling and has attempted to develop these guidelines in a manner that balances the goals of quantity and quality of water produced by the replacement well. All parties requesting to provide RID with replacement wells shall bear the costs to construct the replacement wells per the standards consistent with those developed by the District. RID will require demonstrations to validate that the well specifications have been met. Under no circumstances will any rights to an existing site be relinquished until the replacement well is operational and can be demonstrated to meet all necessary specification. RID assumes no liability for any design or construction activities related to conforming to these well development guidelines until the well system is operational and accepted in writing from the RID superintendent.</p> <p><u>Classes of Replacement Wells</u></p> <p>The District envisions two classes of replacement wells derived from the Replacement Well Guidelines and Specifications. They are:</p> <p>a) <u>Replacement Well at Same Location.</u> These wells shall be located within 660 feet of the existing RID well scheduled to be replaced. The District may elect to have the replacement well constructed with a different screening interval than the original in order to improve the quality of water produced by the well.</p> <p>b) <u>Replacement Well in New Location.</u> Existing RID wells may be located in an area where urbanization has reduced or eliminated demands. Some wells may be elected for replacement due to, but not limited to, locations with undesirable hydrogeologic conditions. In such circumstances, RID may elect to have a new well drilled in a location more favorable to the District's operations.</p> <p><u>Well Specification Standard / Approach</u></p> <p>Each well within RID's service area includes differing well construction and water quality characteristics. As a single well is identified for replacement the well specifications will be based on existing performance and the surrounding facilities at the sole discretion of RID. It will be the responsibility of the developer or entity to demonstrate, at a minimum, performance aspects equal to the existing well to be replaced. Performance based guidelines are included in ANSI/AWWA A100-06 Standard for Water Wells and shall be met. All wells shall comply with AWWA A100-06 as clarified or modified below or unless otherwise approved by the District.</p> <p><u>Demonstrations</u></p> <p>Utilize ANSI/AWWA A100-06 Standard for Water Wells to address the following:</p> <p><u>Prior to drilling, the following information shall be submitted to RID for review and approval:</u></p> <p>1) A Hydrogeologic Study and Impact Study, completed, stamped, and sealed by a professionally registered Geologist in the State of Arizona of any site not within 660 feet of the well to be replaced. This study shall be prepared in accordance with ADWR well spacing rules and submitted</p>
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ROOSEVELT IRRIGATION DISTRICT

DIRECTORS

W. BRUCE HEIDEN, PRESIDENT
DWIGHT B. LEISTER
K.C. GINGG

103 WEST BASELINE ROAD
BUCKEYE, ARIZONA 85326
TELEPHONE (623) 386-2046
FAX (623) 386-4360

SUPERINTENDENT
DONOVAN L. NEESE

to ADWR along with the Well Permit Application. Please note that based upon ADWR licensing time frames, a minimum of 100 days is required to review the application;

- 2) Identification of a well site and appropriately located replacement well within the site that will be deeded to RID along with title documentation. The well site shall have a secure access from an adjacent public street right-of-way and include a minimum 80-foot by 50-foot size (4,000 square feet). Proposed sites must accommodate all reasonably foreseeable drilling and maintenance activities within a locked perimeter enclosure as approved by the District;
- 3) Documentation of Non-Exempt Well Permit approval;
- 4) Identification and acquisition of permanent withdrawal authority for the RID well. This authority may include, but not be limited to the following: RID Service Area Right; Grandfathered Groundwater Rights owned by the District or leased for sufficient time to allow the well to be permitted as an RID Service Area Well; or a Recovery Well Permit with sufficient groundwater credits to allow the well to be permitted as an RID Service Area Well;
- 5) Documentation of discharge plan and AZPDES discharge permit approval, if required;
- 6) Documentation of Well Specifications, Bid Documents, Approved Bid, Legal Documents, Bonds, Construction Licenses, and Insurance Certificates indicating coverage type and limits;
- 7) Design Concept Report (DCR) including drawings documenting preliminary well design, including casing/screen size, material type, depths, proposed zonal or depth specific sampling protocol, and recommendations that provide comparisons to the existing well to be replaced. The DCR shall include a demonstration of rationale for the design which would incorporate existing hydrogeologic data and a water quality sampling plan. DCR shall also include the minimum mechanical and electrical system details indicated further within these requirements. RID must review and approve the DCR prior to initiation of drilling activities;
- 8) DCR shall include details about the mechanical and electrical systems that are planned to be installed. The following minimum design features shall be included within the RID replacement well:
 - Above ground discharge piping shall be welded steel meeting ASTM A36 with a minimum schedule 40 thickness
 - Below ground discharge piping shall be fully restrained ductile iron pipe with a minimum pressure class 250 and include polyethylene encasement
 - Discharge pipe shall be sized with a maximum velocity of 5 feet per second and be a minimum of 8-inches in diameter
 - Discharge pipe shall include the following appurtenances: 0-60 psi liquid filled pressure gauge with isolation ball valve, 3-inch air release and vacuum valve with isolation ball valve, and propeller type flowmeter
 - Well pump discharge head shall be provided with a minimum of two 2-inch diameter threaded openings to allow for water level sounding and water sampling

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	<div><div><div><div><div><div>DIRECTORS</div></div></div><div><div><div>W. BRUCE HEIDEN, PRESIDENT</div><div>DWIGHT B. LEISTER</div><div>K.C. GINGG</div></div></div></div><div><div><div>103 WEST BASELINE ROAD</div><div>BUCKEYE, ARIZONA 85326</div><div>TELEPHONE (623) 386-2046</div><div>FAX (623) 386-4360</div></div></div><div><div><div>SUPERINTENDENT</div></div><div><div><div>DONOVAN L. NEESE</div></div></div></div></div></div> <div><div><ul style="list-style-type: none">Well discharge piping system shall be connected to the RID system in a manner similar to the existing well that is being replaced. This includes, but not limited to, irrigation structures, underground piping systems, above ground piping systems, grading, and etc.Well head concrete pad shall meet RID requirementsAbove ground discharge piping and well pump oiler shall include concrete pad and pipe supports meeting RID requirementsElectrical system shall include a reduced voltage soft start for the well pumpWell pump motor shall be premium efficient, include a 50 degree Celsius ambient temperature rating with a 1.15 service factor, internal temperature thermistor that shuts down the motor when overheating, and include a weather protected-type 1 (WP1) enclosureWell site enclosure shall include a 8-foot tall perimeter chain link fence with a three strand barb wire top, 20-foot swing gate opening with 6-inch diameter posts set in the ground at a 4-foot minimum depth, a 4-foot man gate, 3-inch layer of decomposed granite throughout the site, capable of retaining on-site a 100-year 2-hour storm event, and include a 20-foot tall pole mounted area light that automatically turns on at dusk and off at dawn</div><div><div>9) An RID License to Construct;</div><div><div><div><div><div><div><u>During drilling, the following information shall be submitted to RID for review and approval:</u></div></div></div><div><div><div>10) Documentation of detailed geological and engineering log of drill cuttings during each 10 foot interval in the well, or when abrupt or distinct changes in lithology are observed;</div><div>11) Documentation of zonal or depth specific water samples acquired during drilling of the well. RID will require depth specific or zonal samples to be collected throughout the water bearing interval of the well. A minimum of one sample per 100 feet of water bearing zone shall be collected from the well or borehole and analyzed at a licensed laboratory;</div><div>12) Demonstration that appropriate screen slot size has been selected utilizing drill cuttings sieve analysis samples collected and analyzed in the least coarse 10-foot interval for every 100 feet of screened casing of the well;</div><div>13) Blank casing and screens for RID replacement wells shall be Type 304 stainless steel (SS) or high strength low alloy (HSLA), use of low carbon steel material will not be allowed. The final selection of SS or HSLA material shall be determined by RID based on water/soil chemistry and anticipated corrosion issues that may occur during its entire life expectancy. RID well casing and screens shall be designed based on a minimum 50 year life expectancy;</div><div>14) Demonstration of appropriate geophysical logging for well outside of the 660' boundary of the existing well. If an open borehole can be available following drilling to total depth, then appropriate logs shall include temperature, fluid resistivity, natural gamma ray, 3-arm caliper, single-point resistance, focused resistivity, sonic, and spontaneous potential.</div></div></div></div></div></div><div><div>V:\52813\resource\RID Standard\Development Guidelines\Word\2013-05-24_Well Replacement Guidelines_Stantec Comments-dln3_revised AEP.doc</div><div>Pag</div></div></div></div>

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SPECIAL INTEREST GROUP COMMENTS AND RESPONSES

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1		Introductory information.

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2	<p>Re: PARC et al Comments on the SMF FEIS November 25, 2014 Page 2</p> <p>The National Environmental Policy Act (“NEPA”) – the law that mandates the preparation of an Environmental Impact Statement (“EIS”) in the instant case – “recognize[es] the profound impact of man’s activity on the interrelations of all components of the natural environment” and sets out “to create and maintain conditions under which man and nature can exist in productive harmony.” 42 U.S.C. § 4331(a). Clearly ADOT neither recognized, nor aspired to, this goal in the preparation of its NEPA documents for the South Mountain/Loop 202 Freeway (“SMF”).</p> <p>A NEPA analysis must be “be taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designed to rationalize a decision already made.” <i>Metcalf v. Daley</i>, 214 F.3d, 1135,1142 (9th Cir. 2000). ADOT has been buying land in the right-of-way for the “preferred alternative” for over a decade. They have designed/constructed interchanges to match up with the “preferred alternative.” ADOT has had a sign posted for over a decade identifying the “preferred alternative” as the future right-of-way for the SMF.</p>  <p>(Sign at the intersection of Pecos Road and 24th Street for well over a decade.)</p> <p>ADOT, in its NEPA documents, makes clear that the “preferred alternative” was the preordained route that was considered in regional and municipal planning. They even</p>

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2	Alternatives	<p>As noted in text on page 3-53 of the Final Environmental Impact Statement, the Arizona Department of Transportation began acquiring land for the original alignment in 1988. Between 1988 and 2001, the Arizona Department of Transportation acquired approximately 293 acres. Most of this land (258 acres) is located in the Eastern Section along Pecos Road. In 2006, the Arizona Department of Transportation began protective and hardship land acquisition in the alignment right-of-way footprint for the W59 and E1 Alternatives. Between 2006 and October 2013, the Arizona Department of Transportation purchased 326 acres (303 in the Western Section and 23 in the Eastern Section).</p> <p>The comment suggests the environmental impact statement process was biased by a history of property acquisitions within the Study Area. More specifically, properties falling within the limits of the Preferred Alternative, as identified in the Final Environmental Impact Statement, were targeted for acquisition.</p> <p>Land acquisition and relocation assistance services for the project are available to all individuals in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The implementing regulations for federally funded highway projects are 49 Code of Federal Regulations Part 24. The process for hardship and advanced acquisitions is explained in text on page 4-50 of the Final Environmental Impact Statement.</p> <p>The comment infers that by taking such action, the objective equal consideration of the alternatives studied in detail in the Draft and Final Environmental Impact Statements is tainted. Advanced acquisitions in parallel to a National Environmental Policy Act environmental determination process is not unprecedented and is common practice. In this case, property acquisitions by the Arizona Department of Transportation for purposes of implementing the freeway are done at risk as communicated to the agency by the Federal Highway Administration. If another action alternative had been ultimately selected, the agency would have to place the acquired properties on the market for sale and purchase. The Arizona Department of Transportation attempts to balance the risk against its mission of timely delivery of transportation infrastructure to the traveling public. Further, Federal Highway Administration regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the selection of an alternative.</p>

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	<p>Re: PARC et al Comments on the SMF FEIS November 25, 2014 Page 3</p>
	<p>manipulate and/or ignore data and comments in a “subterfuge designed to rationalize a decision already made.” <i>Id.</i></p>
3	<p>For example, in the Draft Environmental Impact Statement (“DEIS”), ADOT improperly used 2005 census data to demonstrate sufficient population/jobs growth/demand to justify the construction of the freeway in the chosen right-of-way. These inputs were replaced in the Final Environmental Impact Statement (“FEIS”) with 2010 census data (which was available prior to issuance of the DEIS). While the data inputs were adjusted, the narrative and conclusions from the DEIS were simply carried over, essentially verbatim and without explanation, into the FEIS – notwithstanding an approximately 20% lower increase in growth projections. <i>See</i>, Comments of K. Kane (included herewith). ADOT also failed to conduct any socioeconomic projections based on, for example, the No Action Alternative. Using socioeconomic projections, in which it is assumed the SMF is implemented, to explore the effects of the No Action Alternative is inappropriate. Without the freeway, growth will occur elsewhere. The ADOT model completely ignores this fact. As a result, the ADOT projections significantly overstate the poor performance of the No Action Alternative. <i>See</i>, Comments of A. Golub, Ph.D. (included herewith). Remarkably, ADOT dedicates significant aspects of both the DEIS and FEIS to a discussion of traffic concerns that allegedly justify construction of the SMF. These discussions rely prominently on, for example, existing and projected delays on the Broadway curve. According to the FEIS, however, if a person travels from Ahwatukee to downtown Phoenix, through the Broadway curve, if the proposed freeway was constructed, that person might save one minute in travel time. FEIS at Table 3-8. In other words, notwithstanding the negative impacts and cost, construction and utilization of the proposed SMF will result in capacity deficiencies at levels comparable to the No Action Alternative on freeways and arterials throughout the Metropolitan Area. That is, even if we assume, <i>arguendo</i>, that all of the data presented in the DEIS and FEIS are accurate, according to ADOT’s own estimation, the Loop 202 South Mountain Freeway, if built, will not improve traffic flow in areas of congestion on freeways and surface streets in the metropolitan Phoenix area.</p>
4	<p>In its push to justify the project, ADOT also repeatedly fails to respond to substantive comments that PARC, <i>et al.</i> and others made to the DEIS. ADOT’s failure to respond to comments is discussed by each of the commenters whose reports are included herewith. This is a systemic failure. An EIS “must respond explicitly and directly to conflicting views in order to satisfy NEPA’s procedural requirements.” <i>Earth Island II</i>, 442 F.3d 1147, 1172 (9th Cir. 2006); <i>see, also, e.g., 40 C.F.R. §§ 1502.9(b)</i> (The agency “shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency’s response to the issues raised.”).² ADOT also failed to make important decisional</p>
	<p>² We understand that ADOT neglected to even make an appearance of responding to 10</p>

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3	Purpose and Need	<p>The analyses in the Draft Environmental Impact Statement used socioeconomic and traffic projections at the regional analysis zone and traffic analysis zone levels. At the time of publication of the Draft Environmental Impact Statement, Census 2010-based socioeconomic data at the regional analysis zone and traffic analysis zone levels had not been adopted by the Maricopa Association of Governments and were not available to the project team. Therefore, the data used in the Draft Environmental Impact Statement were the most appropriate information available.</p> <p>The Maricopa Association of Governments approved new population, employment, and housing projections in June 2013, and the project team obtained new traffic projections based on the approved socioeconomic projections. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13). The traffic analysis used the Maricopa Association of Governments travel demand model (TransCAD software platform), as certified by the Federal Highway Administration and reviewed by the U.S. Environmental Protection Agency for air quality conformity (see Final Environmental Impact Statement page 3-27).</p>
4	Alternatives, No-Action Alternative	<p>The Arizona Department of Transportation and Federal Highway Administration appreciate the suggestion to use alternative methods to describe the No-Action Alternative and the possibility that future impacts could be different than those presented in the No-Action Alternative analysis in the Final Environmental Impact Statement (if these alternative methods were used). The comment assumes land use patterns, growth rates, and induced travel patterns would be different (from what is described in the Final Environmental Impact Statement) if the freeway were not in place. In essence, the comment is suggesting that the description of the No-Action Alternative (and its related impacts) in the Final Environmental Impact Statement is misleading.</p> <p>The Arizona Department of Transportation and Federal Highway Administration agree that scenario planning methods have application in some instances; however, in this case, the Arizona Department of Transportation and Federal Highway Administration believe that the methods used to describe the No-Action Alternative as presented in the Draft and Final Environmental Impact Statements are appropriate. At a basic level, the National Environmental Policy Act requires consideration of reasonable alternatives—meaning the No-Action Alternative should be reasonable as well. Speculation about what an alternative and the conditions surrounding the alternative in the future would look like is not appropriate; the effects of alternatives must be reasonably foreseeable. Under this premise, the description of the No-Action Alternative in the Final Environmental Impact Statement is appropriate. The description of this alternative is presented in the section, <i>Alternatives Studied in Detail</i>, in the Final Environmental Impact Statement on page 3-40. Its features include: not extending State Route 202L west of Interstate 10 (Maricopa Freeway), assuming all other projects in the <i>Regional</i></p>

(Response 4 continues on next page)

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4 (cont.)		<p><i>Transportation Plan</i> are completed, and using population, employment, and housing projections officially approved by the Maricopa Association of Governments.</p> <p>The Arizona Department of Transportation and Federal Highway Administration believe that the depiction of impacts caused by the No-Action Alternative are, therefore, appropriate and correctly presented throughout the Final Environmental Impact Statement. In defining the transportation problem in Chapter 1, <i>Purpose and Need</i>, of the Final Environmental Impact Statement, the analysis illustrates the severity of the breakdown in the transportation network if no action were taken in the area. This is further supported by the impact analyses presented throughout Chapter 4, <i>Affected Environment, Environmental Consequences, and Mitigation</i>, of the Final Environmental Impact Statement. To summarize, durations and physical lengths of congestion would worsen, travel times would become longer over the same distances, congestion would continue to spill over into the arterial street network, and monetary costs to the State and its residents would increase.</p> <p>Further justification of why the No-Action Alternative description in the Final Environmental Impact Statement is most appropriate includes:</p> <ul style="list-style-type: none">• At certain points in the Phoenix metropolitan area’s history, growth rates prior to planning for the region’s freeway system exceeded growth rates after planning for and construction of the regional freeway system began. Chapter 1, <i>Purpose and Need</i>, and the sections, <i>Land Use</i> and <i>Economic Impacts</i>, in Chapter 4, establish cost of living, livability, mild climate, technological advancement (affordable air conditioning), employment opportunities, a development-oriented regulatory environment, and key location for industry as primary growth drivers in the Phoenix metropolitan area. Therefore, transportation is not the sole driver of growth.• As established in the Final Environmental Impact Statement, “pre-freeway” land use planning mimics “post-freeway” land use planning. In 1979, the <i>Phoenix Concept Plan 2000</i> was adopted by the City of Phoenix. The plan called for 25 Phoenix urban villages. Of those, it established 9 villages with instructions for village planning committees to prepare 25-year concept plans. The Laveen and Estrella Villages were included in the list of 25 suggested villages, although they were not among the 9 villages adopted in the initial plan. However, the intent was that Laveen and Estrella Villages would be developed at a later point in time. The freeway system considered in the plan included only Interstate 10, Interstate 17, and U.S. Route 60—it did not include the regional freeway system. <p>The <i>Phoenix Concept Plan 2000</i> was replaced by the <i>Phoenix General Plan, 1985–2000</i>. The resolution adopting the <i>General Plan</i> directed the village planning committees to continue in the City of Phoenix’s planning process. The resolution included Laveen and Estrella as villages. Planning for the Laveen and Estrella Villages was completed around the same time as the initial planning for the regional freeway system, including the South Mountain Freeway. Therefore, the land use planning and transportation planning were conducted in parallel, not with one effort depending on the other.</p> <p>To conclude that land use patterns would look different than they do today (as inferred in the U.S. Environmental Protection Agency’s comment) is not consistent with past planning patterns. It is more reasonable to argue that the City of Phoenix would have continued to plan for the urban village core concept as has been envisioned since the late 1970s.</p>

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		<p>In this case, scenario planning would be speculative for the following reasons:</p> <ul style="list-style-type: none">• Factors affecting growth vary (see above), and to assume only transportation as a growth driver would be speculative.• Continuation of “pre-freeway” historical land use planning patterns is reasonable to expect. The section, <i>Land Use</i>, documents the growth scenario under the No-Action Alternative and notes that the area would develop in a similar fashion with or without the project. This is supported by:<ul style="list-style-type: none">› The Study Area already has good connecting transportation infrastructure (although congested) to support continued development without the freeway. It is also close to downtown Phoenix. Existing infrastructure plus location would result in growth without the freeway as described in the <i>Purpose and Need</i> chapter. The freeway is not opening up the area to development because existing roads (for example, Pecos Road, Baseline Road, and 51st Avenue) provide access.› To date, approximately 67 percent of the land in the Study Area has already been developed in accordance with the City of Phoenix’s <i>General Plan</i> and zoning ordinance. It is assumed that such development would not be torn down and land uses redistributed if the freeway were not built. <p>As documented in the section, <i>Land Use</i>, in Chapter 4 of the Final Environmental Impact Statement, agricultural (22 percent) and open space (11 percent) land uses in the Study Area represent only 33 percent of land area (it should be noted the 11 percent of open space is mostly not developable because of topographic challenges and floodplain constraints), while the remainder of the area is in some form of “built” land use. Distribution of zoning further supports the conclusion—12 percent of the Study Area is zoned for agricultural and open space uses while 88 percent is zoned for other more intensive land uses.</p> <ul style="list-style-type: none">› Factors contributing to historical and projected growth are well-documented in the Final Environmental Impact Statement in Chapter 1, <i>Purpose and Need</i>, and in the Chapter 4 sections, <i>Land Use</i> and <i>Economic Impacts</i>. The freeway will be built in an area planned for urban growth as established in local jurisdictions’ land use planning activities for at least the last 25 years (see the section, <i>Induced Growth</i>, beginning on page 4-182 of the Final Environmental Impact Statement).› The sections, <i>Induced Travel</i> and <i>Induced Growth</i>, beginning on pages 4-179 and 4-182, respectively, of the Final Environmental Impact Statement, establish that the freeway would contribute to minimal induced travel demand (which has, to a large degree, been accounted for in the Maricopa Association of Governments’ model).› Section 93.110 of the U.S. Environmental Protection Agency’s conformity rule requires that population and employment projections (which establish growth rates and distribution) used in a conformity analysis be the most recent estimates that have been officially approved by the Maricopa Association of Governments (as the metropolitan planning organization for the Maricopa County nonattainment and maintenance areas). In accordance with the Governor’s Executive Order 2011-04, county-level population projections used for all State agency planning purposes were updated by the Arizona Department of Administration in December 2012, based on the 2010 U.S. Census. To use projections other than the approved demographic trends would be inconsistent with the projections required for use in the transportation conformity assessment. <p>Even if one could argue the only reason the development has occurred as it has is because of the planned freeway (which is not the case—see above) for the last 30 years (in other words, if the freeway had not been planned, development would somehow have been different), the argument is irrelevant. Existing development is</p>

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5	<p>Re: PARC et al Comments on the SMF FEIS November 25, 2014 Page 3</p> <p>manipulate and/or ignore data and comments in a “subterfuge designed to rationalize a decision already made.” <i>Id.</i></p> <p>For example, in the Draft Environmental Impact Statement (“DEIS”), ADOT improperly used 2005 census data to demonstrate sufficient population/jobs growth/demand to justify the construction of the freeway in the chosen right-of-way. These inputs were replaced in the Final Environmental Impact Statement (“FEIS”) with 2010 census data (which was available prior to issuance of the DEIS). While the data inputs were adjusted, the narrative and conclusions from the DEIS were simply carried over, essentially verbatim and without explanation, into the FEIS – notwithstanding an approximately 20% lower increase in growth projections. <i>See</i>, Comments of K. Kane (included herewith). ADOT also failed to conduct any socioeconomic projections based on, for example, the No Action Alternative. Using socioeconomic projections, in which it is assumed the SMF is implemented, to explore the effects of the No Action Alternative is inappropriate. Without the freeway, growth will occur elsewhere. The ADOT model completely ignores this fact. As a result, the ADOT projections significantly overstate the poor performance of the No Action Alternative. <i>See</i>, Comments of A. Golub, Ph.D. (included herewith). Remarkably, ADOT dedicates significant aspects of both the DEIS and FEIS to a discussion of traffic concerns that allegedly justify construction of the SMF. These discussions rely prominently on, for example, existing and projected delays on the Broadway curve. According to the FEIS, however, if a person travels from Ahwatukee to downtown Phoenix, through the Broadway curve, if the proposed freeway was constructed, that person might save one minute in travel time. FEIS at Table 3-8. In other words, notwithstanding the negative impacts and cost, construction and utilization of the proposed SMF will result in capacity deficiencies at levels comparable to the No Action Alternative on freeways and arterials throughout the Metropolitan Area. That is, even if we assume, <i>arguendo</i>, that all of the data presented in the DEIS and FEIS are accurate, according to ADOT’s own estimation, the Loop 202 South Mountain Freeway, if built, will not improve traffic flow in areas of congestion on freeways and surface streets in the metropolitan Phoenix area.</p> <p>In its push to justify the project, ADOT also repeatedly fails to respond to substantive comments that PARC, <i>et al.</i> and others made to the DEIS. ADOT’s failure to respond to comments is discussed by each of the commenters whose reports are included herewith. This is a systemic failure. An EIS “must respond explicitly and directly to conflicting views in order to satisfy NEPA’s procedural requirements.” <i>Earth Island II</i>, 442 F.3d 1147, 1172 (9th Cir. 2006); <i>see, also, e.g., 40 C.F.R. §§ 1502.9(b)</i> (The agency “shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency’s response to the issues raised.”).² ADOT also failed to make important decisional</p> <p>² We understand that ADOT neglected to even make an appearance of responding to 10</p>

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4 (cont.)		<p>now there and, therefore, it is reasonable to assume that the land use distribution and related development will be there in the future</p> <p>The analysis documented in the Final Environmental Impact Statement leads to the conclusion that the No-Action Alternative and action alternative land uses would be similar, and thus, no “scenario planning” is required. Scenario planning could have application if the area was not developed, but the manner in which the No-Action Alternative was determined and presented in the Final Environmental Impact Statement is “state-of-the-practice.” Defining the No-Action Alternative as including all projected socioeconomic growth and planned transportation projects in the <i>Regional Transportation Plan</i> except the proposed action is common practice. The approach taken in the Final Environmental Impact Statement has standard application in the transportation industry. In Arizona, this method to describe the No-Action Alternative has been commonplace in National Environmental Policy Act documents dating back to at least 1990. Further, the environmental impact statements for Legacy Parkway and Mountain View Corridor in Utah had a similar approach of using local land use plans, growth projections, and interviews with City representatives to determine whether the No-Action Alternative land use would be different than with the proposed action. All of these projects were in similar high-growth regions, and the conclusions were that the areas would develop with or without the project, although the timing may change.</p> <p>The No-Action Alternative as defined in the Final Environmental Impact Statement is appropriate. It satisfies reasonableness, withstands a hard look, and was fully disclosed.</p>
5	Purpose and Need	<p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternative would:</p> <ul style="list-style-type: none">• reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13)• optimize travel on the region’s freeway system (see Figure 3-12)• reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14)• reduce the duration of level of service E or F conditions in key areas of the region’s freeway system (see Figure 3-15)• improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8)• provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits approximate \$200 million per year (see Table 4-27).</p>
6	National Environmental Policy Act	<p>The Federal Highway Administration and the Arizona Department of Transportation carefully considered all comments received on the Draft Environmental Impact Statement and developed thoughtful and complete responses to those comments as documented in the Final Environmental Impact Statement and Errata. Specific comments will be addressed in the later pages of responses.</p>
7	National Environmental Policy Act	<p>The Federal Highway Administration and the Arizona Department of Transportation went to great lengths to fulfill any and all requests for information received in a timely manner. Specific comments will be addressed in the later pages of responses.</p>

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8	<p>Re: PARC et al Comments on the SMF FEIS November 25, 2014 Page 4</p> <p>data available for public review during the comment processes. <i>See, e.g.,</i> Comments of H. Basmaciyani, P.E. (included herewith). NEPA requires that the agency’s “data and conclusions” be provided to the public for timely review. <i>Oregon Natural Desert Ass’n v. BLM</i>, 625 F.3d 1092, 1099 (9th Cir. 2008).</p> <p>Federal regulations require that an EIS “rigorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14. ADOT, however, considers only one action alternative for the eastern portion of the project. Even if we assume, <i>arguendo</i>, that the eastern and western segments of the freeway were not preordained, ADOT’s refusal to consider viable alternatives is yet another existential failure in the process otherwise required by law. ADOT rejects, for example, any light rail or commuter train alternative from detailed consideration because there are no logical termini on the preferred right-of-way. If, however, a light rail or commuter train alternative was considered along the existing I-10 right-of-way, it could have more of an impact on current and projected traffic conditions than the preferred alternative. In our comments on the DEIS (and reiterated in his report included herewith), traffic engineer H. Basmaciyani, P.E., proposed a number of alternatives, including a “hybrid” alternative that ADOT simply rejected without any consideration. The Gila River Indian Community proposed an eastern alignment north of South Mountain that would avoid impacts to South Mountain. These proposals were not rejected on their merits, rather ADOT simply refused to consider them. ADOT even refused to consider, without adequate explanation, a depressed freeway design along the preferred alternative route. <i>See</i>, Comments of C. Garrett, P.HGW (included herewith). ADOT similarly failed to give adequate consideration to the No Build Alternative.</p> <p>This refusal to consider alternatives is not just a violation of NEPA. Section 4(f) of the Transportation Act prohibits the Secretary of Transportation from approving any project that requires the use of parkland (South Mountain) unless: (1) there is no prudent and feasible alternative to the use of the site; and (2) all possible planning has been taken to minimize harm to the site. 49 U.S.C. § 303(c). ADOT cannot demonstrate that it has conducted the thorough and probing analysis required by Section 4(f) and that it has met the above requisite elements. There are, as discussed in the comments included herewith, other aspects of Section 4(f) that ADOT has not met.</p> <p>Indeed, ADOT essentially fails to adequately address all the issues/concerns we raised in our comments to the DEIS. Dr. Thurston reiterates his concerns with ADOT’s refusal/failure to adequately consider potential health impacts associated with the project,</p> <p>commenters, including the Sierra Club. We further understand that ADOT intends to issue some sort of errata. It would appear, however, that none of these neglected comments were considered in the issuance of the FEIS – as required by law. It also appears unlikely that any of these comments will be utilized to inform the agency’s analysis.</p>

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8	Alternatives	<p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the alternatives development and screening process presented in Chapter 3 of the Draft Environmental Impact Statement. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see Figure 3-2 on page 3-4).</p> <p>Several action alternatives were subject to the alternatives development and screening process, not just the E1 Alternative and alternatives located on the Gila River Indian Community (Figure 3-6 on page 3-10 of the Final Environmental Impact Statement illustrates a representation of such alternatives). Alternatives that bisected Ahwatukee Foothills Village were eliminated because of their extraordinary community impacts. Alternatives located north of the mountains to avoid the protected resource would not meet the purpose and need of the project and would create impacts of extraordinary magnitude (see Table 3-5 on page 3-12 of the Final Environmental Impact Statement). Alternatives located south of the mountains would pass through Gila River Indian Community land. Any alternative on Gila River Indian Community land must consider tribal sovereignty. Tribal sovereignty is based on the inherent authority of Native American Tribes to govern themselves. While this notion of sovereignty is manifested in many areas, generally Native American land is held in trust by the United States. Native American communities have the authority to regulate land uses and activities on their land. States have very limited authority over activities within tribal land (see page 2-1 of the Final Environmental Impact Statement). From a practical standpoint, this means that the Arizona Department of Transportation and Federal Highway Administration do not have the authority to survey tribal land, make land use (including transportation) determinations directly affecting tribal land, or condemn tribal land for public benefit through an eminent domain process. The Gila River Indian Community has not granted permission to develop alternatives on its land (see Final Environmental Impact Statement page 3-25). Placing an alternative even farther south of the Gila River Indian Community land would not satisfy the purpose and need of the project. Therefore, there is no prudent and feasible alternative to avoid use of the mountains, and the E1 Alternative is the only action alternative available.</p> <p>The study has considered a variety of transportation modes: transportation system management/transportation demand management, mass transit (commuter rail, light rail, expanded bus service), arterial street improvements, land use controls, new freeways, and a No-Action Alternative. These alternatives alone or in combination would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the region. Mass transit modes such as light rail and an expanded bus system were reexamined in the Final Environmental Impact Statement and were eliminated from further study because even better-than-planned performance of transit would not adequately address the projected 2035 travel demand (see Final Environmental Impact Statement page 3-4). For example, the average daily ridership for the light rail system connecting downtown Phoenix and the Arizona State University campus was approximately 44,000 in 2014. This</p>

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8 (cont.)		<p>is only approximately 25 percent of the total daily vehicles projected to use the freeway in 2035. Two high-capacity transit corridors are being considered near the western and eastern extents of the Study Area, but such extensions would not adequately address the projected 2035 travel demand. A freeway/light rail combination would integrate a freeway and light rail system into a single transportation corridor (see Final Environmental Impact Statement page 3-6). Such a freeway/light rail system is planned at two locations: along Interstate 10 (Papago Freeway) and along State Route 51 (Piestewa Freeway). These two segments would connect to the light rail system currently in operation.</p> <p>With these two freeway/light rail segments already in planning stages, members of the public identified a similar opportunity along the freeway. Most freeway/light rail combinations, however, radiate from a central travel demand generator such as a business district or airport. No such systems are known to follow a circumferential route, as the South Mountain Freeway will. Furthermore, the additional right-of-way needed for light rail (generally, a 50-foot-wide corridor) would have substantial community impacts such as displaced residences and businesses and parkland impacts. Therefore, the light rail alternative and light rail and freeway combination would not be prudent and were eliminated from further study. The freeway mode was determined to be an appropriate response to the project's purpose and need.</p> <p>Based on the comment received from the Gila River Indian Community, the proposed alternative (U.S. Route 60 Extension to Interstate 10 [Papago Freeway]) was considered in the alternative screening process presented in the Final Environmental Impact Statement (see text beginning on page 3-7). The U.S. Route 60 Extension to Interstate 10 (Papago Freeway) would result in similar benefits and impacts as the U.S. Route 60 Extension to Interstate 17 and Interstate 10 Spur, which were presented in the Draft Environmental Impact Statement. The project team subjected the U.S. Route 60 Extension to Interstate 10 (Papago Freeway) to the screening process and criteria applied to other alternatives as described beginning on page 3-3 of the Final Environmental Impact Statement. The project team found the alternative would cause substantial traffic performance impacts on Interstate 10 (Maricopa Freeway) and U.S. Route 60 (Superstition Freeway); would not address the needs based on regional travel demand and existing and projected transportation system deficiencies (which were updated with Census 2010-based socioeconomic data presented in the Final Environmental Impact Statement beginning on page 1-11); would result in thousands of residential displacements and over one hundred business displacements; would adversely affect the communities in the South Mountain Village by constructing a barrier between schools, parks, and residences; and would not be consistent with local or regional planning. For these reasons, the U.S. Route 60 Extension to Interstate 10 (Papago Freeway) was eliminated from detailed study (see Table 3-5 on page 3-12 of the Final Environmental Impact Statement).</p> <p>A partial freeway from Interstate 10 (Papago Freeway) to Laveen Village is not reasonable because it would not meet the freeway's identified purpose and need. Construction of Carver Road between 59th and 51st avenues is included in the City of Phoenix <i>General Plan</i> transportation element. Improving 51st Avenue between Carver Road and Pecos Road would require permission of the Gila River Indian Community. Based on previous comments from the Gila River Indian Community related to pass-through traffic using 51st Avenue, the Gila River Indian Community would not support any activities that would increase unwanted traffic through its communities. Extending Pecos Road to 51st Avenue would not be feasible because</p>

(Response 8 continues on next page)

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Code	Issue	Response
8 (cont.)		<p>a portion would be located on Gila River Indian Community land, and the Gila River Indian Community has not provided permission to construct a facility on its land. Based on previous comments from the Gila River Indian Community related to pass-through traffic using 51st Avenue, the Gila River Indian Community would not support any activities that would increase unwanted traffic through its communities. Improvements to the arterial street system in the southwestern area (Laveen and Estrella Villages) are planned in the City of Phoenix <i>General Plan</i>. For these reasons, alternatives similar to the hybrid alternative proposed in the comment were eliminated from detailed study.</p> <p>Depressing the Pecos Road sections would entail installation of pump stations to drain the main line freeway. A depressed freeway would also need a drainage channel to capture the off-site flows to prevent their entering the freeway. Pump stations were not used because of the high cost of construction and maintenance needed for their operation. The recommended freeway configuration would have the E1 Alternative aboveground and the existing culverts extending to pass the drainage under the freeway. Pecos Road currently has numerous existing culvert crossings. Depressing the freeway in this area would eliminate the existing culvert crossings and potentially have adverse flooding impacts on adjacent properties. Extending the existing culverts or upsizing the culverts would maintain or improve drainage flows. This would ensure that there would be no adverse flooding impacts on adjacent properties. (See Final Environmental Impact Statement pages 3-15 and 3-18.) To reduce impacts by depressing the freeway in the Eastern Section, the Arizona Department of Transportation would:</p> <ul style="list-style-type: none">• need to spend an additional \$400 million for right-of-way acquisition and construction• displace an additional 300 residences• maintain additional pump stations and detention basins for the life of the freeway• would still have noise-related impacts requiring mitigation (i.e., noise barriers and their associated costs and visual impacts) <p>Because the below-ground option would result in substantially greater costs and residential displacements, this option was eliminated from further study.</p> <p>As stated on page 3-40 of the Final Environmental Impact Statement, the No-Action Alternative would not satisfy the purpose and need of the freeway because it would result in further difficulty in gaining access to adjacent land uses, increased difficulty in gaining access to Interstate and regional freeway systems from the local arterial street network, increased levels of congestion-related impacts, continued degradation in performance of regional freeway-dependent transit services, increased trip times, and higher user costs. Further, the No-Action Alternative would be inconsistent with Maricopa Association of Governments’ and local jurisdictions’ long-range planning and policies. The No-Action Alternative was included in the Draft and Final Environmental Impact Statements for detailed study to compare impacts of the action alternatives with the consequences of doing nothing (as impacts can result from choosing to do nothing). The impacts associated with the No-Action Alternative are discussed in each section of Chapter 4, <i>Affected Environment, Environmental Consequences, and Mitigation</i>, in the Final Environmental Impact Statement. These impacts are also summarized in Table S-3 on page S-10 of the <i>Summary</i> chapter of the Final Environmental Impact Statement.</p>

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 Page 4

data available for public review during the comment processes. *See, e.g.,* Comments of H. Basmaciyani, P.E. (included herewith). NEPA requires that the agency’s “data and conclusions” be provided to the public for timely review. *Oregon Natural Desert Ass’n v. BLM*, 625 F.3d 1092, 1099 (9th Cir. 2008).

Federal regulations require that an EIS “rigorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14. ADOT, however, considers only one action alternative for the eastern portion of the project. Even if we assume, *arguendo*, that the eastern and western segments of the freeway were not preordained, ADOT’s refusal to consider viable alternatives is yet another existential failure in the process otherwise required by law. ADOT rejects, for example, any light rail or commuter train alternative from detailed consideration because there are no logical termini on the preferred right-of-way. If, however, a light rail or commuter train alternative was considered along the existing I-10 right-of-way, it could have more of an impact on current and projected traffic conditions than the preferred alternative. In our comments on the DEIS (and reiterated in his report included herewith), traffic engineer H. Basmaciyani, P.E., proposed a number of alternatives, including a “hybrid” alternative that ADOT simply rejected without any consideration. The Gila River Indian Community proposed an eastern alignment north of South Mountain that would avoid impacts to South Mountain. These proposals were not rejected on their merits, rather ADOT simply refused to consider them. ADOT even refused to consider, without adequate explanation, a depressed freeway design along the preferred alternative route. *See*, Comments of C. Garrett, P.HGW (included herewith). ADOT similarly failed to give adequate consideration to the No Build Alternative.

This refusal to consider alternatives is not just a violation of NEPA. Section 4(f) of the Transportation Act prohibits the Secretary of Transportation from approving any project that requires the use of parkland (South Mountain) unless: (1) there is no prudent and feasible alternative to the use of the site; and (2) all possible planning has been taken to minimize harm to the site. 49 U.S.C. § 303(c). ADOT cannot demonstrate that it has conducted the thorough and probing analysis required by Section 4(f) and that it has met the above requisite elements. There are, as discussed in the comments included herewith, other aspects of Section 4(f) that ADOT has not met.

Indeed, ADOT essentially fails to adequately address all the issues/concerns we raised in our comments to the DEIS. Dr. Thurston reiterates his concerns with ADOT’s refusal/failure to adequately consider potential health impacts associated with the project,

commenters, including the Sierra Club. We further understand that ADOT intends to issue some sort of errata. It would appear, however, that none of these neglected comments were considered in the issuance of the FEIS – as required by law. It also appears unlikely that any of these comments will be utilized to inform the agency’s analysis.

Code	Issue	Response
9	Alternatives	<p>If feasible, avoidance of Section 4(f) resources is always the Federal Highway Administration and Arizona Department of Transportation's first option. As summarized in Figure 5-2 on page 5-4 of the Final Environmental Impact Statement, numerous alignment adjustments were made to avoid use of existing and planned Section 4(f) resources. As discussed on page 5-18 of the Final Environmental Impact Statement, many alternatives were examined to avoid the use of the South Mountains; however, none of these alternatives are prudent and feasible. The Department of the Interior reviewed the Final Environmental Impact Statement and commented, "The Department agrees that the South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project. These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the <i>"Measures to Minimize Harm"</i> on the Section 4(f) Statement pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment." The complete letter can be found in page A5 of this Appendix A.</p>
10	Health Assessment	<p>The analyses for carbon monoxide and particulate matter (PM₁₀) indicated that concentrations for these pollutants will be in compliance with (or below) the U.S. Environmental Protection Agency's health-based standards for these pollutants. As explained in the Final Environmental Impact Statement, the Federal Highway Administration does not conduct comparable analysis for mobile source air toxic pollutants, in part because the U.S. Environmental Protection Agency's health risk guidelines for these pollutants are based on 70-year exposure, and it is extremely unlikely that anyone would be at a fixed located near the project for 70 continuous years. Instead, the Federal Highway Administration conducted a mobile source air toxic emissions analysis for the area affected by the project, and found that emissions in the project design year will be roughly 80 percent lower than current emissions, and that the difference between building and not building the project is only about 1 percent. Emissions will increase in the immediate vicinity of the project corridor if the project is built; to address this, the Final Environmental Impact Statement includes a summary of past health risk studies for similar projects, all of which identified very low health risk, well below the U.S. Environmental Protection Agency's "Action Level" for addressing risk.</p> <p>Responses to specific comments are provided on the following pages.</p>

Code	Comment Document
11	<p>Re: PARC et al Comments on the SMF FEIS November 25, 2014 Page 5</p> <p>even though the U.S. EPA recommended that ADOT do a Health Assessment. <i>See</i>, Comments of G. Thurston, Sc.D. (included herewith). In a related commentary, Richard Haddow expands on his prior discussion of ADOT’s manipulation and misapplication of air modeling techniques/data to support construction of the project. <i>See</i>, Comments of R. Haddow (included herewith); <i>see, also</i>, Ex. 1 (Resolutions of the Tempe Union High School District and the Kyrene Elementary School District opposing construction of the SMF). ADOT also failed to comply with its obligations under Section 106 of the National Historic Preservation Act. South Mountain is a Traditional Cultural Property that is sacred to a number of tribes in the area. Notwithstanding, ADOT has, in part, failed to adequately consult and coordinate with the interested tribes throughout this process. ADOT has also failed to finalize a Programmatic Agreement with the tribes – which must be complete prior to conclusion of the NEPA process. <i>See</i>, Comments of S. Skenandore, J.D. (included herewith). As a practical matter it is impossible to mitigate desecration.</p> <p>This cover letter is not intended as a comprehensive dissertation vis-à-vis all of the problems associated with the project. Nor is it intended to identify all of the applicable legal requirements that ADOT has ignored in its quest to build the SMF. These shortcomings are discussed in greater detail in the Comments/Reports included herewith (and incorporated herein by this reference). As we pointed out previously, ADOT’s efforts to champion the SMF amount to a gross abuse of the public trust and an approximately \$3 billion waste of taxpayers’ money. The South Mountain Freeway will have a significant negative impact on the health of thousands of people, including children, who live and/or go to school near the proposed right-of-way. It will require the relocation of hundreds of homes, and dry up lakes and golf courses in the Ahwatukee area. The project will pollute the air, bombard residents with noise, negatively impact recreational opportunities, devalue homes, re-route large numbers of commercial trucks through an historic bedroom community, and destroy a large segment of the South Mountain Park – a valuable natural resource that is sacred to the Gila River Indian Community and other tribes in the area. This is a significant price to pay to achieve capacity deficiencies at levels comparable to the No Action Alternative on freeways and arterials throughout the Metropolitan Area.</p> <p>A more comprehensive Table of Contents follows this letter. The following people/organizations, <i>inter alia</i>, have, however, provided Comments on behalf of the “Commenters” that are attached hereto:</p> <p>1. Herman Basmaciyan, P.E.: Mr. Basmaciyan is a Registered Civil and Traffic Engineer in the State of California and a Registered Engineer (in retired status) in the states of Washington, Arizona, and Florida. He has over 50 years of experience in traffic and transportation engineering, traffic modeling and forecasting, and the preparation of traffic impact studies. Mr. Basmaciyan identifies myriad deficiencies in the</p>

Code	Issue	Response
11	Air Quality	Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The carbon monoxide and particulate matter (PM ₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.
12	Cultural Resources	<p>Section 106 of the National Historic Preservation Act requires a government-to-government relationship between the federal government and Native American Tribes as described beginning on page 4-140 of the Final Environmental Impact Statement. Section 106 requires that federal agencies take into account the effects of their undertakings on historic properties. Consultation has occurred with Gila River Indian Community government officials, the Tribal Historic Preservation Officer, the Cultural Resource Management Program, many different tribal authorities, and the State Historic Preservation Office. The consultation has resulted in concurrence from the Gila River Indian Community Tribal Historic Preservation Office, other tribal authorities, and the State Historic Preservation Office on National Register of Historic Places eligibility recommendations (including traditional cultural properties), project effects, and proposed mitigation and measures to minimize harm. This consultation has been ongoing and will continue until the commitments in the Record of Decision are completed.</p> <p>As noted in Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement, the Programmatic Agreement for the project was executed in 2006 (see Appendix 4-6 on page A674 in Volume II of the Final Environmental Impact Statement) by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer. The Tribes were invited to participate, but because the project is not located on tribal land, no Tribes are required to sign for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act. However, the Yavapai-Apache Nation, Fort McDowell Yavapai Nation, and Tonto Apache Tribe signed the Programmatic Agreement in 2007. The Gila River Indian Community was offered several opportunities to sign the Programmatic Agreement as a concurring party, but elected not to do so. However, as noted above, the Gila River Indian Community and other Tribes have been consulted throughout the environmental impact statement process.</p>

Code	Comment Document
13	<div><div>Re: PARC et al Comments on the SMF FEIS November 25, 2014 Page 5</div><div><p>even though the U.S. EPA recommended that ADOT do a Health Assessment. <i>See</i>, Comments of G. Thurston, Sc.D. (included herewith). In a related commentary, Richard Haddow expands on his prior discussion of ADOT’s manipulation and misapplication of air modeling techniques/data to support construction of the project. <i>See</i>, Comments of R. Haddow (included herewith); <i>see, also</i>, Ex. 1 (Resolutions of the Tempe Union High School District and the Kyrene Elementary School District opposing construction of the SMF). ADOT also failed to comply with its obligations under Section 106 of the National Historic Preservation Act. South Mountain is a Traditional Cultural Property that is sacred to a number of tribes in the area. Notwithstanding, ADOT has, in part, failed to adequately consult and coordinate with the interested tribes throughout this process. ADOT has also failed to finalize a Programmatic Agreement with the tribes – which must be complete prior to conclusion of the NEPA process. <i>See</i>, Comments of S. Skenandore, J.D. (included herewith). As a practical matter it is impossible to mitigate desecration.</p><p>This cover letter is not intended as a comprehensive dissertation vis-à-vis all of the problems associated with the project. Nor is it intended to identify all of the applicable legal requirements that ADOT has ignored in its quest to build the SMF. These shortcomings are discussed in greater detail in the Comments/Reports included herewith (and incorporated herein by this reference). As we pointed out previously, ADOT’s efforts to champion the SMF amount to a gross abuse of the public trust and an approximately \$3 billion waste of taxpayers’ money. The South Mountain Freeway will have a significant negative impact on the health of thousands of people, including children, who live and/or go to school near the proposed right-of-way. It will require the relocation of hundreds of homes, and dry up lakes and golf courses in the Ahwatukee area. The project will pollute the air, bombard residents with noise, negatively impact recreational opportunities, devalue homes, re-route large numbers of commercial trucks through an historic bedroom community, and destroy a large segment of the South Mountain Park – a valuable natural resource that is sacred to the Gila River Indian Community and other tribes in the area. This is a significant price to pay to achieve capacity deficiencies at levels comparable to the No Action Alternative on freeways and arterials throughout the Metropolitan Area.</p><p>A more comprehensive Table of Contents follows this letter. The following people/organizations, <i>inter alia</i>, have, however, provided Comments on behalf of the “Commenters” that are attached hereto:</p><p>1. Herman Basmaciyan, P.E.: Mr. Basmaciyan is a Registered Civil and Traffic Engineer in the State of California and a Registered Engineer (in retired status) in the states of Washington, Arizona, and Florida. He has over 50 years of experience in traffic and transportation engineering, traffic modeling and forecasting, and the preparation of traffic impact studies. Mr. Basmaciyan identifies myriad deficiencies in the</p></div></div>

Code	Issue	Response
13	Summary Information	<p>Specific responses to comments on the Final Environmental Impact Statement will be addressed as they appear later in this submission. In summary, however, the Federal Highway Administration and the Arizona Department of Transportation have produced the comprehensive multidisciplinary analysis of the effects of the South Mountain Freeway required by the National Environmental Policy Act; therefore, the project is not an abuse of public trust or a waste of taxpayer money. Council on Environmental Quality regulations [40 Code of Federal Regulations Section 1505.2(b)] require the Record of Decision to identify the environmentally preferable alternative. The environmentally preferable alternative is defined as the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources. Designation of the environmentally preferable alternative typically involves judgment and the balancing of some environmental values against others. The Council on Environmental Quality notes that comments on draft environmental documents (such as the Draft and Final Environmental Impact Statements for this project) can assist the lead agency in developing and determining environmentally preferable alternatives.</p> <p>Although the No-Action Alternative might have less environmental impact, this alternative does not meet the project’s purpose and need. Many mitigation measures have been added to the Record of Decision based on comments received on the Draft and Final Environmental Impact Statements. The Selected Alternative is the environmentally preferable alternative that satisfies the project’s purpose and need. Although the Selected Alternative does not have the least impact in every environmental discipline, the Arizona Department of Transportation believes that this alternative best balances environmental effects and benefits.</p> <p>The Selected Alternative will meet the project needs as well as or better than the other alternatives, and, in the case of the E1 Alternative, was determined to be the only prudent and feasible alternative in the Eastern Section of the Study Area. The Selected Alternative will have similar environmental effects on natural resources, cultural resources, hazardous materials, and noise; will displace fewer residences; will have the lowest impact on total tax revenues of local governments; will have lower construction costs; will result in less construction disruption overall to Interstate 10 (Papago Freeway); will mitigate and provide measures to minimize harm; represents all possible planning to minimize harm to resources afforded protection under Section 4(f); is favored by the majority of local governments; and will meet regulatory permitting requirements.</p>

Code	Issue	Response
14	Summary Information	Specific responses to comments on the Final Environmental Impact Statement will be addressed as they appear later in this submission.

Code

Comment Document

15

EXHIBIT 1

**Resolution Opposing Construction of the Loop
202 Freeway Extension by the
Governing Boards of the**

**Tempe Union High School District
(No. 213 of Maricopa County)
&
Kyrene Elementary School District
(No. 28 of Maricopa County)**

Code	Issue	Response
15		Title page.

Code

Comment Document

16

GOVERNING BOARD

TEMPE UNION HIGH SCHOOL DISTRICT No. 213 OF MARICOPA COUNTY

RESOLUTION

Opposing construction of Loop 202 Freeway Extension

RECITALS

A. Tempe Union High School District No. 213 of Maricopa County ("Tempe Union") is an "A" rated school district comprised of 7 high schools.

B. The District's boundaries encompass all of the Ahwatukee community in the City of Phoenix, parts of Chandler, the Town of Guadalupe, the City of Tempe, and the Gila River Indian community. The boundaries include a portion of the proposed site of the Loop 202 extension (the South Mountain Freeway) along Pecos Road.

C. Tempe Union enrolls more than 13,500 students in grades 9 through 12. Approximately 4,500 students are enrolled in Desert Vista High School and Mountain Pointe High School, in the Ahwatukee community of the City of Phoenix, which area will be subject to the greatest impact from an extension of the Loop 202 freeway.

D. Tempe Union has a strong interest in the safety of its students, their families and its employees, including their safe transportation to and from Tempe Union's schools and other worksites, on streets and highways within and near Tempe Union.

E. Tempe Union also has a strong interest in air quality and its impact upon the students, their families and its employees within the Tempe Union community, and respect for the environment of the Tempe Union community.

F. It is understood that South Mountain is sacred land to many persons residing in the Tempe Union community and nearby areas, and that the Loop 202 freeway as planned along the Pecos Road alignment would remove a portion of the Mountain.

G. The Tempe Union High School District Governing Board wishes to express its opposition to the proposed extension of the Loop 202 freeway west of Interstate 10 (the South Mountain Freeway) along the proposed Pecos Road alignment.

Code	Issue	Response
16		Resolution reviewed.

Code	Comment Document
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RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Governing Board of Tempe Union High School District No. 213 of Maricopa County:

The Governing Board recognizes that:

- Through a public study and comment process, a route along Pecos Road was identified.
- The environmental impact study indicates pollution resulting from this route will increase air pollution in the Tempe Union community. Levels of carbon monoxide near the proposed interchanges are projected to increase, and a meaningful evaluation of ozone concentrations at the project level is not possible, all according to the Arizona Department of Transportation.
- The Arizona Department of Transportation has stated that it is likely that construction of the proposed South Mountain Freeway along the Pecos Road alignment would include the need to acquire a number of existing homes and/or businesses, disrupting the lives of Tempe Union community residents and merchants and affecting attendance patterns in Tempe Union schools in the nearby areas.
- The increase in noise and traffic and impact on air quality will negatively impact the Tempe Union community and create new hazards and burdens for Tempe Union's schools in the vicinity of the South Mountain freeway.

Therefore, with community questions and concerns surrounding the construction of the South Mountain Freeway, and particularly its impact on the health and safety of Tempe Union students, their families and its employees residing and working in the Ahwatukee community, including Desert Vista High School and Mountain Pointe High School, the Governing Board opposes the extension of the Loop 202 freeway west of Interstate 10 (the South Mountain Freeway) along the Pecos Road alignment at this time, and urges the Arizona Department of Transportation and all other interested parties to select the "No Build" alternative as to this alignment.

Adopted by the Governing Board of Tempe Union High School District No. 213 of Maricopa County this 6th day of November, 2013.

Michelle Helm
Governing Board President

Attest:

Mary Lou Taylor
Governing Board Vice President

Code	Issue	Response
17	Air Quality	Although carbon monoxide levels will increase in an area where there is presently no freeway, they will be well below the U.S. Environmental Protection Agency's health-based National Ambient Air Quality Standard. The carbon monoxide and particulate matter (PM ₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. Potential ozone impacts are addressed through including the project in the Maricopa Association of Government's long-range transportation plan and transportation improvement program, which meet all Clean Air Act requirements related to conformity for the ozone National Ambient Air Quality Standards. As long as projects are included in a conforming plan, as is the case for the South Mountain Freeway, then they are considered to have complied with the Clean Air Act requirements applicable to ozone.
18	Acquisitions and Relocations	As noted on page 4-46 of the Final Environmental Impact Statement, no businesses will be acquired along the E1 (Pecos Road) Alternative. The impact on existing homes from the project are disclosed in the Final Environmental Impact Statement (see page 4-46).
19	Noise, Air Quality	<p>With regard to noise impacts, schools were included in the categories of activities considered in the noise pollution analysis for the project in keeping with 23 Code of Federal Regulations Part 772 (see page 4-88 of the Final Environmental Impact Statement). As stated in the Final Environmental Impact Statement, sensitive receivers, including schools, will be affected by implementation of the project. These impacts, however, will be mitigated as discussed beginning on page 4-91 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The noise analysis was updated for the Final Environmental Impact Statement (beginning on page 4-88). No substantial differences between the analyses in the Draft and Final Environmental Impact Statements resulted from the update.</p> <p>With regard to air quality, although carbon monoxide levels will increase in an area where there is presently no freeway, they will be well below the U.S. Environmental Protection Agency's health-based National Ambient Air Quality Standard. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. Potential ozone impacts are addressed through including the project in the Maricopa Association of Government's long-range transportation plan and transportation improvement program, which meet all Clean Air Act requirements related to conformity for the ozone National Ambient Air Quality Standards. As long as projects are included in a conforming plan, as is the case for the South Mountain Freeway, then they are considered to have complied with the Clean Air Act requirements applicable to ozone.</p> <p>To address the fact that emissions will increase along the project corridor, the Final Environmental Impact Statement includes a summary of past health risk studies for similar projects. The Federal Highway Administration considers this information more relevant and meaningful for communicating likely health risk than simply reporting an emissions number for the corridor. As explained in the Final Environmental Impact Statement and air quality technical report, all of these studies identified very low health risk, well below the U.S. Environmental Protection Agency's "Action Level" for addressing risk.</p>
20		Comment noted.

Code

Comment Document

21

GOVERNING BOARD

KYRENE ELEMENTARY SCHOOL DISTRICT No. 28 OF MARICOPA COUNTY

RESOLUTION

(Opposing construction of Loop 202 Freeway Extension)

RECITALS

A. Kyrene Elementary School District No. 28 of Maricopa County ("Kyrene") is an "A" rated school district comprised of 25 schools (19 elementary and 6 middle schools).

B. The District's boundaries encompass all of the Ahwatukee community in the City of Phoenix, and parts of Chandler, Guadalupe, Tempe and the Gila River Indian Reservation. The boundaries include a portion of the proposed site of the Loop 202 extension (the South Mountain Freeway).

C. Kyrene enrolls approximately 18,000 students in kindergarten through the 8th grade, and over 400 preschool children.

D. Kyrene has a strong interest in the safety of its students, employees and their families, including their safe transportation to and from Kyrene's schools and other worksites, on streets and highways within Kyrene.

E. Kyrene also has a strong interest in air quality and its impact upon the students and their families within the Kyrene community, and respect for the environment of the Kyrene community.

F. The Kyrene Elementary School District Governing Board wishes to express its position opposing the proposed extension of the Loop 202 freeway west of Interstate 10 (the South Mountain Freeway).

G. It is understood that South Mountain is sacred land to persons residing in the Kyrene community and nearby areas, and that the Loop 202 freeway as planned would remove a portion of the Mountain.

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Governing Board of Kyrene Elementary School District No. 28 of Maricopa County:

The Governing Board recognizes that:

- o Through a public study and comment process, a route along Pecos Road was identified.
- o The environmental impact study indicates pollution resulting from this route will increase air pollution in the Kyrene community. Levels of carbon monoxide near the proposed interchanges are projected to increase, and a meaningful evaluation of ozone concentrations at the project level is not possible, all according to the Arizona Department of Transportation.

22

Code	Issue	Response
21		Resolution reviewed.
22	Air Quality	Although carbon monoxide levels will increase in an area where there is presently no freeway, they will be well below the U.S. Environmental Protection Agency's health-based National Ambient Air Quality Standard. The carbon monoxide and particulate matter (PM ₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. Potential ozone impacts are addressed through including the project in the Maricopa Association of Government's long-range transportation plan and transportation improvement program, which meet all Clean Air Act requirements related to conformity for the ozone National Ambient Air Quality Standards. As long as projects are included in a conforming plan, as is the case for the South Mountain Freeway, then they are considered to have complied with the Clean Air Act requirements applicable to ozone.

Code	Comment Document
23	<p>o The Governing Board opposes the alignment of the Loop 202 freeway along the present route of Pecos Road.</p>
24	<p>o The Arizona Department of Transportation has stated that it is likely that the proposed South Mountain Freeway would include the need to acquire a number of existing homes and/or businesses, disrupting the lives of Kyrene community residents and merchants and affecting attendance patterns in Kyrene schools in the nearby areas.</p>
25	<p>o The increase in noise and traffic and impact on air quality will negatively impact the Kyrene community and create new hazards and burdens for Kyrene's schools in the vicinity of the Loop 202 freeway.</p>
26	<p>Therefore the Governing Board opposes the extension of the Loop 202 freeway west of Interstate 10 (the South Mountain Freeway) along the Pecos Road alignment, and urges the Arizona Department of Transportation and all other interested parties to select the "No Build" alternative as to this alignment.</p> <p>Adopted by the Governing Board of Kyrene Elementary School District No. 28 of Maricopa County this _____ day of _____, 2013.</p> <p>_____ Beth Brize! Governing Board President</p> <p>_____ Bernadette Coggins Governing Board Vice President</p> <p>_____ Ross Robb Governing Board Member</p> <p>_____ Michelle Hirsch Governing Board Member</p> <p>_____ John King Governing Board Member</p>

Code	Issue	Response
23		Comment noted.
24	Acquisitions and Relocations	As noted on page 4-46 of the Final Environmental Impact Statement, no businesses will be acquired along the E1 (Pecos Road) Alternative. The impact on existing homes from the project are disclosed in the Final Environmental Impact Statement (see page 4-46).
25	Noise, Air Quality	<p>With regard to noise impacts, schools were included in the categories of activities considered in the noise pollution analysis for the project in keeping with 23 Code of Federal Regulations Part 772 (see page 4-88 of the Final Environmental Impact Statement). As stated in the Final Environmental Impact Statement, sensitive receivers, including schools, will be affected by implementation of the project. These impacts, however, will be mitigated as discussed beginning on page 4-91 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The noise analysis was updated for the Final Environmental Impact Statement (beginning on page 4-88). No substantial differences between the analyses in the Draft and Final Environmental Impact Statements resulted from the update.</p> <p>With regard to air quality, although carbon monoxide levels will increase in an area where there is presently no freeway, they will be well below the U.S. Environmental Protection Agency's health-based National Ambient Air Quality Standard. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. Potential ozone impacts are addressed through including the project in the Maricopa Association of Government's long-range transportation plan and transportation improvement program, which meet all Clean Air Act requirements related to conformity for the ozone National Ambient Air Quality Standards. As long as projects are included in a conforming plan, as is the case for the South Mountain Freeway, then they are considered to have complied with the Clean Air Act requirements applicable to ozone.</p> <p>To address the fact that emissions will increase along the project corridor, the Final Environmental Impact Statement includes a summary of past health risk studies for similar projects. The Federal Highway Administration considers this information more relevant and meaningful for communicating likely health risk than simply reporting an emissions number for the corridor. As explained in the Final Environmental Impact Statement and air quality technical report, all of these studies identified very low health risk, well below the U.S. Environmental Protection Agency's "Action Level" for addressing risk.</p>
26		Comment noted.

Code Comment Document

INDEX of COMMENTS

(November 25, 2014)

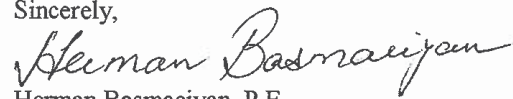
27

<u>Comment</u>	<u>Description</u>
1	Review and Critique of FEIS for Loop 202 (South Mountain Freeway) by Herman Basmaciyen, P.E.;
2	SWCA Comments on ADOT South Mountain Freeway Final EIS (September 2014)
3	Comment from Chris Garret, B.S., P. HGW, at SWCA regarding South Mountain Freeway (Loop 202) EIS Depressed Freeway Alternative;
4	Response to Final Environmental Impact Statement (FEIS) Socioeconomic Factors by Kevin Kane;
5	Response to ADOT 10/2014 Response to Comments on the Loop 202 South Mountain Freeway by George D. Thurston, Sc.D.;
6	Comments on the South Mountain Freeway/202 Loop Final Environmental Impact Statement (FEIS) Air Quality Component by Richard Haddow;
7	Response to South Mountain Freeway (Loop 202) Final Environmental Impact Statement (FEIS) by Aaron Golub, Ph.D.;
8	Comments on the South Mountain Freeway Final Environmental Impact Statement (FEIS) and Section 4(F) Evaluation Issued September 2014 Regarding Impacts to Cultural Resources by Samantha Skenadore, Of Counsel, The Shanker Law Firm, PLC;
9	Response to Final Environmental Impact Statement (FEIS) Section 4(F) Resources;

Code	Issue	Response
27		Table of contents.

Code	Comment Document	
27	10	Lakewood Community Association's Concerns & Response to FEIS for Loop 202 (South Mountain Freeway) by Lakewood Community Association Board of Directors;
	11	Comments on the FEIS and Specific Responses to Lawlis DEIS comments (FEIS pages B545-B592);
	12	Don't Waste Arizona, Inc. Response to South Mountain Freeway FEIS by President Stephen M. Brittle;
	13	Rebuttal and Responses regarding DEIS for the South Mountain Freeway by Hugh S. Mason, Ph.D., Associate Professor, Arizona State University;
	14	Reply Comments on FEIS from Nicolai V. Kuminoff;
	15	Comments on FEIS from Scott Herman;
	16	Comments on FEIS Patti Mason;
	17	Comments on the South Mountain Freeway (Loop 202) Final Environmental Impact Statement and Section 4 (f) Evaluation ("FEIS") from James E. Jochim - WITH "MASTER PLAN SUBDIVISION COMPOSITE" MAP dated April 1995 hand-delivered to ADOT at time of Delivery of Comments.

Code	Issue	Response

Code	Comment Document
29	<div><p>HERMAN BASMACIYAN, P.E. Traffic, Transportation, Parking Expert Witness and Consulting Services 701 Marguerite Avenue Corona del Mar, CA 92625 Tel: 949-903-5738 herman.b@roadrunner.com</p><p>November 20, 2014</p><p>Ms. Pat Lawlis President, Protecting Arizona’s Resources and Children (PARC) P.O.Box 50455 Phoenix, Arizona 85076-0455</p><p>Proj. No. 130601</p><p>Subject: Review of FEIS for Loop 202, South Mountain Freeway</p><p>Dear Ms. Lawlis:</p><p>Per your request, I have reviewed, in addition to my prior review of the DEIS, the Final Environmental Impact Statement (FEIS) for Loop 202, South Mountain Freeway (SMF) and related documents pertaining to travel modeling, traffic, circulation, and transportation and traffic engineering/planning.</p><p>Based on my review of the documents cited above and my education, professional knowledge and many years of experience, I have identified deficiencies and/or omissions in the NEPA documentation for the Loop 202 South Mountain Freeway project. These deficiencies and/or omissions are discussed in my report, attached. In view of these deficiencies and/or omissions, I have concluded that the FEIS leads to the selection of a Preliminarily Preferred Action Alternative, improperly.</p><p>Please contact me if I can provide further details or clarification about any matters covered in this letter and the attached report.</p><p>Sincerely,  Herman Basmacıyan, P.E.</p></div>

Code	Issue	Response
29		Introductory comments. Specific comments are addressed below.

Code	Comment Document
30	<div><p>REVIEW AND CRITIQUE of FEIS FOR LOOP 202 (SOUTH MOUNTAIN FREEWAY)</p><p>Prepared for Protect Arizona’s Resources and Children (PARC), et al. Phoenix, Arizona</p><p>by Herman Basmaciyan, P.E. November 20, 2014</p><p>2</p></div>

Code	Issue	Response
30		Title page.

Code	Comment Document
31	<div><div>TABLE OF CONTENTS</div><div><div>SECTION 1:</div><div>LOOP 202 SOUTH MOUNTAIN FREEWAY -- COMMENTS ON THE FEIS RESPONSES</div><div>INTRODUCTION Page 5</div><div>COMMENTS ON THE FEIS RESPONSES Page 5</div><div>DIFFULTY OF OBTAINING MAG TRAVEL FORECASTING MODEL INFORMATION Page 25</div><div>SECTION 2:</div><div>LOOP 202 SOUTH MOUNTAIN FREEWAY ISSUES STILL NOT ADDRESSED ADEQUATELY IN THE NEPA EIS PROCESS</div><div>INTRODUCTIONPage 28</div><div>DISCUSSION OF ISSUES STILL NOT ADEQUATELY ADDRESSED IN THE NEPA PROCESS Page 28</div><div>EXHIBIT 1 - COMPARISONS OF SOCIO-ECONOMIC FORECASTS IN DEIS AND FEIS Page 41</div></div></div>

Code	Issue	Response
31		Table of contents.

Code	Issue	Response
33	Purpose and Need	<p>The 2007 Maricopa Association of Governments socioeconomic projections were based on the 2005 special Census survey and were approved in May 2007. This projection series was developed using Maricopa County and State control totals from the Arizona State Demographer's Office. The projections incorporated the current known development projects, adopted land use plans, and assumptions based on conditions at that time, but growth patterns at all levels (state, county, and sub-county) were affected by the housing boom of the early 2000s. These projections were the current adopted projection series at the time of publication of the Draft Environmental Impact Statement. The 2013 Maricopa Association of Governments socioeconomic projections were based on the 2010 Census and were approved in June 2013, after the Draft Environmental Impact Statement was published. This projection series reflected the impacts of the economic downturn and the housing market bust that started in 2008. The updated series took into account the housing foreclosure crisis and the numerous known development projects from the 2007 projection series that were canceled or altered, along with new development projects, updated land use plans, and assumptions, which were incorporated into the 2013 projections. Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer's Office. The projections by the Arizona State Demographer's Office were produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published but before the Final Environmental Impact Statement was issued.</p> <p>The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).</p>
34	Traffic	<p>The point of the comment is understood; however, the point of the response is that the local conditions and setting of the Phoenix metropolitan area are not consistent with areas of high-density cities in other parts of the country. In Maricopa County, daily vehicle miles traveled levels increased by almost 2 percent between 2011 and 2012, and the 2012 daily vehicle miles traveled are approaching the prerecession peak in 2007. (Source: the Arizona Department of Transportation's Multimodal Planning Division's Highway Performance Monitoring System Data for calendar years 2011 and 2012).</p>
35	Purpose and Need	<p>The actual need defined in Chapter 1 of the Draft and Final Environmental Impact Statements is based on both socioeconomic factors (see page 1-11) and on regional transportation demand and existing and projected transportation system deficiencies (see page 1-13). Geographic distribution of projected growth by subregion is presented on page 1-12 of the Final Environmental Impact Statement.</p>

Code	Comment Document
36	Comment 114- The response is inadequate because of the reasons set forth in Comments 146 through 150.
37	Comment 115- The response re-iterates statements from the DEIS and does not add any new information.
38	Comment 116- The response is adequate and explains that the socio-economic forecasts developed in 2013 were used in the traffic forecasting process.
39	Comment 117- This is an introductory statement to the subsequent itemized comments; appropriately, the response directs the reader to the subsequent comments.
40	Comment 118- While it is true that the Proposed Action would add freeway capacity in the region, the reductions in congestion on specific facilities are minor. Travel time reductions are minor except for travel between some specific pairs of origin/destination combinations. There does not appear to be an overwhelming need for a freeway in the eastern portion of Loop 202 SMF. All things considered, the expenditure of \$2 billion does not appear to accomplish much based on the information presented,
39	Comment 119- Considering that the comment is not specific in this summary statement, the response is adequate. Please refer to Item 210 for additional information.
37	Comment 120- The response repeats statements from the DEIS. It does not offer new informative and is not adequate.
33	Comment 121- As indicated in MAG Publication “Socioeconomic Projections, Population, Housing, and Employment by Municipal Planning Area and Regional Analysis Zone” dated June 2013, population and employment projections for 2020, 2030, and 2040 were available as early as May 2012 and were adopted by the MAG Regional Council in December 2012. The adoption was for the Countywide total, at the level of Municipal Planning Areas (MPA), and at the level of Regional Analysis Zones (RAZ). Therefore, the preparers of the DEIS were, or should have been, aware that new projections were available and that the 2035 population projection in the DEIS exceeded the “new” 2040 projections (6,545,000 for 2035 in the DEIS, compared to 6,175,000 adopted for 2040). Likewise, in the DEIS the 2035 Countywide projection for employment was 3,600,000, compared to the adopted 2040 employment projection of 3,096,600. These large differences in the population and employment forecasts were known to the preparers but were not disclosed at the time the DEIS was circulated for comment. Since this information was not disclosed, the stakeholders and the

Code	Issue	Response
36	Purpose and Need	The original comment draws conclusions from summarized information. As pointed out on page S-1, in the sidebar, “ <i>What you will find in the Summary chapter,</i> ” the text in the <i>Summary</i> chapter is not the “final word,” and readers are urged to turn to the main text when questions about <i>Summary</i> chapter content arise.
37	Alternatives	As stated in the response to comments, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression in accordance with the National Environmental Policy Act. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the alternatives development and screening process presented in Chapter 3 of the Final Environmental Impact Statement. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).
38	Traffic	Comment noted.
39		Comment noted.
40	Purpose and Need	<p>The need for the project is based on socioeconomic factors and regional transportation demand and existing and projected transportation system capacity deficiencies (see text beginning on page 1-11 of the Final Environmental Impact Statement). The analysis of the responsiveness of the freeway to the purpose and need criteria is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternative would:</p> <ul style="list-style-type: none"> · reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13) · optimize travel on the region’s freeway system (see Figure 3-12) · reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14) · reduce the duration of level of service E or F conditions in key areas of the region’s freeway system (see Figure 3-15) · improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8) · provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits approximate \$200 million per year (see Table 4-27).</p>

Code	Comment Document
41	<p>public were deprived of the opportunity to make informed judgments. Even now, the population and employment forecasts at the Traffic Analysis Zone (TAZ) level are not readily available to the stakeholders and the public. Also, the FEIS does not state by whom 2035 population and employment forecasts at the level of Traffic Analysis Zones (TAZ) were approved in June of 2013 is not stated in the FEIS.</p> <p>Comment 122 –ADOT failed to provide a satisfactory response. No substantive new information was added to the response given to Comment 121.</p> <p>Comment 123 – The last sentence states that the proposed project is needed today. An analysis of the benefits of the proposed action under current conditions is not presented in the DEIS or the FEIS. Incidentally, the analysis of current problems and solutions is not dependent on socio-economic forecasts. The DEIS and FEIS present current/recent traffic counts that indicate that congestion exists now on some segments of the freeway system in the region. However, no analysis is presented as to how the proposed action would help alleviate these problems and how much traffic there would be on the Loop 202 SMF under today’s conditions. Also, no response is provided to the comments about the national trends of reductions in VMT per household.</p> <p>Comment 124-- ADOT failed to provide adequate response. The response rejects the statement in the comment that growth will likely occur in cyclical fashion, and then expresses the same thought in terms of smoothing out the projected growth. The main point is missed, which is that the 2035 forecasts will be lower than what is shown in the DEIS when the 2010 Census information is taken into consideration.</p> <p>Comment 125 – ADOT erred in stating that “<i>Nowhere in the Draft Environmental Impact Statement is reference made that the proposed action is needed to comply with the Regional Transportation Plan.</i>” The following quote (from Page 1-21 of the DEIS and the FEIS) makes it clear that the completion of the loop system is needed:</p> <p><i>“Major points establishing the need for a major transportation facility are:</i></p> <p><i>“Regional plans have recognized the need for completing the loop system around the Phoenix metropolitan area for over 25 years. The Southwest Loop Highway, a major element of the region’s freeway loop, or beltway, system was integral to the Regional Freeway and Highway System approved by Maricopa County voters in 1985. In 1988, this plan was carried forward as a State-level EA and DCR for the Southwest Loop Highway (now known as the South Mountain Freeway). The same route was approved by the STB in the same year. Although other facilities were considered a higher priority</i></p>

Code	Issue	Response
41	Purpose and Need	Information used in the completion of the Final Environmental Impact Statement may be found in the <i>Traffic Overview</i> report. The traffic analysis zones were approved by the Maricopa Association of Governments.
42	Purpose and Need	The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i> , and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).
43	Purpose and Need	<p>The point made was that the freeway, if constructed today, would result in reductions in congestion and traffic operational improvements. These reductions in congestion and traffic operational improvements will be even more pronounced in the future with additional regional population growth. Based on Maricopa Association of Governments traffic projections, the freeway will carry between 70,000 and 129,000 vehicles per day in 2020 when operational.</p> <p>In Maricopa County, daily vehicle miles traveled levels increased by almost 2 percent between 2011 and 2012 and the 2012 daily vehicle miles traveled is approaching the prerecession peak in 2007. (Source: Arizona Department of Transportation Multimodal Planning Division Highway Performance Monitoring System Data for calendar years 2011 and 2012). Even if the trend of vehicle miles traveled “per capita” decreasing continues, the total vehicle miles traveled in the region will still increase along with increases in total population.</p>
44	Purpose and Need	The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i> , and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).
45	Purpose and Need	The response is stating that the purpose and need for the project is not based only on the fact that the project is in the <i>Regional Transportation Plan</i> . The needs for the South Mountain Freeway are identified in Chapter 1 of the Final Environmental Impact Statement.

Code	Comment Document
	<p>early in the Regional Freeway and Highway System, the South Mountain Freeway was a part of the initial Regional Freeway and Highway System in 1985 and has been included in every subsequent update. In 2004, Maricopa County voters approved Proposition 400, which was designed to fund completion of the remaining segments of the Regional Freeway and Highway System, including the South Mountain Freeway. A major transportation facility in the Study Area would implement the facility recognized in over 25 years of planning.”</p>
46	<p>The response misses the main point of the comment that some alternatives may not have been included in the range of reasonable alternatives because of the emphasis placed on the historical context. The Purpose and Need does not include more specific needs for the Proposed Action, in addition to region-wide issues. This lack of specificity for the Study Area and the Southwest area in general, precludes the inclusion of some alternatives in the range of reasonable alternatives.</p>
47	<p>Comment 126 – ADOT failed to provide adequate response. The comment was that some alternatives were dismissed too early or without due consideration. The FEIS states that alternatives were dismissed only after careful consideration, but does not add any new explanation as to the nature and scope of the careful considerations beyond what is included in the DEIS or FEIS.</p>
	<p>Comment 127, Comment 128, and Comment 129 – Inadequate response to the comment is provided and no supporting data is presented.</p>
	<p>Comment 130 and Comment 131 – These are introductory statements leading to the specific comments that follow. No response is needed and none was provided.</p>
	<p>Comment 132 – The response in the FEIS states that “<i>The noted duplicate criterion has been deleted from the Final Environmental Impact Statement.</i>” However, in the FEIS the “duplicate criterion” is not deleted; it is woven into the 1st bullet item. No further explanation is provided.</p> <p>Following is quoted from the DEIS:</p>
	<p><i>The following general categories reflect the criteria established for the screening process (Alternatives Screening Report [2003]):</i></p> <ul style="list-style-type: none"> ➤ <i>ability to satisfy purpose and need</i> ➤ <i>ability to minimize impacts on the human and natural environments</i> ➤ <i>ability to improve operational characteristics of the region’s transportation system</i> ➤ <i>degree of public and political acceptability</i> ➤ <i>consideration of overall conceptual cost estimates</i>

Code	Issue	Response
46	Purpose and Need, Alternatives	<p>The need for the project is based on socioeconomic factors and regional transportation demand and existing and projected transportation system capacity deficiencies (see text beginning on page 1-11 of the Final Environmental Impact Statement). Socioeconomic forecasts show population, housing, and employment increasing at high rates. Projections for 2035 are of a population of 5.8 million, housing of 2.3 million dwelling units, and an employment level of 2.9 million jobs. Increases in vehicle miles traveled are expected to meet or exceed growth of the three socioeconomic trends. Almost 50 percent of the projected regional growth is expected to occur in areas that will be immediately served by the freeway. The identified Study Area is an appropriate area for assessing the need for a major new transportation infrastructure project when considering past and existing regional transportation planning and in the context of projected socioeconomic trends in the southwestern Maricopa Association of Governments region. Without a major transportation facility in the Study Area, the region will suffer even greater congestion, travel delays, and limited options for moving people and goods safely through the Phoenix metropolitan region.</p> <p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the systematic alternatives development and screening process presented in Chapter 3 of the Draft and Final Environmental Impact Statements. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).</p> <p>The alternatives development and screening process considered the ability of an alternative to minimize impacts on the human and natural environments (see page 3-3 of the Final Environmental Impact Statement). Throughout the process described beginning on page 3-3, environmental impacts are used to eliminate alternatives. In the evaluation of action alternatives (see text beginning on page 3-62 of the Final Environmental Impact Statement), environmental and societal impacts play a substantial role in the identification of the W59 and E1 Alternatives as the Preferred Alternative. In comparison to the other action alternatives studied in detail, the Preferred Alternative is the least harmful alternative.</p> <p>The Final Environmental Impact Statement considers all alternatives brought forward during the National Environmental Policy Act process. The comment suggests no alternatives that were not fully considered.</p>
47	Alternatives	<p>As noted on page 3-1 of the Final Environmental Impact Statement, the document <i>Validation of the Alternatives Screening Process at the FEIS Stage</i> (2014) provided a reassessment and validation of the alternatives screening process for the Final Environmental Impact Statement, including the revised traffic projections. This document was available for public review. Therefore, the information presented in the Final Environmental Impact Statement addressed the reconsideration and elimination of alternatives adequately, and no additional information is deemed necessary.</p>

Code	Comment Document
	<p>early in the Regional Freeway and Highway System, the South Mountain Freeway was a part of the initial Regional Freeway and Highway System in 1985 and has been included in every subsequent update. In 2004, Maricopa County voters approved Proposition 400, which was designed to fund completion of the remaining segments of the Regional Freeway and Highway System, including the South Mountain Freeway. A major transportation facility in the Study Area would implement the facility recognized in over 25 years of planning."</p>
	<p>The response misses the main point of the comment that some alternatives may not have been included in the range of reasonable alternatives because of the emphasis placed on the historical context. The Purpose and Need does not include more specific needs for the Proposed Action, in addition to region-wide issues. This lack of specificity for the Study Area and the Southwest area in general, precludes the inclusion of some alternatives in the range of reasonable alternatives.</p>
	<p>Comment 126 – ADOT failed to provide adequate response. The comment was that some alternatives were dismissed too early or without due consideration. The FEIS states that alternatives were dismissed only after careful consideration, but does not add any new explanation as to the nature and scope of the careful considerations beyond what is included in the DEIS or FEIS.</p>
48	<p>Comment 127, Comment 128, and Comment 129 – Inadequate response to the comment is provided and no supporting data is presented.</p>
49	<p>Comment 130 and Comment 131 – These are introductory statements leading to the specific comments that follow. No response is needed and none was provided.</p>
50	<p>Comment 132 – The response in the FEIS states that "<i>The noted duplicate criterion has been deleted from the Final Environmental Impact Statement.</i>" However, in the FEIS the "duplicate criterion" is not deleted; it is woven into the 1st bullet item. No further explanation is provided.</p> <p>Following is quoted from the DEIS:</p> <p><i>The following general categories reflect the criteria established for the screening process (Alternatives Screening Report [2003]):</i></p> <ul style="list-style-type: none"> ➤ <i>ability to satisfy purpose and need</i> ➤ <i>ability to minimize impacts on the human and natural environments</i> ➤ <i>ability to improve operational characteristics of the region's transportation system</i> ➤ <i>degree of public and political acceptability</i> ➤ <i>consideration of overall conceptual cost estimates</i>

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Code	Comment Document
51	<p>The wording in the FEIS is:</p> <p><i>The following general categories reflect the criteria established for the screening process (Alternatives Screening Report [2003], see sidebar on page 3-2):</i></p> <ul style="list-style-type: none"> ➤ <i>ability to satisfy purpose and need, namely by improving operational characteristics of the region's transportation system</i> ➤ <i>ability to minimize impacts on the human and natural environments</i> ➤ <i>degree of public and political acceptability</i> ➤ <i>consideration of overall conceptual cost estimates</i> <p>This rewording creates the appearance of responding to the comment while it changes nothing.</p> <p>Comment 133 – This is an introductory statement leading to specific comments that follow. No response is needed and none was provided.</p>
52	<p>Comment 134 – This comment was made in the context that some alternatives, including the “No Action” alternative, were dismissed without thorough analysis and due consideration. The response misses the point that sufficient back-up information is not provided for the dismissal of any of the alternatives.</p>
53	<p>Comment 135– The last sentence in the 1st paragraph of the response states that “<i>A partial freeway from Interstate 10 (Papago Freeway) to Laveen Village is not feasible because it would not meet the proposed freeway's identified purpose and need.</i>” This sentence is incorrect because this segment would not be a partial freeway but would be part of a series improvements that would connect the logical termini identified in the Purpose and Need. This sentence is also incorrect because the freeway, although shorter than the “Proposed Action” would, in fact, add freeway capacity to the region's freeway system, thus it would be consistent with the Purpose and Need.</p> <p>In the 2nd paragraph of the Response it is stated that “<i>Construction of Carver Road between 59th and 51st avenues is included in the City of Phoenix General Plan transportation element.</i>” Accordingly, its construction should present no major obstacles and this segment can be incorporated into the system connecting the logical termini.</p> <p>In the 3rd paragraph of the response, the problems associated with improvements of the segment along 51st Avenue between Carver Road and a westerly extension of Pecos Road is rejected on the basis of the sovereign rights of the Community and the speculation that these improvements would not be acceptable to the Community. The word “speculation”</p>

Code	Issue	Response
51		Comment noted.
52	Alternatives	<p>40 Code of Federal Regulations Section 1502.21 states that agencies shall incorporate material into an environmental impact statement by reference when the effect will be to cut down on bulk without impeding agency and public review of the action. The incorporated material shall be cited in the statement and its content briefly described. No material may be incorporated by reference unless it is reasonably available for inspection by potentially interested persons within the time allowed for comment.</p> <p>The individual alternatives screening documents were referenced throughout Chapter 3 of the Draft Environmental Impact Statement, and these documents were provided when requested. In addition, as noted on page 3-1 of the Final Environmental Impact Statement, the document <i>Validation of the Alternatives Screening Process at the FEIS Stage</i> (2014) provided a reassessment and validation of the alternatives screening process for the Final Environmental Impact Statement, including the revised traffic projections. This document was also available for public review.</p>
53	Alternatives	<p>As stated on page 3-19 of the Final Environmental Impact Statement, lower-capacity roadways (Arizona Parkway) were considered as alternatives to the full freeway. These lower-capacity roadways would lack sufficient capacity to meet the projected travel demand. Therefore, the combination of roadways mentioned using a partial freeway, Pecos Road, Carver Road, and 51st Avenue, would not meet the projected travel demand and would, therefore, not meet the project's stated purpose and need.</p> <p>The anticipated Gila River Indian Community objections to improvements of 51st Avenue are not as speculative as the comment states. As stated on page 2-10 of the Final Environmental Impact Statement, the Gila River Indian Community expressed concerns about increasing traffic through residential areas along 51st Avenue, such as increased traffic, noise, and safety issues related to speeding vehicles in pedestrian-oriented areas.</p>

Code	Comment Document
	<p>is used in the previous sentence because the response does not state that arterial improvements along 51st Avenue were presented to the Community in the context of this hybrid alternative. If the hybrid alternative had been presented to the Community with appropriate explanations, it might have been viewed more favorably by the Community than an eight-lane freeway on Community lands. The Community was not presented with this option in comparison to the 8-lane freeway option, therefore did not have the opportunity to make an informed decision.</p> <p>The 4th paragraph of the response states that <i>“Extending Pecos Road to 51st Avenue would not be feasible because a portion would be located on Gila River Indian Community land, and the Gila River Indian Community has not provided permission to construct a facility on its land.”</i> Similarly to the segment involving arterial improvements along 51st Avenue, the option of constructing an arterial extension of Pecos Road was not presented to the Community and the public, thus depriving the Community of the opportunity to evaluate this option in comparison to the 8-lane freeway option. The Community did not have the opportunity to make an informed decision on this alternative that did not affect SMF. This is critical not only because of NEPA requirements but the requirements of Section 4(f) of the Transportation act.</p> <p>The addition of the arterials as planned will add substantial capacity to the transportation network and will help meet the needs identified in the Purpose and Need.</p> <p>In the response any potential advantages/benefits of the hybrid alternative are not considered. The response ends with the following statement in the 6th paragraph <i>“For these reasons, alternatives similar to the hybrid alternative proposed in the comment were eliminated from detailed study.”</i> The hybrid alternative is dismissed without due evaluation along with “other similar alternatives.” Since the “other similar alternatives are not identified, it is appropriate to consider carefully some of the distinguishing attributes of the hybrid alternative:</p> <ul style="list-style-type: none">✓ It would provide a connection, with higher speeds than an arterial between the logical termini identified in the FEIS.✓ It would add freeway capacity where it is needed the most, along the 59th Avenue segment, along the same alignment and design standards as the Proposed Action.✓ The new arterial segments would have limited role in serving abutting property because there is no existing development along these segments, and opportunities for future development are few. By appropriate design standards, access to future developments can be confined to very few locations, and continuous traffic flow at high arterial speeds can be maintained. <p>10</p>

Code	Issue	Response
54	Purpose and Need	The improvements to the arterial street network as included in the <i>Regional Transportation Plan</i> are included in the travel demand modeling performed for the South Mountain Freeway. Despite this additional capacity, the capacity is insufficient for the projected demand.

Code	Comment Document
55	<p>✓ Advanced traffic control methods using Intelligent Transportation Systems (ITS) technologies can be very effective in achieving good signal progression and maintaining traffic flow along the arterials with little or no delay at traffic signals.</p> <p>✓ There would be no impacts on South Mountain.</p> <p>✓ The cost of developing the hybrid alternative would be substantially less than the Preferred Action because of the elimination of freeway construction along the FEIS E1 segment.</p> <p>For these reasons, the hybrid alternative should receive serious consideration and should not be dismissed along with unidentified similar alternatives.</p> <p>Comment 136 – NEPA requires consideration of alternatives, even if outside the jurisdiction of the agency. Refusal to consider alternatives that may impact Gila River Indian Community land deprives the Community, and others, of the ability to reach fully informed decisions about the impacts of any proposed alignment. As a practical matter, the Community does not appear to have been presented, even preliminary/superficial data on any other potential alternative alignments that might impact their property. A good example is the hybrid alternative discussed in detail in Comment 135.</p>
56	<p>Comment 137 – Response misses the point of the comment. It is stated on Page 3-18 that the depressed alternative would be 150 acres more than the rolling profile. But it was and still remains unclear if this difference is estimated for the 8-lane or 10-lane freeway. More importantly, if the number of parcels to be taken would be any less with the 8-lane compared to the 10-lane freeway. The ambiguity arises because the decision of the 8-lane v. 10-lane freeway was made in the Tier 4 screening, which is presented starting on Pages 3-19, after the discussion of the right-of-way differences. The Depressed Alternative was dismissed in Tier 3.</p>
57	<p>Comment 138 – This is a quote from the DEIS and introductory to Comment 139. No response is needed and none was provided.</p>
58	<p>Comment 139 - The response clouds the issue rather than clarifying it because it does not answer the main issue in the comment which is whether the right-of-way need for a depressed 8-lane freeway would be less than the right-of-way need for an 8-lane freeway with a rolling profile.</p>
59	<p>Comment 140 – The response cites Table 3-5 on Page 3-12 as supporting information, and states that “As noted in Table 3-5 on page 3-12 of the Draft Environmental Impact Statement, the Ray Road and Chandler Boulevard alternatives would result in hundreds of residential and business displacements and would split the Ahwatukee Foothills</p>

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Code	Issue	Response
55	Alternatives	Dismissal of all alternatives affecting Gila River Indian Community land is appropriate. The resolution by the Gila River Indian Community of not allowing alternatives on its land is sufficient evaluation. The Gila River Indian Community has consistently stated (beginning in 2000, with a Community Council resolution) that it is not interested in an alternative on its land. See Final Environmental Impact Statement Chapter 2, <i>Gila River Indian Community Coordination</i> . As stated earlier, provision of alternatives without sufficient capacity would not meet the project's stated purpose and need.
56	Alternatives	The estimate assumes an eight-lane facility. The alternative analysis process is iterative. Although a depressed freeway was analyzed earlier, it was reexamined when consideration of an eight-lane facility was conducted (this reevaluation is documented in the memorandum, <i>Validation of Alternatives Screening Process at the FEIS Stage</i> [2014], available on the project Web site at <azdot.gov/southmountainfreeway>).
57		Comment noted.
58	Alternatives	The right-of-way needs for a depressed eight-lane freeway would be approximately 150 acres greater than those for a rolling profile eight-lane freeway.
59	Alternatives	The comment is correct that this alternative was eliminated prior to the detailed analysis of alternatives as documented in Chapter 4 of the Final Environmental Impact Statement. Potential displacements under the Ray Road and Chandler Boulevard alternatives would range between 500 and 1,000, depending on the alignment (see the document <i>Validation of Alternatives Screening Process at the FEIS Stage</i> [2014], available on the project Web site at <azdot.gov/southmountainfreeway>).

Code	Comment Document
60	<p>Village.” The expression “hundreds of residential and business displacements” is indicative of a cursory analysis, rather than a reasonably thorough quantitative analysis. Certainly stakeholders should know if this would result in, for example, 200 or 1500 residential and business displacements.</p> <p>Comment 141 and Comment 142 – ADOT failed to provide adequate response. The reports cited in DEIS are dated 2002 (Sidebar on Page 3-2) and 2003 (Page 3-1, second column, last line). These 10-year old reports are outdated and do not reflect current conditions. Moreover, the documents were not readily available to stakeholders and the public during the DEIS review process. During the FEIS review period, these reports are still not readily available, depriving the stakeholders and the public of the opportunity to make informed judgments. They are available only by appointment with ADOT as stated in the following statement in the sidebar on Page 3-2: “<i>Technical reports, predecisional reports, and memorandums can be made available for review by appointment at ADOT Environmental Planning Group, 1611 W. Jackson St., Phoenix, AZ 85007 [(602) 712-7767].</i>”</p> <p>For some information in the DEIS and FEIS, such as the traffic volume forecasts presented in Figure 3-12, the cut line analysis presented in Figure 3-13, the regional capacity deficiencies presented in Figure 3-14, congestion levels presented in Figures 3-15 and 3-16, and others, the source is cited as “<i>MAG, date of data, extrapolated analysis.</i>” The specific MAG documents are not identified. The MAG source data were not readily available to stakeholders and the public during the DEIS review process. During the FEIS review period, these reports are still not readily available, depriving the stakeholders and the public of the opportunity to make informed judgments.</p> <p>Comment 143-This comment was made within the context that the rejection of the alternative was based on not meeting the Purpose and Need. If the Purpose and Need was faulty due to the incorrect socio-economic data projections, then rejection solely on the basis of not meeting the Purpose and Need is not appropriate. The fact that the population and employment forecasts would need to be reduced in view of the 2010 U.S. Census results was known to the preparers but were not disclosed at the time the DEIS was circulated for comment. Since this information was not disclosed, the stakeholders and the public were deprived of the opportunity to make informed judgments. Please refer to Comment 121 for further details. In addition, the response misses the primary point of the comment by stating that the conclusion in the DEIS was re-confirmed, without providing any supporting information as requested. The DEIS and the FEIS do not even contain basic information such as daily traffic counts, let alone any figures to indicate how many through traffic (trucks as well as passenger vehicles) the I-8/SR 185 route to by-pass the Phoenix Metropolitan Area.</p>

Code	Issue	Response
60	Alternatives	<p>40 Code of Federal Regulations Section 1502.21 states that agencies shall incorporate material into an environmental impact statement by reference when the effect will be to cut down on bulk without impeding agency and public review of the action. The incorporated material shall be cited in the statement and its content briefly described. No material may be incorporated by reference unless it is reasonably available for inspection by potentially interested persons within the time allowed for comment.</p> <p>The individual alternatives screening documents were referenced throughout Chapter 3 of the Draft Environmental Impact Statement, and these documents were provided when requested. In addition, as noted on page 3-1 of the Final Environmental Impact Statement, the document <i>Validation of the Alternatives Screening Process at the FEIS Stage</i> (2014) provided a reassessment and validation of the alternatives screening process for the Final Environmental Impact Statement, including the revised traffic projections. This document was also available for public review on the project Web site at <azdot.gov/southmountainfreeway>.</p> <p>The citation provided for these figures is the Maricopa Association of Governments regional travel demand model output. The nomenclature for referencing data obtained from the Maricopa Association of Governments is explained on page 1-4 of the Final Environmental Impact Statement. For instances where “extrapolated analysis” is noted, the explanation is that the citation is used when analysis was performed using Maricopa Association of Governments data as input. Additional details related to the data inputs are provided in the <i>Traffic Overview</i> report available for public review on the project Web site at <azdot.gov/southmountainfreeway>.</p>
61	Purpose and Need	<p>The 2007 Maricopa Association of Governments socioeconomic projections were based on the 2005 special Census survey and were approved in May 2007. This projection series was developed using Maricopa County and State control totals from the Arizona State Demographer’s Office. The projections incorporated the current known development projects, adopted land use plans, and assumptions based on conditions at that time, but growth patterns at all levels (state, county, and sub-county) were affected by the housing boom of the early 2000s. These projections were the current adopted projection series at the time of publication of the Draft Environmental Impact Statement. The 2013 Maricopa Association of Governments socioeconomic projections were based on the 2010 Census and were approved in June 2013, after the Draft Environmental Impact Statement was published. This projection series reflected the impacts of the economic downturn and the housing market bust that started in 2008. The updated series took into account the housing foreclosure crisis and the numerous known development projects from the 2007 projection series that were canceled or altered, along with new development projects, updated land use plans, and assumptions, which were incorporated into the 2013 projections. Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer’s Office. The projections by the Arizona State Demographer’s Office were produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published but before the Final Environmental Impact Statement was issued. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. While new projections based on the 2010 Census showed a lower projected</p>

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Code	Issue	Response
61 (cont.)		<p>population and vehicle miles traveled in 2035 than the previous projections, the need for the freeway has not changed. The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).</p> <p>As noted on page xi of the Prologue to the Final Environmental Impact Statement, the purpose and need for the project was reevaluated using the new socioeconomic projections related to regional traffic and the conclusions reached in the Draft Environmental Impact Statement were reconfirmed in the Final Environmental Impact Statement.</p> <p>The road network in the Maricopa Association of Governments travel demand model includes the Interstate 8 and State Route 85 corridor. So, while the roads are not in the Study Area for the project, traffic and trip distributions along the corridor are included in the traffic analysis for the project. Any traffic, including trucks, that would shift from the Interstate 8 and State Route 85 corridor to the South Mountain Freeway were included in the vehicle mix considered in the analysis.</p> <p>Traffic projections, not counts, are provided throughout Chapters 1 and 3 of the Final Environmental Impact Statement (see for example Figure 1-8) and vehicle miles traveled are noted in the <i>Air Quality</i> section of Chapter 4.</p>

Code	Comment Document
62	<p>Comment 144 - Please see Comment 121. The revised projections were adopted in December 2012. The primary point of the comment was whether or not the arterials were included in the modeled network in the TransCad Model, not whether or not they would be built. No answer is provided to this main point in the comment.</p>
63	<p>Comment 145 – ADOT failed to provide adequate response because the response does not offer any new information; it merely repeats what is in the DEIS.</p>
64	<p>Comment 146 – It is agreed that the Summary Chapter in the FEIS has the cited statement. If the Summary Chapter does not contain a concise but complete description of the proposed action, stakeholders must go through the entire document to find key information. Does this not negate the purpose and need for a summary? Under “Description of the Proposed Action” in the FEIS, the only reference is to Figure S-4, a two-part depiction of the Proposition 300 Freeway Plan and the MAG Regional Transportation Plan Freeway Program as depicted in 2003. The “Description of the Proposed Action” in the FEIS presents some historical perspective and describes the South Mountain Freeway as one of the “missing” segments of the Regional Freeway and Highway System. The “Description of the Proposed Action” in the FEIS concludes with the following statement <i>“ADOT has opted to seek federal highway funds to assist in completing the proposed freeway. For this reason, FHWA is required to ensure that the proposed action complies with the provisions of NEPA and other federal environmental laws. Study of the proposed freeway in the FEIS is based on logical termini, sufficient length, independent utility, construction priorities associated with the Regional Freeway and Highway System, and projected traffic needs.”</i> Since the FEIS concludes that the preferred alternative emerges as an 8-lane freeway, the characteristics of the freeway should have been presented, or at the very least, the reader directed to the appropriate text and Figures to find that information.</p>
65	<p>Comment 147– ADOT failed to provide adequate response to this comment. This comment is a sub-item under Comment 146, and it refers to the lack of information in the Project Description in the Summary Chapter. In addition, the comment suggested that typical dimensions for the cross-sections be provided. Dimensions are not given in the cross-sections presented in the Summary and in the Alternatives Chapter.</p>
66	<p>Comment 148– This comment was introductory and a lead-in to Comment 149. No response was needed, and none was provided.</p>
67	<p>Comment 149– This comment is a sub-item under Comment 146, and it refers to the lack of information about the Proposed Action under Project Description in the Summary</p>

Code	Issue	Response
62	Alternatives	<p>Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer’s Office. The projections by the Arizona State Demographer’s Office are produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published, but before the Final Environmental Impact Statement was issued.</p> <p>The key model inputs of the TransCAD model are presented on page 1-5 of the Final Environmental Impact Statement. The final bullet states that the model uses <i>Regional Transportation Plan</i>-planned projects and improvements and known arterial street network improvements.</p>
63	Alternatives	<p>The information presented in the Final Environmental Impact Statement addressed the lack of prudent and feasible alternatives to the use of the South Mountains adequately, and no additional information is deemed necessary.</p>
64	Purpose and Need	<p>The information contained in the <i>Summary</i> chapter is concise, but not complete; otherwise, it would not be a summary. The summary follows the organization of the Final Environmental Impact Statement; therefore, those seeking more information on any topic may refer to the appropriate chapter to find the detail missing from the <i>Summary</i> chapter.</p> <p>The <i>Summary</i> chapter of the Final Environmental Impact Statement included a basic description of the Preferred Alternative including alignment location within the Study Area, cost, proposed service traffic interchange locations (see Figure S-8 on page S-8), and typical freeway section including number of lanes and basic configuration (see Figure S-9 on page S-10).</p>
65	Design	<p>The typical freeway section is presented in Figure 3-34 of the Final Environmental Impact Statement. The lane widths are described in narrative on the same page (page 3-58).</p>
66		<p>Comment noted.</p>
67		<p>The information contained in the <i>Summary</i> chapter is concise, but not complete; otherwise, it would not be a summary. The summary follows the organization of the Final Environmental Impact Statement; therefore, those seeking more information on any topic may refer to the appropriate chapter to find the detail missing from the <i>Summary</i> chapter.</p>

Code	Comment Document
	<p>Chapter. The response is inadequate because it does not explain why the information is not included in the Summary Chapter.</p>
68	<p>Comment 150– This comment is a sub-item under Comment 146, and it refers to the lack of information in the Project Description in the Summary Chapter. Also see Comment 149.</p>
68	<p>Comment 151– This comment is a sub-item under Comment 146, and it refers to the lack of information in the Project Description in the Summary Chapter. Also see Comment 149.</p>
69	<p>The response raises some ambiguities. Part of the FEIS response to this comment is: <i>“The inclusion of park-and-ride lots is not part of the scope of the proposed action. No new park-and-ride lots are proposed as part of the proposed action. Locations of future park-and-ride lots would be determined by the City of Phoenix and Valley Metro.”</i> If this is true, the No Action Alternative would not preclude the development of park-and-ride lots and developing bus routes on other HOV facilities, arterials, or on dedicated rights-of-way.</p>
70	<p>The following appears in Figure 3-8 (in the DEIS and FEIS): <i>“Right-of-way limits modified to accommodate future expansion plans for the 40th Street Park-and-Ride lot.”</i> If the park-and-ride lot expansion is part of the Proposed Action, this should be acknowledged. If not, there is no reason for the presence of this text on Figure 3-8. The ambiguity remains in the FEIS. A related question is if Federal funds were, or will be, used for the acquisition of the right-of-way necessary to accommodate the expansion.</p>
	<p>In the discussion of the No Action alternative, the FEIS (Page 3-40) states that “The No-Action Alternative would not adequately serve transit opportunities because it would preclude future development of HOV lanes, express bus service, and park-and-ride lots adjacent to the proposed action. This statement contradicts the statement that park-and-ride lots and bus routes are in the purview of City of Phoenix and Valley Metro.</p>
71	<p>It is stated on Page 3-40 of the DEIS that: <i>“Identification of the No-Action Alternative as the Selected Alternative would not preclude a project similar to the proposed action from being proposed.”</i> The significance of this statement is unclear. It may mean that ADOT is prepared to propose another freeway, similar to the Proposed Action, if the ultimate decision of the current NEPA process is to select the No Action alternative. Or, it may mean that ADOT or some other implementing agency is prepared to come forth with a proposed action that includes transit in a “similar” corridor as the presently Proposed</p>

Code	Issue	Response
68		The information contained in the <i>Summary</i> chapter is concise, but not complete; otherwise, it would not be a summary. The summary follows the organization of the Final Environmental Impact Statement; therefore, those seeking more information on any topic may refer to the appropriate chapter to find the detail missing from the <i>Summary</i> chapter.
69	Design	We agree that the No-Action Alternative would not preclude the development of park-and-ride lots and implementation of bus routes on other high-occupancy vehicle facilities, arterials, or on dedicated rights-of-way. As stated on page 3-60 of the Final Environmental Impact Statement, however, the project may produce excess right-of-way that may be suitable for other public infrastructure projects such as park-and-ride lots or bicycle/multiuse paths.
70	Design	<p>The statement is not a contradiction. The expansion of the park-and-ride lot occurred in 2010. The freeway footprint was adjusted so that it would not affect the expanded lot. There are no plans to expand the lot beyond its current limits. Figure 3-8 is intended to show that efforts were successfully made to avoid existing and planned infrastructure wherever possible. The caption on the figure states that adjustments were made to the action alternative in the Eastern Section to avoid or reduce impacts on residential areas and to avoid resources protected by Section 4(f).</p> <p>Without the freeway, there would be no opportunity to provide high-occupancy vehicle lanes or other services adjacent to the freeway as stated.</p> <p>The earlier portion of the comment states that these facilities could be constructed on other high-occupancy vehicle facilities, arterials, or on dedicated rights-of-way. However, without the freeway, the need to construct these facilities in the project area would be reduced. To construct these facilities where they are not needed is not a wise use of public funds.</p>
71	Alternatives	The statement on page 3-40 of the Final Environmental Impact Statement means that if the No-Action Alternative were the Selected Alternative, a project similar to the South Mountain Freeway could be proposed at a later time.

Code	Comment Document
	<p>Action. Or, it may have some other meaning that this reader cannot discern. This ambiguity remains in the FEIS.</p>
72	<p>Comment 152– As indicated in Attachment 1 to this report, population and employment projections for 2020, 2030, and 2040 were available as early as May 2012 and were adopted by the MAG Regional Council in December 2012. The adoption was for the Countywide total, at the level of Municipal Planning Areas (MPA), and at the level of Regional Analysis Zones (RAZ). Therefore, the preparers of the DEIS were, or should have been, aware that new projections were available and that the 2035 population projection in the DEIS exceeded the “new” 2040 projections (6,545,000 for 2035 in the DEIS, compared to 6,175,000 adopted for 2040). Likewise, in the DEIS the 2035 Countywide projection for employment was 3,600,000, compared to the adopted 2040 employment projection of 3,096,600. These large differences in the population and employment forecasts were known to the preparers but were not disclosed at the time the DEIS was circulated for comment. Since this information was not disclosed, the stakeholders and the public were deprived of the opportunity to make informed judgments. Even now, the population and employment forecasts at the Traffic Analysis Zone (TAZ) level are not readily available to the stakeholders and the public. Also, the FEIS does not state by whom 2035 population and employment forecasts at the level of Traffic Analysis Zones (TAZ) were approved in June of 2013.</p>
73	<p>Comment 153–This is an introductory lead-in paragraph to detailed comments. No response was needed and none was provided.</p>
74	<p>Comment 154– The DEIS comment acknowledges that an interchange at 32nd Street is not proposed. The City of Phoenix Memorandum cited in the response is dated 2006 and is based on 2030 daily traffic forecasts, and merely presents daily traffic volumes on Chandler Boulevard and the streets connecting Chandler Boulevard and Pecos Road. The response completely misses the point which is local circulation within the neighborhoods and access for the residents in the area south of Chandler Boulevard. The response also misses the point that the 2030 traffic volume projections in the City’s memorandum are on the basis that the 32nd Street interchange would be constructed. Since the 32nd Street interchange will not be constructed as part of the Proposed Action (as stated in the DEIS and the FEIS), the City’s memorandum is irrelevant and there is no evidence of bona fide analysis of local circulation.</p>
75	<p>The second part of this comment is in reference to the loss of access at 27th Avenue. The response is completely silent on this point.</p>

15

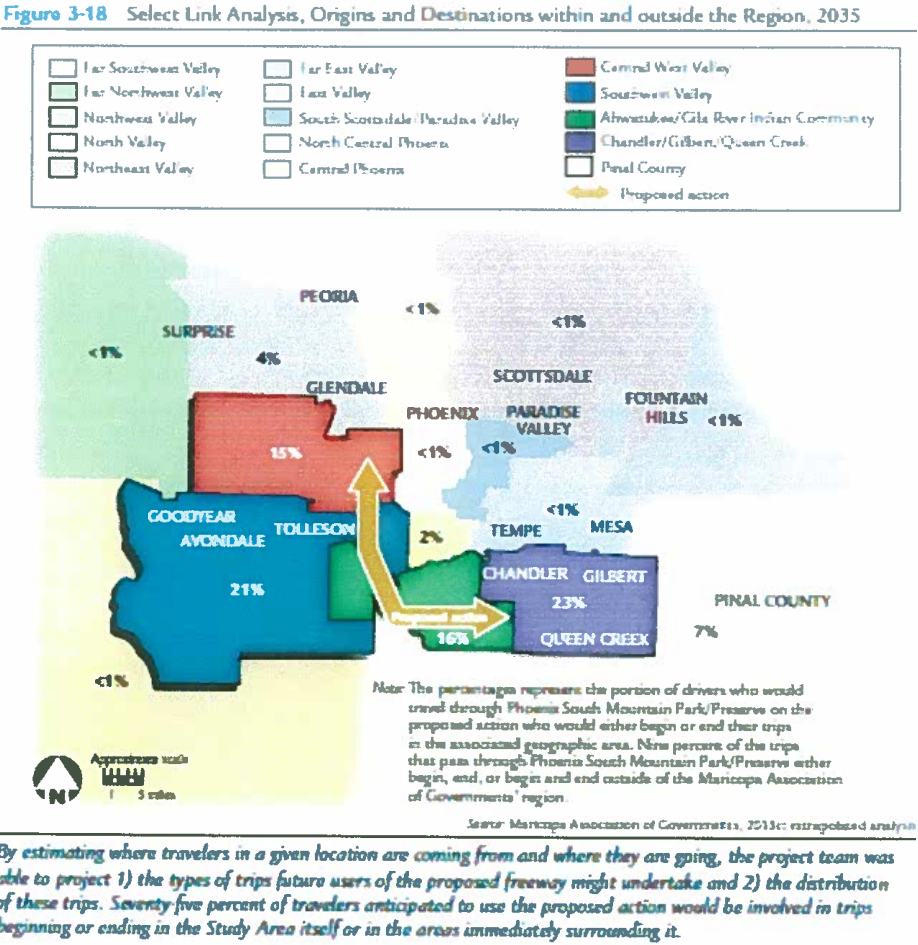
Code	Comment Document
76	<p>Comment 155—It is commendable that the City of Phoenix and ADOT are cooperating on the matter of the extension of Chandler Boulevard. The response is not complete because nothing is said about the number of lanes to be provided on the extended segments of Chandler Boulevard.</p>
77	<p>Comment 156—It is understood that local streets would be provided to serve the proposed developments. The points raised were the amount of traffic to be added by these developments and how the added traffic would affect Chandler Boulevard and other surface streets. No response to these points is provided. Based on the information available, about 15,000 or more daily vehicular trips would be generated by the proposed developments described in Comments 155 and 156.</p>
78	<p>Comment 157— The FEIS contains no analysis to support the response. If a detailed analysis had been made, the FEIS would not have to use words such as “reasonable” and “likely.” Sufficient information should have been provided to enable residents to assess how emergency response times for their neighborhoods might be affected. This matter should not be deferred to a subsequent determination by emergency service providers.</p>
79	<p>Comment 158—The response does not state what cross-section (or number of lanes) will be provided by ADOT on the arterial streets in the interchange areas. Also, because, as proposed, the freeway will be above grade, modification of the grade on the cross streets will need to be modified. Existing and proposed profiles of the cross streets should be shown and any potential effects discussed. Of specific interest to PARC would be the interchanges at 40th Street, 24th Street, Desert Foothills Parkway, and 17th Avenue. Since the response does not direct the reader to a specific source document (s), such information is not available or not being released to the public.</p>
80	<p>Comment 159—The explanation in the response is adequate.</p>
81	<p>Comment 160—The response is inadequate because the City traffic volume map presents daily traffic volumes only, many of the counts along and near Pecos Road taken in 2010, 2011, or 2012. No peak hourly or turning movement information is provided, nor 2035 forecasts presented. The inapplicability of the 2006 City Memorandum was discussed in Comment 154.</p>
82	<p>Comment 161—The comment specifically addresses the change in emergency response time for the areas now served by the signalized intersection of Pecos Road/32nd Street when the Freeway is built. The response is general and does not address a local issue. Therefore, the response is not adequate.</p>

Code	Issue	Response
76	Design	Initially, two lanes will be provided on the extended segment of Chandler Boulevard.
77	Design	No plans to develop this land have been submitted to plan approval authorities. Development of this land would not occur unless the approval authorities were satisfied that traffic impacts of the development were adequately addressed.
78	Design	The Arizona Department of Transportation is required to provide reasonable access to developments. As stated in the response, emergency response times should be approximately the same as before the change in access.
79	Design	The cross section, or number of lanes, along the arterial streets in the interchange will match the current configuration or the City of Phoenix’s street classification designation for the arterial street. Because the freeway will go over the arterial streets, the profiles of the arterial streets will not need to be changed from their current elevation. As noted on page 3-51 of the Final Environmental Impact Statement, the final configuration of the service traffic interchanges will be determined during the final design phase.
80		Comment noted.
81	Traffic	There is no reason to assume that traffic conditions have changed substantially since 2006 because no additional developments have been approved in the area. Additionally, as previously noted by the commenter, the 2030 traffic projections used in the City of Phoenix analysis in 2006 are likely higher than the current traffic projections for 2035. The City of Phoenix study found no adverse effects on the local street system from the freeway in the 2006 study.
82	Traffic	The following response, although general, is appropriate at this level of preliminary design. Emergency responders will address the construction of the freeway by amending the local emergency response plan to include the facility. This will include emergency response on the freeway and alternative routes for diversion of traffic in the event that an incident occurred along the freeway. As concluded in the section, <i>Social Conditions</i> , in Chapter 4 of the Final Environmental Impact Statement, response times for police, fire, and medical emergency services will be faster when compared with response times under the No-Action Alternative. Circulation on major arterial streets will be improved through better distribution of traffic onto the overall transportation network, the provision of alternative routes, and through localized operational improvements such as grade separations and planned interchanges.

Code	Comment Document
83	<p>Comment 162--If the park-and-ride lot is not to be expanded, what is the significance of the following quote which is in the form of a note in Figure 3-8 in the FEIS, “<i>Right-of-way limits modified to accomodate future expansion plans for the 40th Street Park-and-Ride lot?</i> “ In addition, less than satisfactory response is provided for bus access; the operational issues raised in the DEIS comments are not addressed; and no traffic volume forecasts are presented for 40th Street. The building of complete typical interchanges along the E1 Alternative implies that there will be development on the south side of Pecos Road on Community land. Depending on the magnitude of development additional traffic will be placed on the crossing arterials on the north side of Pecos Road, including 40th Street, at the park-and-ride lot access points. A conclusion about traffic operational issues on 40th Street is presented without the supporting analysis.</p> <p>Comment 163--Satisfactory response is provided.</p> <p>Comment 164--Informing the public after all details are known is expected, but would be merely “informational.” At the time all details are known and construction is scheduled to start, some “details” may be deemed unacceptable by the public. It is not stated to what extent the public will be able to alter the details presented by ADOT. Once the NEPA process is completed, there will be no requirement for ADOT to seek input from other stakeholders and the public. So there would be no, or very little, opportunity to influence construction period activities. This would be the case especially if a design/build process is used because design reviews and decisions often follow very tight schedules that do not allow much time to devote to public input.</p> <p>Comment 165--Satisfactory response is provided.</p> <p>Comment 166--Satisfactory response is provided.</p> <p>Comment 167--Satisfactory response is provided.</p> <p>Comment 168--The additional details provided in FEIS Figure 3-18 and the response help alleviate some of the “misleading” aspects of the DEIS. Ambiguity remains, however, because of the following quote from the footnote in Figure 3-18: “<i>Seventy-five percent of travelers anticipated to use the proposed action would be involved in trips beginning or ending in the Study Area itself or in the areas immediately surrounding it.</i>” In reference to FEIS Figure 3-18, reproduced on the next page, 75% is the sum of the percentages in the entire area shown in red, blue, green, and purple. Characterizing points in the red, blue, and purple areas that are 20 or more miles removed from the Study Area as “<i>immediately surrounding it</i>” is inappropriate.</p>

Code	Issue	Response
83	Traffic	<p>Figure 3-8 is intended to show that efforts were successfully made to avoid existing and planned infrastructure wherever possible. The expansion of the park-and-ride lot has occurred and was accommodated by the freeway design.</p> <p>The building of complete typical interchanges will provide the reasonable access the Arizona Department of Transportation is required to provide. Any plans to develop Gila River Indian Community land south of Pecos Road are unknown. Without additional information, existing traffic on 40th Street was used.</p>
84		Comment noted.
85	Construction	The Arizona Department of Transportation typically holds an information meeting at the beginning of construction activities regarding the upcoming improvements and work schedules. The contractor’s required activities are established by contractual documents with the Arizona Department of Transportation.
86		Comment noted.
87	Traffic	The precision of the origins and destinations study does not allow a more finite detail of analysis than presented in the Final Environmental Impact Statement.

Code	Comment Document
88	<p>Explanation does not address the issue of why the cut lines could not have been sub-totaled for the Study Area.</p>
89	<p>It is acknowledged that the details of the cut-line analysis are added to the Traffic Overview Report. This information is very helpful in understanding the changes in traffic patterns.</p>



Code	Issue	Response
88	Purpose and Need	The response presented the justification for the limits of the cut lines presented in the Draft and Final Environmental Impact Statements. The detailed cut-line data are provided in the <i>Traffic Overview</i> report and can be subtotaled by the reviewer for any subsegment of the area.
89		Comment noted.

Code	Comment Document
90	Comment 171 –The response to this introductory and lead in comment is not adequate because of the specific points addressed in Comments 172 and 173.
91	Comment 172 – This comment was intended to add specificity to the results; the two crossings of the Salt River are 10 to 15 miles apart and represent different travel corridors. Cutline 6 is a much better indicator of the crossings of the Salt River on the east side, since both I-10 and Loop 202 (Red Mountain) are in the same travel corridor and both cross the Salt River. Likewise, on the West side, Cutline 1 is a better indicator because it includes both I-10 (Papago) and SR 30.
92	Comment 173 –If the cut lines had been subdivided and sub-totals presented, the total of the entire cut line could also have been included. The usefulness of the cut lines to evaluate regional traffic; to the contrary the usefulness of the cutline analysis would have been enhanced by offering the capability to evaluate the travel corridors where the Loop 202 SMF would be most effective.
93	Comment 174 –The response to this comment states that: <i>“The project development process includes detailed analyses of the freeway operational characteristics, including weaving areas along the entire freeway. Basic level of service information is presented in Figure 3-39 on page 3-63 of the Draft Environmental Impact Statement. In the figure, the noted section is shown to experience less than 2 hours of level of service E or F conditions during the morning and evening commuting periods.”</i> No evidence is presented in the DEIS or the FEIS that in fact any detailed analyses of weaving areas was made for the entire freeway. The Level of Service indicated in Figure 3-29 is based solely on volume to capacity ratios, which is considered the basic level of service analysis for the freeway.
94	Comment 174 and Comment 175 –Assuming that the response means that a westbound auxiliary lane will be added between the end of the ramp from I-10 and the beginning of the exit ramp to 40 th Street and perhaps beyond), it is agreed that the weaving problem in this section would be mitigated.
93	Comment 176 –The response is inadequate because it does not provide any evidence that <i>“The analyses to support the environmental impact statement process included weaving considerations in the operational performance of the action alternatives.”</i> The response is inadequate. Also refer to Item 174 above.
	Comment 177 –The response to this comment is inadequate. When the Community granted the State permission to conduct studies for an alignment on Community land, the Community expressed four concerns, one of which was the following quote on Page 3-24

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Code	Issue	Response
90		Comment noted.
91	Traffic	The response presented the justification for the limits of the cut lines presented in the Draft and Final Environmental Impact Statements. The detailed cut-line data are provided in the <i>Traffic Overview</i> report and can be subtotaled by the reviewer for any desired area.
92	Traffic	The response presented the justification for the limits of the cut lines presented in the Draft and Final Environmental Impact Statements. The detailed cut-line data are provided in the <i>Traffic Overview</i> report and can be subtotaled by the reviewer for any desired area.
93	Traffic	The reviewer is correct that the level of service information presented in the Draft and Final Environmental Impact Statements is based on volume-to-capacity ratios, which is appropriate at this level of design to support the planning phase. To clarify, the detailed analysis of the freeway operational characteristics will be completed during the final design phase of project development as the specific design elements, including weaving distances, are finalized.
94		Comment noted.

Code	Comment Document
95	<p>of the DEIS and the FEIS: “<i>reduction of truck and commuter traffic on 51st Avenue and Beltline Road.</i>” The Community Alignment, identified in brown in Figure 3-11 in the DEIS and the FEIS, is entirely in the Eastern Segment. It would have a bearing on traffic on 51st Avenue, only if it were to be paired with any of the alignment alternatives in the Western Segment. Regardless of which alignment is selected in the Western Segment and regardless of whether the Community Alignment or the Proposed E1 alignment is selected in the Eastern Segment the result would be a reduction of commuter and truck traffic on 51st Avenue. Thus, the criterion of reducing truck and commuter traffic on Beltline Road becomes, in essence, a criterion to evaluate the entire Proposed Action vis-à-vis the No Action Alternative. Without the Western Section of the Proposed Action, the Community Alignment would end at 51st Avenue and would not serve to relieve traffic on 51st Avenue; on the contrary, without the Western Section of the Proposed Action, the Community Alignment would increase traffic on 51st Avenue.</p> <p>Comment 178–The trucks using Beltline Road and 51st Avenue to avoid the Phoenix Metropolitan Area would shift to Loop 202 SMF. To call this shift “redistribution of traffic” is not appropriate.</p> <p>Comment 179–The response is not satisfactory. The FEIS does not state if the MAG Travel Model supports the contention that trucks that now use bypass routes will continue to do so. With the proposed action, trucks would have the option of using Loop 202 SMF because the route would consist entirely of freeways, rather than the existing route via I-8 and SR 85, portions of which are non-freeway. To travel between the starting point of the Junction of I-10/I-8 and the ending point of the Junction of I-10/SR 85, truckers now have the option of using I-10 which is about 10 miles shorter than the I-8/SR-85 route and takes about 5 minutes less time during periods when there is no traffic congestion. When the Proposed Action is implemented, the option of using Loop 202 SMF will have about the same travel distance as the I-10 route; in addition, it will take at least 5 minutes less than the I-8 option. Despite signage indicating that I-8/SR 85 is the by-pass route, a trucker would not choose to incur extra travel distance and extra travel time by using the I-8/SR 85 alternative when a shorter, faster, all-freeway route is available.</p> <p>A loaded network file in TransCAD format was received from MAG late during the FEIS review period. An initial evaluation revealed that, the MAG Travel Forecasting Model estimates that in 2035, there would be about 65,000 to 70,000 daily trucks on Loop 202 SMF between I-10 (Maricopa) and 40th Street. Of the total number of trucks, about 14,000 would be heavy trucks. A slightly lower number (60,000 to 65,000) is estimated for the segment of Loop 202 SMF where the alignment would leave the Pecos Road corridor and would be oriented in a southeast/northwest direction. The number of heavy trucks on this segment would also be about 14,000 per day. These numbers indicate that</p>

Code	Issue	Response
95	Traffic	As stated on page 3-8 of the Final Environmental Impact Statement, the Eastern and Western Sections were developed to evaluate and compare action alternatives. The page further states that combining the Eastern and Western Sections is necessary to satisfy the project’s purpose and need. The commenter's conclusions are correct. However, the comment is regarding a criterion presented by the Gila River Indian Community, not the project team. The criterion is not a differentiator among action alternatives but is a differentiator between the No-Action Alternative and any of the action alternatives, as noted in the comment.
96	Traffic	Comment noted.
97	Traffic	<p>The Final Environmental Impact Statement notes that the Maricopa Association of Governments regional travel demand model projects that heavy truck traffic will represent approximately 10 percent of the total traffic on the freeway, similar to what is currently experienced on other regional freeways. It does not identify specifically what routes those heavy trucks are currently using.</p> <p>As the comment notes, the time savings for using the freeway will only occur when there is no traffic congestion in the Phoenix metropolitan area. As shown in Figures 1-9 and 1-10 in the Final Environmental Impact Statement, the duration of congested conditions is over 3 hours in the morning and evening.</p>
98	Trucks	<p>The 14,000 heavy vehicles per day on the freeway will represent approximately 10 percent of the total daily traffic on the freeway, which is estimated at between 117,000 and 190,000 vehicles per day (see page 3-63 of the Final Environmental Impact Statement).</p> <p>Ultimately, the commenter was provided the requested travel demand model output files and responses to specific questions from the Maricopa Association of Governments two weeks prior to the original end of Final Environmental Impact Statement review period. The review period was later extended for an additional 30 days.</p>

Code	Comment Document
99	<p>the assertion in the FEIS that trucks would constitute about 10% of the total traffic on the freeways in the Region is not correct. Furthermore, this information was not readily available and was not disclosed to the stakeholders and the public in the DEIS and FEIS, depriving them of the opportunity to make informed judgments.</p> <p>Table 6-5 on Page 6-5 of The MAG publication “MAG External Truck Travel Model Development,” dated May 2010 defines the light, medium, and heavy truck categories in terms of the FHWA Vehicle Classification chart. The “light truck” category is comprised of pickups and vans; the “Medium Truck” category includes buses and all single unit (no trailer) trucks. The “Heavy Truck” category includes all trucks with trailers.</p> <p>Comment 180–Response is not satisfactory. If MAG has projections of the number of trucks for “through-transport of freight,” these should be presented in the FEIS for key locations throughout the network. The use of a vague statement such as about 10% of the total traffic is misleading because the number of passenger vehicles varies from interchange to interchange along the length of a freeway, while trucks, especially heavy trucks, get on and off the freeway at few locations that serve freight-related land uses. Thus the percentage of trucks, especially heavy trucks, can vary even though the number of heavy trucks might remain constant. Please also see Comment 179.</p> <p>Also, even though serving as a bypass route may not be included in the Purpose and Need, this would not keep truckers using the route as a bypass if it is in fact more attractive than the I-8/SR 85 option (see Comment 179).</p> <p>Comment 181–In the sidebar on Page 3-64, quoted below, there is no statement to the effect that the MAG travel model forecast indicates that 10% of total traffic would consist of trucks. Rather, it is stated that 2007 ADOT vehicle classification counts indicate that 90% of the total traffic would consist of non-truck vehicles. The response to the comment is misleading.</p> <div><p>Commercial trucks would use the proposed action. As with all other freeways in the MAG region, trucks would use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. And as with travel on all other freeways in the MAG region, the primary users of the proposed action would be automobiles. Latest vehicle classification counts available from ADOT for 2007 show passenger vehicles and other nontruck vehicles make up over 90 percent of all traffic on the freeway system, and it is expected these percentages would not vary with the proposed action.</p></div>

Code	Issue	Response
99		Comment noted.
100	Trucks	The Maricopa Association of Governments regional travel demand model provides the number of trucks on each roadway link, but does not specifically identify the origin or destination of every vehicle on each roadway link. The select-link analysis presented in Figure 3-18, on page 3-36, notes that 9 percent of the total vehicles using the freeway would be pass-through, not stopping in the Maricopa Association of Governments’ region. Of the pass-through vehicles, approximately 80 percent would be heavy trucks.
101	Trucks	Agree, as stated on page 3-64 of the Final Environmental Impact Statement, commercial trucks will use the freeway.
102	Trucks	The conclusionary statement in the noted text says that “it is expected that these percentages would not vary with the proposed action.” “These percentages” refers to the 90 percent passenger car and nontruck vehicles and the remaining 10 percent as heavy trucks.

Code	Comment Document
103	Comment 182- The response is vague and evasive.
	Comment 183- Please see Comment 181.
104	Comment 184- The DEIS cites the source of the information as MAG Extrapolated data. But the nature of the extrapolation is not described. The source data (the starting point for extrapolation) is not readily available. The MAG model results were not publicly and readily available during the review period of the DEIS. They are still not available readily during the review period of the FEIS. Please see the discussion on Page 25 for documentation about the difficulty of obtaining the information from MAG.
105	Comment 185- The response is not adequate because the comment was that the data presented is not sufficient. It is acknowledged that some additional locations are included in the FEIS, but still insufficient to give the reader an understanding of the overall traffic volumes and the system-wide differences between the No Action and Proposed Action Alternatives.
106	Comment 186, Comment 187, and Comment 188- ADOT failed to provide adequate response. The responses offer no new information to add or clarify what was contained in the DEIS.
107	Comment 189- Of the two alternatives being compared, W59 is closer to the Central Phoenix area. The introduction of this criterion in the last stage of the evaluation has the appearance of a pre-disposition to select the W59 Alternative. If this consideration was addressed in earlier stages of the comparisons, this reader missed it.
103	Comment 190- ADOT failed to provide adequate response to the intent of the comment, that in the evaluation “pro” and “con” items should have been identified for each alternative to facilitate review of the DEIS and avoid confusion.
103	Comment 191- If the “pro” and “con” items had been identified for each alternative in the DEIS, it would have been easier and much less confusing for the stakeholders to agree with, or reject, the conclusion (s) of the Project Team. Also, please see Comment 190 above.
103	Comment 192- The additional information presented in the FEIS points to a pre-disposition to select the W59 Alternative. Also, please see Comment 189 above and the potential environmental justice issue discussed in Comment 194.

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Code	Issue	Response
103	Traffic	<p>The proposed South Mountain Freeway would be a commuter corridor, helping to move local traffic. As with all other freeways in the region, trucks would use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the proposed freeway would be automobiles.</p> <p>Increasing the use of the State Route 202L (Santan Freeway) by all vehicles is an intended outcome for the region's freeway system.</p>
104		Comment noted.
105	Traffic	<p>The Final Environmental Impact Statement included updated traffic projections and added some locations beyond what was presented in the Draft Environmental Impact Statement. Additionally, the <i>Traffic Overview</i> report provided more details related to traffic data from the Maricopa Association of Governments' regional travel demand model. Finally, the raw model output was provided to the commenter by the Maricopa Association of Governments for review and use.</p> <p>The Arizona Department of Transportation and Federal Highway Administration believe the additional details provided in the <i>Traffic Overview</i> report and changes to the Final Environmental Impact Statement adequately address the comment.</p>
106	Alternatives	A side-by-side evaluation of the traffic-related aspects of the No-Action Alternative and action alternative is presented beginning on page 3-27 of the Final Environmental Impact Statement.
107	Alternatives	The commenter misquotes the Final Environmental Impact Statement. The text actually says, "The W59 Alternative would provide more direct access to downtown Phoenix." The comparison is derived based not only on its location, but also considering its traffic operational benefits.

Code	Comment Document
108	Comment 193- This was not a comment but a reference to the heading in the DEIS and FEIS, to identify the source of the information in Comment 194. No response was needed and none was provided. Comment was noted.
109	Comment 194- Chapter 4 of the DEIS presents the mix of single family and multi-family units. The mix of residential properties was not addressed in Chapter 3 of the DEIS in the evaluation of alternatives. This matter has been clarified in the FEIS by the added information that two apartment complexes with a total of 680 units would be demolished. However, there may be an Environmental Justice issue because the multi-family units to be displaced are subsidized housing units. The displacement of the subsidized housing units should have been addressed in the evaluation of alternatives in Chapter 3. Also, the number of units has been revised in the FEIS, increasing the number of units for the W101 Alternative and decreasing the number for the W59 Alternative. The additional information presented in the FEIS points to a pre-disposition to select the W59 Alternative. Also, please see Comments 189 and 192 above.
110	Comment 195- Appropriate response is provided.
111	Comment 196- The response consists of a single word “Agree” but does not explain to what the respondent is agreeing. The comment noted that a relevant piece of information was not included in a bullet item in comparing alternatives. The DEIS and the FEIS have identical wording for the bullet item that was the subject of the comment. The comment was ignored despite the indication of agreement.
112	Comment 197- Comment was noted but no additional information was presented in the FEIS.
112	Comment 198 and Comment 199- No response is provided, except “ <i>Comment noted.</i> ” These two comments are in reference to the differences between the alternatives. The response ignores the issues raised in the comment.
113	Comment 200- The key question is when SR-30 will be constructed and opened to traffic. The ADOT website makes no mention of SR 30 under the listing of current projects. The listing of projects indicates that a process is underway for Loop 303 between SR 30 and the Hassayampa Freeway. MAG lists SR 30 in its “Regional Freeway and Highway Program 2011 Update” and indicates that funding would be Post-2026 at a total Cost of over \$1.5 billion. SR 30 remains in the 2035 horizon year of the Regional transportation Plan. While it may be true that, historically, facilities in the Regional Transportation Plan have been funded, the lack of significant activity on SR 30 makes it doubtful that funding will be available and if

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	construction will be completed by 2035. It should be noted that SR 30 is not included in the freeway plan presented to the voters in 1985, but Loop 202 SMF was. The portion of SR 30 between Loop 303 (extended south from I-10 to SR 30) is included in the MAG Regional Transportation Plan Freeway Program.
114	Comment 201 -Adequate response is provided, except that the amount of contingency (in terms of the percentage of estimated construction cost) is not specified.
115	Comment 202 -This is summary comment and the response summarizes portions of previous responses.
116	Comment 203 -The response repeats statements made in the DEIS and offers no new substantive information about the points raised in the comment.
117	Comment 204 and Comment 205 -Response is inadequate because no evidence of cooperation with MAG and no evidence as to how or by whom observed conditions were translated into equivalent Levels of Service. The prevailing average speed when LOS E occurs and when LOS F occurs should have been stated. The Traffic Overview Report uses 2030 as the per-lane capacity value for main-line freeway segments. According to the explanations and Table 10 in the Traffic Overview Report, congestion would prevail when the volume to capacity ratio (V/C ratio) reaches 85% of 2030 or a per-lane lane volume of 1,725 vehicles per lane per hour. According to the Highway Capacity Manual (a publication by the Transportation Research Board that is widely used by many jurisdictions for capacity calculations, including ADOT) freeway mainline operating speeds would be only slightly lower than free-flow speeds. If the prevailing speed is 65 miles per hour under light traffic conditions, the speed would drop to about 60 mph when the per-lane volume reaches 1,725. A prevailing speed of about 60 mph would be hard to characterize as congested. Without substantial additional information, stakeholders are being asked to take the statements at face value.
116	Comment 206 -Inadequate response is provided because the Traffic Overview Report merely states the V/C ranges that result in certain durations of congestion. No explanation or relationship to observed conditions is provided in the FEIS or the Traffic Overview Report.
118	Comment 207 -If, as stated, in the response, funding for the development of the arterial systems will come from impact fees, it would be reasonable to assume that the arterial network would be developed whether or not the Loop 202 SMF is built. A complete response to this comment should have stated if the identical arterial

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Code	Issue	Response
114		Comment noted.
115		Comment noted.
116	Traffic	<p>The freeway is part of the <i>Regional Transportation Plan</i> for the Maricopa Association of Governments region. The <i>Regional Transportation Plan</i>, as described on pages 1-5 and 1-10 of the Final Environmental Impact Statement, addresses freeways, streets, transit, airports, bicycle and pedestrian facilities, freight, demand management, system management, and safety. The freeway is only one part of the overall multimodal transportation system planned to meet the travel demand needs of the Maricopa Association of Governments region. As noted on page 3-4 of the Final Environmental Impact Statement, however, even better-than-planned performance of transit and other modes would not adequately address the projected 2035 travel demand.</p> <p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternatives are responsive to the project's purpose and need and will:</p> <ul style="list-style-type: none"> · reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13) · optimize travel on the region's freeway system (see Figure 3-12) · reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14) · reduce the duration of level of service E or F conditions in key areas of the region's freeway system (see Figure 3-15) · improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8) · provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits total approximately \$200 million per year (see Table 4-27).</p>
117	Traffic	<p>The <i>Highway Capacity Manual</i> level of service thresholds for capacity and speed are based on a single peak hour. The analysis in the Final Environmental Impact Statement used a longer period (3 hours) because congested conditions in the Phoenix metropolitan area typically last longer than just 1 hour. Therefore, the capacity and speed thresholds were adjusted slightly from the prevailing thresholds presented in the <i>Highway Capacity Manual</i> for the peak hour. Thus the comparison made by the commenter (such as speeds dropping from 65 mph to 60 mph) is not a true apples-to-apples comparison.</p>
118	Traffic	<p>The identical arterial street network was used in the analysis of the No-Action Alternative and action alternative. The same planned land use and socioeconomic projections were used in the analysis of the No-Action Alternative and the action alternative. As noted in the Final Environmental Impact Statement <i>Secondary and Cumulative Impact</i> section on page 4-179, the area will develop in a similar way with or without the project.</p>

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119	<p>network was used in the traffic analysis for both the No Action and Proposed Action Alternatives, with the exception of appropriate changes necessary to accommodate the Proposed Action. A complete response to this comment should also have stated if identical socio-economic data were used for the MAG Transportation Model runs which were presented in the DEIS and if the Model was re-run for the 2035 No Action traffic volume forecasts presented in the FEIS.</p> <p>The second paragraph of the response, does not explain how the “unmet” demand is split between “unmet” demand on arterials, compared to “unmet” demand on the freeways, both under current conditions (Figure 1-12) and in 2035 (in Figure 3-14, not 3-24 as stated in the response). Also unexplained is the methodology used for computing these percentages; it is understood that unmet demand represents where traffic demand exceeds capacity. However, the DEIS (and the FEIS) does not explain: whether the “unmet” demand is computed facility by facility, or by cut-line, or by some other aggregation; whether it is for the morning peak period, or the afternoon peak period, or for a summation for both, or aggregated for the entire day, or in some other manner.</p> <p>The third paragraph of the response obfuscates the matter, rather than clarify; and it is misleading. It is totally contrary to Footnote “b” in Figures 1-12 and 3-14 in the DEIS.</p> <p>Comment 208-The response implies that the peak hourly traffic volume was computed for each freeway segment for at least 3 hours during each peak period; otherwise it would not be possible to identify V/C ratios and LOS gradations by direction in 2010, 2035 with the No Action Alternative, and 2035 with the Proposed Action. This type of information should have been made available in the DEIS</p> <p>Comment 209-This is an introductory statement leading to Comment 210. No response is necessary and none was given.</p> <p>Comment 210-Explanation (not necessarily complete) is provided as to why truck restrictions cannot be placed on Loop 202 SMF. However, the timetable for upgrading SR 85 to full freeway standards is not presented. The DEIS has references to the fact that the Canamex corridor is designated as I-8/SR 85/I-10/a connection to US-60/US 93 Wickenburg Bypass/US 93 to points north of Wickenburg. Presently, no north-south direct connection exists between I-10 and Wickenburg west of Loop 303.</p>

Code	Issue	Response
119	Traffic	In each figure, note “b” states that the analysis is based on the 41st Street cut line. The analysis is aggregated based on daily traffic volumes. The details of the analysis are presented in the <i>Traffic Overview</i> report.
120	Traffic	The volume-to-capacity thresholds for the duration of level of service E and F calculations were applied to the 3-hour peak period, not just the peak hour. Therefore, they were adjusted slightly from the prevailing thresholds presented in the <i>Highway Capacity Manual</i> for the peak hour.
121		Comment noted.
122	Traffic	Currently, no funding is programmed in the <i>Regional Transportation Plan</i> for corridor-wide improvements to State Route 85. The time line for these improvements is unknown. As described on page 3-64, the route between Interstate 10 and Wickenburg would generally follow Wickenburg Road and Vulture Mine Road.

Code	Comment Document
	<p>When construction is completed on Loop 202 SMF in 2020, the most direct route for Canamex trucks traveling between I-8 and Wickenburg would be I-10 Maricopa (between I-8 and Loop 202 SMF), Loop 202 SMF to I-10 Papago, I-10 Papago between Loop 202 SMF and Loop 303, US 60 between Loop 303 and Wickenburg). The DEIS presents no timetable for the completion of the necessary improvements along the Canamex route that might make the designated Canamex route preferable to the route via Loop 202 SMF.</p>
	<p>In essence, the response does not dispute that through trucks, including Canamex trucks, will use Loop 202 SMF. The Canamex response is presented in the context of mitigation that should have been provided but was not. The Proposed Action should not rely on uncertain actions by others or other funding sources to develop the Canamex route to Wickenburg.</p>
123	<p>Comment 211-This is an introductory statement to subsequent comments. No response was necessary and none was given.</p>
124	<p>Comment 212-Response is unsatisfactory because the Purpose and Need identified an Unmet Demand on the transportation system as a whole, not specifically in the Southwest Area. The analysis in the Purpose and Need also showed that the current congestion problems are in the central area with virtually none in the Southwest area. The Purpose and Need identified a need based on growth in the Southwest Area but none of the evaluations were directed at the Southwest Area; rather all evaluations were based on Regional comparisons that were dominated by current and forecasted congestion in the Central Area. The benefits of the Proposed Action will be incidental to the Southwest Area, not to the central corridor area as claimed in the response.</p>
125	<p>Comment 213-Satisfactory response is not provided. Since the Regional Planning Agency (in this case MAG) is the conduit for Federal funds, consistency of the timing of construction expenditures with funding allocations is essential. While it may not be stated in the DEIS and FEIS that the Proposed Action must be in compliance with the Regional Transportation Plan, it is mentioned often that it is.</p>
	<p>Comment 214- This is an introductory statement to subsequent comments. No response was necessary and none was given.</p>
126	<p>Comment 215-The responses to the first, second, fourth and fifth bullets in the comment repeat previous responses and do not add new information. The third bullet is an air quality issue. The response to the last bullet states that the study</p>

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Code	Issue	Response
123		Comment noted.
124	Purpose and Need	The comment infers the transportation problem is congestion in the central metropolitan area. As presented in Chapter 1 of the Draft and Final Environmental Impact Statements, the purpose and need analysis demonstrated a transportation problem associated with east-west regional mobility in the southwestern region of the Phoenix metropolitan area. The Arizona Department of Transportation, with concurrence from the Federal Highway Administration, has determined that the South Mountain Freeway (as made up by the W59 and E1 Alternatives) is the appropriate solution to the described transportation problem. A contribution of the Preferred Alternative to alleviate congestion in the central metropolitan area would be an incidental benefit of the project and would support a goal of better distribution of regional traffic across the network.
125	Implementation	Construction phasing of a project is not an indicator of “consistency.” The location and facility type are indicators of consistency. Nowhere in the Draft Environmental Impact Statement is it referenced that the proposed action is needed to comply with the <i>Regional Transportation Plan</i> .
126	Trucks	The use of the word “generate” in the response was incorrect. The response should have stated that the study considered the amount of truck traffic that would use the proposed freeway if an action alternative were to become the Selected Alternative. As noted in the comment, the Draft and Final Environmental Impact Statements consistently describe the anticipated changes in the distribution of traffic with the freeway in operation. The basic premise of the response was that impacts associated with truck traffic were considered in the study and were disclosed in the Draft and Final Environmental Impact Statements. The response was not intended to introduce a new conclusion as inferred by the commenter.

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	<p>considered the amount of truck traffic an Action Alternative would ‘generate’.” The word “generate” is key because elsewhere in the DEIS and FEIS it is stated the Proposed Action would re-distribute traffic. The word “generate” implies new truck traffic in the corridor due to either new truck-related uses along the corridor or trucks re-routed from other corridors.</p>
127	<p>Comment 216-ADOT failed to provide adequate response to this comment because the response re-iterates previous responses and words that appear in the DEIS and FEIS.</p>
127	<p>Comment 217-The response is incomplete because no quantitative analysis is provided in the DEIS to support the impacts of the No Action Alternative. Also it fails to mention that the No Action Alternative would avoid any impacts on South Mountain.</p>
127	<p>Comment 218-Response acknowledges that the attachments were reviewed but does not say what was done as a result of the review. Therefore the response is not adequate.</p>
128	<p>DIFFULTY OF OBTAINING MAG TRAVEL FORECASTING MODEL INFORMATION</p> <p>The FEIS was released for public review on September 24, 2014. After a review of the traffic-related portions of the FEIS and the ADOT responses to the DEIS Comments, it became apparent that obtaining output from the MAG Travel Forecasting Model and to get answers to some questions about the modeling process. Following is the timeline for the process of obtaining the desired information. In the timeline all dates refer to 2014.</p> <p>Friday, October 24 -- Telephone call to MAG (Roger Roy) to request information. Mr. Roy advised that information should be directed, preferably via e-mail to Mr. Vladimir Livshits, head of the MAG transportation modeling group.</p> <p>Monday, October 27 -- E-mail sent to Mr. Livshits listing questions and some travel model forecasting results. On the same date, e-mail response from Mr. Livshits requesting that I explain the reasons for the request for information and to identify on whose behalf I was requesting the MAG information.</p> <p>October 28 -- The requested details e-mailed to Mr. Livshits.</p>

Code	Issue	Response
127	Traffic	<p>All analyses presented in the Final Environmental Impact Statement used state-of-the-practice, scientific community accepted methods, data and assumptions and were updated as appropriate as new data and/or regulatory requirements were disclosed. Updating analyses throughout an environmental impact statement process is common and expected. The Final Environmental Impact Statement reflects those updates.</p> <p>The impacts analysis is presented in Table S-3 beginning on page S-10 of the Final Environmental Impact Statement. In the Section 4(f) Resources portion of the table (see page S-17), it states that no use of Section 4(f) resources would occur for the No-Action Alternative.</p> <p>The exhibits were reviewed in the context of the corresponding comment and the information was considered in the development of the Final Environmental Impact Statement.</p>
128		<p>Ultimately, the commenter was provided the requested travel demand model output files and responses to specific questions from the Maricopa Association of Governments two weeks prior to the original end of Final Environmental Impact Statement review period. The review period was later extended for an additional 30 days.</p>

Code	Comment Document
()	<p>November 6 -- E-mail from Mr. Anderson (MAG Director of Transportation) advising that staff is working on preparing the requested information.</p> <p>November 13 -- E-mail from Mr. Anderson answering some of the questions and advising that large files containing model output had been up-loaded to an FTP site for me to access.</p> <p>November 13 to November 18 -- Exchange of e-mails (primarily with Mr. Livshits) to get the answers to questions not fully answered previously, or to complete the information requested in the e-mail sent to MAG on October 28. The help offered and the prompt responses by Mr. Livshits during this period are sincerely appreciated.</p> <p>November 20 -- Advised by Mr. Anderson via e-mail that one of the output items requested is not available from MAG.</p> <p>The entire process took about three weeks, indicating that the information was not readily available, even though it was referenced in the FEIS. The information still remains not readily available to the stakeholders and the general public.</p>
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Code	Issue	Response

Code	Comment Document
<div data-bbox="214 689 270 743">129</div>	<div data-bbox="453 639 1258 828"> <p>SECTION 2</p> <p>LOOP 202 SOUTH MOUNTAIN FREEWAY</p> <p>ISSUES STILL NOT ADDRESSED ADEQUATELY IN THE NEPA EIS PROCESS</p> </div> <div data-bbox="1280 1701 1308 1727">29</div>

Code	Issue	Response
129		Section heading.

Code	Comment Document
130	<div><div>LOOP 202 SOUTH MOUNTAIN FREEWAY</div><div>ISSUES STILL NOT ADDRESSED ADEQUATELY IN THE NEPA EIS PROCESS</div><div>1. ADOT has made an “a priori” decision that the SMF will be built as a freeway generally along the alignment and between the two termini shown in the Regional Transportation Plan.</div><div>Following are the reasons and supporting information for this assertion:</div><div><div>a) A decision that transit was not an alternative was made prior to the submittal of Proposition 300 to the voters in 1985. Early in the decade of the 1980s, transit planning in the Phoenix Metropolitan area was in its infancy. Beyond the preparation of the Short Range Transit Plan, a requirement to obtain Federal funding assistance, very little attention was devoted to transit at the regional level.</div><div>In the decade of the 1990s transit started having a more prominent role in the regional planning process. But, by then, the decision to build Loop 202 SMF as a freeway appears to have been made, as presented in subsequent paragraphs. So any subsequent discussion of transit in the Regional Planning process is irrelevant to Loop 202 SMF.</div><div>The 2001 Update of the MAG Long Range Transportation Plan has a planning horizon year of 2021 and incorporates long range concepts for Light Rail Transit (LRT), including potential corridor extensions along I-10 (Papago), I-10 (Maricopa) and Central Avenue, southerly to Baseline Road. These corridor extensions would potentially serve portions of the Southwest Area. The 2001 LRTP also addresses plans for Local Bus, Express Bus, and Bus Rapid Transit services in the Southwest Area. The 2035 Regional Transportation Plan (published</div></div></div>

Code	Issue	Response
130	Alternatives	<div>The comment suggests the environmental impact statement process was biased by past planning efforts. Federal Highway Administration and Federal Transit Administration guidance issued in February 2005 (Linking the Transportation Planning and National Environmental Policy Act Process) notes that statewide and metropolitan transportation planning should be the foundation for highway and transit projects. The transportation planning process and the environmental analysis required during project development by the National Environmental Policy Act should work in tandem, with the results of the transportation planning processing informing the National Environmental Policy Act process. Therefore, the Federal Highway Administration was following a standard process of incorporating the metropolitan planning organization transportation plan into the National Environmental Policy Act. However, as required by the National Environmental Policy Act, the Federal Highway Administration evaluated a reasonable range of alternatives to those identified during the planning process, including transit, existing roads, and various alignments for the preferred alternative. Many of the alternatives were those brought forward by the public during the National Environmental Policy Act process. Because the Federal Highway Administration evaluated numerous alternatives to those identified by the local metropolitan planning organization, which is clearly described beginning on page 4 of the Record of Decision, it was not predecisional during the environmental impact statement process.</div>

Code	Issue	Response
131	Implementation	<p>The comment suggests the environmental impact statement process was biased by the fact that the Arizona Department of Transportation plans to use federal funds to construct the project. The National Environmental Policy Act does not allow this to be a factor in the decision regarding the selection of an alternative.</p> <p>Additionally, the National Environmental Policy Act process can't be started until an action is identified. One of the purposes of the National Environmental Policy Act is to evaluate alternatives to the action being brought forward by an agency.</p>

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Regional Transportation Plan) and dropped the “Parkway or Expressway” category, instead using separate categories of “Freeway” and “Highway.” Loop 202 SMF is designated as a 6-lane Freeway for its entire length. Accordingly, at some point between the 2001 and 2003 Updates, a decision was made to build Loop 202 SMF as a Freeway, rather than a Parkway or Expressway. In summary, despite the lengthy presentation of Historical Context in the FEIS, it cannot be ascertained what type of facility the voters believed would be built in the Loop 202 SMF corridor when they approved Proposition 300 in 1985.

- c) ADOT has built the interchange at I-10 (Maricopa) and Loop 202 in such a configuration that it can be readily extended along Pecos Road. The last sentence in the following quote (Chapter 3, Page 3-48) supports this assertion.

“E1 Alternative (Preferred Alternative)

Horizontal Alignment: *At the point common among all action alternatives, the E1 Alternative would travel to the southeast parallel and adjacent to the Community boundary, crossing over Estella Drive, 51st Avenue, and Ivanhoe Street. In this direction, the action alternative would pass through three ridges of the South Mountains (two of which are in SMPP) before turning to the east. Traveling to the east, the E1 Alternative would follow and replace the Pecos Road alignment north of and adjacent to the Community boundary, and would cross over 17th Avenue, Desert Foothills Parkway, 24th Street, 32nd Street, and 40th Street. The E1 Alternative would then connect to the existing I-10 (Maricopa Freeway)/ SR 202L (Santan Freeway)/Pecos Road system traffic interchange. Table 3-11 presents additional data pertaining to the E1 Alternative.”*

The following Responses to Comments (FEIS Volume III, Comments 162 and 175) are further support for this assertion.

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Code	Issue	Response
132	Implementation	<p>The comment suggests the environmental impact statement process was biased by the fact that the Arizona Department of Transportation constructed the eastern terminus in such a way that it could be expanded for a potential freeway connection. The National Environmental Policy Act does not allow this to be a factor in the decision regarding the selection of an alternative.</p> <p>The process of developing and screening alternatives was disclosed, robust, comprehensive, objective, and consistent with the National Environmental Policy Act's intent to use a logical, sequential, interdisciplinary approach to establish a range of reasonable alternatives (as concluded in text beginning on page 3-26 of the Final Environmental Impact Statement). In the case of Eastern Section action alternative, the study did consider alternatives that would not connect to the existing interchange at Interstate 10 (Maricopa Freeway) and Pecos Road (see text beginning on page 3-9 and Figure 3-6 in the Final Environmental Impact Statement).</p>

Code	Comment Document
133	<p>“Comment 162- In addition to access from 40th Street, access to the park-and-ride lot would be provided off of the westbound on-ramp. This is similar to the park-and-ride operations at Happy Valley Road and Interstate 17. Bus operations and circulation would continue to operate as-is today. Traffic operational characteristics along 40th Street and at the Cottonwood Lane intersection would not be adversely affected by the freeway. The park-and-ride lot has been expanded to its ultimate configuration.”</p> <p>Comment 175-To mitigate this issue, the on-ramp from Interstate 10 would be extended beyond the 40th Street exit ramp to allow traffic to merge onto the State Route 202L main line.”</p> <p>Also, the following quote on the ADOT web site indicates that ADOT built the interchange at I-10 (Papago)/Loop 202 (Santan) with the intent of accommodating Loop 202 SMF.</p> <p>“The E1 Alternative would connect to the existing I-10 (Maricopa Freeway)/Loop 202 (Santan Freeway)/Pecos Road system traffic interchange. The E1 Alternative would replace the Pecos Road connection. The system traffic interchange was constructed in 2000–2002 to accommodate the western leg of the Loop 202—the proposed freeway.”</p> <p>d) Per the following that appear on the ADOT web site, ADOT has acquired, and continues to acquire, right-of-way along Pecos Road.</p> <p>“ADOT purchased some right-of-way in the corridor along Pecos Road when it was adopted as the alignment in 1988. Currently, ADOT is acquiring right-of-way to preserve the viability of the corridor and to minimize future relocation of homes and businesses as part of the agency’s long-range planning efforts. Should another alternative be adopted as a result of this study, ADOT can dispose of the land that has been acquired but is no longer needed.</p> <p>A Pecos Road alignment for a portion of the proposed South Mountain Freeway was identified in a State-level Environmental Assessment completed in 1988, and that alignment was adopted by the State Transportation Board.</p> <p>The E1 Alternative, as known as the Pecos Road alignment, is the only action alternative developed for the Eastern Section. Therefore, ADOT,</p>

Code	Issue	Response
133	Implementation	<p>The comment suggests the environmental impact statement process was biased by a history of property acquisitions within the Study Area. More specifically, properties falling within the limits of the Preferred Alternative, as identified in the Final Environmental Impact Statement, were targeted for acquisition. The National Environmental Policy Act does not allow the ownership of right-of-way to be a factor in the decision regarding the selection of an alternative.</p> <p>In this case, property acquisitions by the Arizona Department of Transportation for purposes of implementing the project are done at risk as communicated to the agency by the Federal Highway Administration. If another action alternative were to be ultimately selected, the agency would likely have to place the acquired properties on the market for sale and purchase. The Arizona Department of Transportation attempts to balance the risk against its mission of timely delivery of transportation infrastructure to the traveling public.</p>

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with concurrence from FHWA, identified the E1 Alternative as its Preferred Alternative in the Eastern Section.”

e) ADOT is advertising (see below) on its web site that consultant services for SMF will be sought in January 2015.

Pending Advertisements

Contract Number	Contract Description	Project Manager/ADOT Group	ECS Specialist	DBE Goal
2015-004	SR202, South Mountain Freeway, General Engineering Consultant Services-The Anticipated Advertisement Date for this contract is late January, 2015	Carmelo Acevedo	Gregory Wristen	TB

f) Per the following quote from the ADOT web site, ADOT has received an unsolicited proposal for a public/private partnership from a group of firms and is seriously considering this approach for the construction of Loop 202 SMF. In addition, ADOT introduced the concept of a design/build process in the FEIS.

“If approved, funding to begin construction of the South Mountain Freeway is available as soon as 2015, according to the state’s Five-Year Transportation Facilities Construction Program. ADOT has determined that pursuant to the unsolicited proposal submitted to construct the freeway, construction will follow a public-private partnership helping to speed construction and reduce overall cost of the project. The freeway would not be tolled under any public-private partnership proposal, but would include a private group involved with design, construction and maintenance of the 22-mile-long freeway.”

2. As early as 2012, the preparers of the DEIS were, or should have been, aware that population and employment forecasts based on the 2010 U.S. Census were available and that these forecasts were much lower than the forecasts used for the DEIS. The issuance of the DEIS should

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Code	Issue	Response
134	Implementation	<p>The comment suggests the environmental impact statement process was biased by the Arizona Department of Transportation’s recent activity related to the implementation of the Preferred Alternative. The National Environmental Policy Act does not allow the procurement of designers and constructors to be a factor in the decision regarding the selection of an alternative.</p> <p>In this case, procurement of designers and constructors by the Arizona Department of Transportation for purposes of implementing the project are done at risk as communicated to the agency by the Federal Highway Administration. The Arizona Department of Transportation attempts to balance the risk against its mission of timely delivery of transportation infrastructure to the traveling public.</p>
135	Socioeconomic Projections	<p>Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer’s Office. The projections by the Arizona State Demographer’s Office are produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published, but before the Final Environmental Impact Statement was issued.</p> <p>Under the National Environmental Policy Act, it is common for new data to avail itself and to, therefore, update the environmental impact statement as new data become available. It is not a requirement, however, to stop the environmental impact statement process in its entirety to wait for new information to become available. Completing an environmental impact statement under those terms would be quite difficult and, arguably, the public would not receive benefits associated with a proposed public infrastructure action. In this case, the project team experts were aware that socioeconomic projections were to be made available but it was likely (based on the Draft Environmental Impact Statement content and processes and a qualitative understanding of what the updated information would show and reveal) that conclusions affected by such data would not substantially change. The team undertook a quite acceptable, common, and understood practice of publishing the Draft Environmental Impact Statement while new data were developing and then present the new information in the Final Environmental Impact Statement. The new information would not automatically assume the need for a supplemental document.</p>

Code	Comment Document
136	<p>have been delayed until the implications of the revised socio-economic forecasts could have been determined and presented in the DEIS.</p> <p>Countywide population and employment forecasts for 2020, 2030, and 2040 were available as early as May 2012 and were adopted by the MAG Regional Council in December 2012 (please see Exhibit 3, Page 3 in attached MAG document) .</p> <p>The 2035 population projection in the DEIS exceeded the “new” 2040 projections (6,545,000 for 2035 in the DEIS, compared to 6,175,000 adopted for 2040). Likewise, in the DEIS the 2035 Countywide projection for employment was 3,600,000, compared to the approved 2040 employment projection of 3,096,600. Also, preliminary County- level 2035 population and employment projections were presented to the MAG Population Technical Advisory Committee (POPTAC) for approval in October 2012. These large differences in the population and employment projections that came to light well in advance of the release of the DEIS, were not disclosed in the DEIS. Therefore, stakeholders and public did not have ready access to this vital information during the DEIS review period and lacked adequate information to make informed decisions. Even now, TAZ level socio-economic data remains unavailable readily because it is not included in the FEIS, and the FEIS does not state how and from whom such data may be obtained, if needed, to make an informed judgment.</p> <p>The FEIS states in response to DEIS Comment Number 123 in Volume III of Responses to Comments that:</p> <p><i>“The analyses in the Draft Environmental Impact Statement used socio-economic and traffic projections at the regional analysis zone and traffic analysis zone levels. At the time of publication of the Draft Environmental Impact Statement, Census 2010-based socioeconomic data at the regional analysis zone and traffic analysis zone levels had not been adopted by the Maricopa Association of Governments and were not available to the project team. Therefore, the data used in the Draft Environmental Impact Statement were the most appropriate information available.”</i></p> <p>This response fails to mention that sufficient information was available to the preparers of the DEIS as early as October 2012 when preliminary County-level 2035 population and employment forecasts were presented to the Population Technical Advisory Committee (POPTAC) for approval.</p>

Code	Issue	Response
136	Socioeconomic Projections	All socioeconomic and traffic projections used in the study were obtained from the Maricopa Association of Governments. The Maricopa Association of Governments 2013 socioeconomic projections and detailed documentation are available at <azmag.gov/Projects/Project.asp?CMSID=1132&MID=Information%20Services> and were posted on June 25, 2013. The projections can also be accessed in an online viewer on the Maricopa Association of Governments Web site at <geo.azmaq.gov/maps/projections2013/>.
137	Socioeconomic Projections	Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer’s Office. The projections by the Arizona State Demographer’s Office are produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published, but before the Final Environmental Impact Statement was issued. Use of the county-level projections without the more detailed regional analysis zone or traffic analysis zone information would have introduced inconsistencies in the Draft Environmental Impact Statement.

Code	Comment Document
138	<p>These revised 2035 forecasts were substantially lower than the forecasts used for the DEIS. These large differences in the population and employment projections that came to light well in advance of the release of the DEIS, were not disclosed in the DEIS. Therefore, the stakeholders and public did not have ready access to this vital information during the DEIS review period and lacked adequate information to make informed judgments.</p> <p>Also in response to Comment 123, the FEIS states that:</p> <p><i>“The Maricopa Association of Governments approved new population, employment, housing, and traffic projections in June 2013. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11.”</i></p> <p>This basis for this statement is not documented. In June 2013 the MAG Regional Council adopted population and employment projections by Municipal Planning Areas and by Regional Analysis Zones for 2040 (please see Exhibit 1, Page 2 of MAG Resolution). However, the resolution adopted by MAG in June 2013 addresses 2020, 2030, and 2040 projections and does not address 2035. The adoption does not even address traffic projections, only socio-economic projections.</p> <p>The FEIS does not state when and by whom 2035 population and employment forecasts at the level of Regional Analysis Zones (RAZ) and Traffic Analysis Zones (TAZ) were approved, and when traffic projections were prepared. As stated previously, preliminary County-level 2035 population and employment projections were presented to the Population Technical Advisory Committee (POPTAC) for approval in October 2012. The Meeting Agenda and the Minutes of POPTAC Meeting on Jan. 22, 2013 (Exhibit 4) indicate that: at that time, work on developing projections at the Municipality level was on-going; that projections through 2020 only were available; that projections through 2040 would be needed by May 2013, the month when the DEIS was released for public review. Thus, 2035 traffic projections could not have been approved in June 2013 because, 2035 TAZ-level socio-economic data was not available until the summer of 2013, per the explanation below provided by MAG by e-mail on November 13, 2014.</p>
139	

Code	Issue	Response
138	Traffic	Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer’s Office. The projections by the Arizona State Demographer’s Office are produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published, but before the Final Environmental Impact Statement was issued. As noted previously, the updated information was incorporated into the Final Environmental Impact Statement.
139	Socioeconomic and Traffic Projections	<p>A data set for 2035 was provided by the Maricopa Association of Governments for use in the study. The traffic projections were provided after the adoption of the socioeconomic projections.</p> <p>The Maricopa Association of Governments socioeconomic projections are reviewed with the Maricopa Association of Governments Population Technical Advisory Committee by traffic analysis zone. While the dataset for 2035 from the 2013 Maricopa Association of Governments socioeconomic projections was not adopted, the dataset was produced using the AZ-SMART model, which operates on an annual basis, in line with the approved datasets for 2030 and 2040. The 2035 dataset conforms to the population control totals contained in the Arizona State Demographer’s Office projections approved in December 2012. A detailed time line for the Maricopa Association of Governments 2013 socioeconomic projections can be found in the documentation available at <azmag.gov/Documents/IS_2013-06-25_MAG-Socioeconomic-Projections-Documentation-June-2013.pdf>.</p>

Code	Comment Document
	<p>“On June 19, 2013, the MAG Regional Council, by consent, approved the MAG resident population, housing and employment by Municipal Planning Area (MPA) and Regional Analysis Zone (RAZ) for July 1, 2020, 2030 and 2040. Corresponding Traffic Analysis Zone (TAZ) level socioeconomic forecasts were then developed by MAG and provided for transportation modeling in the summer of 2013.”</p> <p>The FEIS also states in response to DEIS Comment Number 123 in Volume III of Responses to Comments that:</p> <p>“Under the National Environmental Policy Act, it is common for new data to avail itself and to, therefore, update the environmental impact statement as new data become available. It is not a requirement, however, to stop the environmental impact statement process in its entirety to wait for new information to become available. Completing an environmental impact statement under those terms would be quite difficult and, arguably, the public would not receive benefits associated with a proposed public infrastructure action. In this case, the project team experts were aware that socioeconomic projections were to be made available but it was likely (based on the Draft Environmental Impact Statement content and processes and a qualitative understanding of what the updated information would show and reveal) that conclusions affected by such data would not substantially change. The team undertook a quite acceptable, common, and understood practice of publishing the Draft Environmental Impact Statement while new data was developing and then present the new information in the Final Environmental Impact Statement. The new information would not automatically assume the need for a supplemental document.”</p> <p>In this case, the data is not “new” but fundamental and vital to many aspects of the EIS for the Proposed Action. The “new” socio-economic forecasts affect many facets of the EIS analyses, including traffic projections, air quality, noise, land use, growth inducement, social conditions, economic implications, water resources, and possibly others. The preparers of the EIS did not reveal in the DEIS that, as stated in the Response to Comment 123, they had a “qualitative understanding” that the new information would not affect any conclusions, significantly. This lack of disclosure raises questions about the nature and scope of the analyses that led to the “qualitative understanding” prior to the release of the DEIS, since these are not disclosed in the FEIS either. The decision not to disclose significant</p>

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Code	Issue	Response
140	Socioeconomic and Traffic Projections	<p>At the time of publication of the Draft Environmental Impact Statement, Census 2010-based socioeconomic data at the regional analysis zone and traffic analysis zone levels had not been adopted by the Maricopa Association of Governments and were not available to the project team. Therefore, the data used in the Draft Environmental Impact Statement were the most appropriate information available.</p> <p>Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer's Office. The projections by the Arizona State Demographer's Office are produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the subcounty level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published, but before the Final Environmental Impact Statement was issued. As noted previously, the updated information was incorporated into the Final Environmental Impact Statement.</p> <p>The Maricopa Association of Governments socioeconomic projections are reviewed with the Maricopa Association of Governments Population Technical Advisory Committee by traffic analysis zone. While the dataset for 2035 from the 2013 Maricopa Association of Governments socioeconomic projections was not adopted, the dataset was produced using the AZ-SMART model, which operates on an annual basis, in line with the approved datasets for 2030 and 2040. The 2035 dataset conforms to the population control totals contained in the Arizona State Demographer's Office projections approved in December 2012. A detailed time line for the Maricopa Association of Governments 2013 socioeconomic projections can be found in the documentation available at <azmag.gov/Documents/IS_2013-06-25_MAG-Socioeconomic-Projections-Documentation-June-2013.pdf>.</p>

Code	Comment Document
141	<p>information available to the preparers, but not readily available to the stakeholders at the time the DEIS was released, made it impossible for stakeholders to make informed judgments and offer comments based on the entirety of the information available to the preparers.</p> <p>3. Some aspects of the 2035 socio-economic projections in the FEIS appear questionable.</p> <p>The socio-economic projections in the FEIS appear to overstate the amount of growth in the Southwest Area. Please see the tabulation and comparison of the DEIS and FEIS socio-economic projections (Exhibit 1). The FEIS does not contain or refer to this type of comparison, at all, nor is there any attempt to explain the reasons for the seemingly disproportionate changes between the DEIS and the FEIS projections.</p> <p>38</p>

Code	Issue	Response
141	Socioeconomic Projections	<p>Known development projects with varying degrees of investment and jurisdictional approval are input to AZ-SMART, the socioeconomic model used by the Maricopa Association of Governments to develop long-range projections. The datasets, methods, and assumptions used in the model are reviewed and approved by the Maricopa Association of Governments Population Technical Advisory Committee. Detailed documentation for the 2013 socioeconomic projections is available at <azmag.gov/Documents/IS_2013-06-25_MAG-Socioeconomic-Projections-Documentation-June-2013.pdf>.</p> <p>The observation reached by the commenter is correct. The reduction in total population is generally at the outer years of the horizon (2030 to 2035); most of the growth slated for the Study Area occurs in the earlier years of the horizon. Therefore, the Study Area experienced a lower percentage decrease in projected population in 2035 than the county as a whole. The values presented in the Final Environmental Impact Statement are accurate.</p>

Code	Comment Document
142	<p>The 2035 population projection in the FEIS is reduced by 154,000 in the Study Area, compared to the DEIS; the population in the rest of the County is reduced by 615,000. The 2035 employment in the Study Area is reduced by 169,000, compared to 539,000 in the rest of the County. The questions that arise are:</p> <ul style="list-style-type: none">➤ Why were the DEIS projections so far off the mark for the rest of the County while the projections for the Study Area are reasonably close?➤ Why did the MAG socio-economic forecasting tools produce such seemingly anomalous results? Is there a better explanation than “the Southwest Area is the fastest growing area in the County” that appears both in the DEIS and FEIS?➤ Is the projected population growth of 918,000 in the Study Area between 2010 and 2035 reasonable in view of 1,034,000 projected for the rest of the County? (As a side note, the population of the City of Phoenix was approximately 1,000,000 in 1990. In 2010, the City’s population was approximately 1.5 million.) Likewise is the employment growth of 558,000 in the Study Area reasonable compared to 627,000 in the rest of the County? <p>4. The FEIS is presented much like a DEIS and contains information that is significantly different than the DEIS.</p> <p>Because of the introduction of an entirely revised set of socio-economic projections, the FEIS contains much new data in addition to all the information that relies on the socio-economic projections. The description of the existing environment was changed also, where appropriate, such as the use of 2012 traffic counts in lieu of older counts. Because of such changes to the description of existing conditions, and the changes to the projections and analyses, the FEIS, in fact, represents a re-circulation of the DEIS, despite the change in name.</p> <p>The FEIS has the appearance of a new, rather than revised, document because the changes are described only in the Prologue in general terms. On the other hand, the specific changes in text, tables, or figures are not identified. So the reader must refer to the DEIS to identify the revisions between the DEIS and the FEIS. This is a time-consuming process and makes it very difficult for the reader to determine the magnitude of the differences between the DEIS and the FEIS and to judge whether or not the</p>

Code	Issue	Response
142	Socioeconomic Projections	<p>Known development projects with varying degrees of investment and jurisdictional approval are input to AZ-SMART, the socioeconomic model used by the Maricopa Association of Governments to develop long-range projections. The datasets, methods, and assumptions used in the model are reviewed and approved by the Maricopa Association of Governments Population Technical Advisory Committee. Detailed documentation for the 2013 socioeconomic projections is available at <azmag.gov/Documents/IS_2013-06-25_MAG-Socioeconomic-Projections-Documentation-June-2013.pdf>.</p> <p>The observation reached by the commenter is correct. The reduction in total population is generally at the outer years of the horizon (2030 to 2035); most of the growth slated for the Study Area occurs in the earlier years of the horizon. Therefore, the Study Area experienced a lower percentage decrease in projected population in 2035 than the county as a whole. The values presented in the Final Environmental Impact Statement are accurate.</p>
143		<p>The prologue to the Final Environmental Impact Statement provided details related to the changes between the Draft Environmental Impact Statement and the Final Environmental Impact Statement (see page xi in the Final Environmental Impact Statement).</p> <p>As noted on page xi of the Prologue to the Final Environmental Impact Statement, the purpose and need for the project was reevaluated using the new socioeconomic projections related to regional traffic, and the conclusions reached in the Draft Environmental Impact Statement were reconfirmed in the Final Environmental Impact Statement. Similarly, it is noted on page xi that the alternatives development and screening process was validated using the updated socioeconomic and traffic projections.</p>

Code	Comment Document
	<p>results presented in the FEIS are commensurate with the changes in the inputs.</p> <p>Many of the FEIS responses to comments ask the reader to take the statements at face value, such as “The ‘Purpose and Need Statement’ was confirmed,” or “the selection of the range of alternatives was confirmed.” In many cases, no real explanation is provided. Since some traffic projections in the FEIS do not make sense in view of the changes in the socio-economic data, the lack of additional explanation is not justifiable.</p> <p>144 5. The planning horizon year is too short.</p> <p>The FEIS states that construction of the freeway will take about five to six years (please see Chapter 3, Alternatives, Page 3-60, first column). This would place opening of the entire freeway in or about the year 2020, with a planning horizon year of 2035, or 15 years after opening day. It is generally accepted practice to use a planning horizon year about 20 years beyond the opening date of the freeway.</p> <p>145 6. Interim impacts with phased construction are not presented.</p> <p>Phased construction is mentioned in the FEIS, but no discussion of interim traffic impacts is presented. It is stated that construction would start at about the same time along Pecos Road and along the W59th Avenue alignment, but the middle section connecting the two initial segments would come later. The FEIS does not disclose whether the initial segment to be constructed along Pecos Road will have substantial, if any, benefits for the traveling public until such time as the middle section is constructed.</p> <p>If during construction, cultural resources are encountered along the middle section, where this might be likelier than any other segment, any benefits of the freeway along Pecos Road would not be realized for a long time while impacts would be incurred, such as property takings, access route changes for residents, construction period impacts, and the possibility that westbound motorists on Loop 202 Santan and northbound I-10 (Maricopa) will use Pecos Road inadvertently and come to a stub end, with exits only into residential areas.</p> <p>40</p>

Code	Issue	Response
144	Planning Horizon	The Arizona Department of Transportation and Federal Highway Administration used a planning horizon of 2035 so that the study would be consistent with the planning horizon for the <i>Regional Transportation Plan</i> and regional air quality conformity analysis.
145	Temporary Construction Impacts	Potential temporary construction impacts are described beginning on page 4-173 of the Final Environmental Impact Statement.

Code	Comment Document
146	<p>Also, the traffic forecasts indicate that the Pecos Road segment would have lower traffic volumes compared to the Western Section along the 59th Avenue alignment. It would be prudent not to start the construction of the Pecos Road segment until after it is ascertained that there would be no issues to delay the construction of the middle and 59th Avenue segments. Without the central portion, the portion of the route along 59th Avenue would have independent utility as an initial segment, whereas the Pecos Road segment would not.</p> <p>7. The FEIS does not address truck traffic, adequately.</p> <p>The FEIS states that: <i>“The Maricopa Association of Governments regional travel demand model projects that truck traffic would represent approximately 10 percent of the total traffic on the proposed freeway, similar to what is currently experienced on other regional freeways such as Interstate 10, State Route 101L, and U.S. Route 60.”</i> This general statement in the FEIS is the only indication of the number of trucks on Loop 202 SMF. On the other hand, ADOT truck traffic counts indicate that many segments along existing freeways in the region have substantially more than 10% truck traffic, while some others have less. Despite requesting additional truck traffic information in the DEIS comments, no additional information is presented in the FEIS.</p> <p>If as stated in the FEIS, the MAG travel model forecasts truck traffic volumes, why not present the number of trucks for the freeways, including Loop 202 SMF? A mere mention of a percentage figure may lead to incorrect conclusions. As an example, with the information available in the FEIS, the total 2035 traffic on the SMF would be about 132,000 vehicles per day between 24th Street and 40th Street, whereas the traffic would be 120,000 vehicles per day between 40th Street and I-10 (Maricopa). If we were to apply the 10% truck traffic assumption, we would have about 13,200 trucks per day between 24th Street and 40th Street and about 12,000 trucks per day between 40th Street and I-10 (Maricopa). Thus, the FEIS suggests, and one would conclude that the residential area served by 40th Street interchange would result in a net increase in truck traffic of about 1,200 per day. (The term “net” is used because some trucks would get off and some trucks would get on the freeway at the interchange.) Does the MAG model indicate this level of truck activity at the 40th Street interchange? This level of activity at an interchange serving primarily a</p>

Code	Issue	Response
146	Trucks	<p>The total number of heavy trucks that will use the main line of the freeway will vary by location, but average out to approximately 10 percent. The percentage presented in the Final Environmental Impact Statement is an approximation that generally represents the entire corridor. Similarly, other regional freeways experience varying levels of heavy truck usage, but the 10 percent level is the average.</p> <p>It is not anticipated that a high number of heavy trucks will use the traffic interchanges serving primarily residential areas. Again, the percentage is approximate and varies and is presented for travel on the freeway main line.</p> <p>The quotes presented in the comment are correct in that trucks will use the freeway for varying purposes. A detailed discussion of trucking in the region is presented on page 3-64 of the Final Environmental Impact Statement.</p>

Code	Comment Document
	residential area is very unlikely, yet that would be the conclusion if the reader were to rely on the “percentage” calculation.
	Following are a series of quotes from the ADOT web site:
	<i>“The primary purpose of the proposed freeway is not to create a “truck bypass” for downtown Phoenix. The proposed freeway is part of a transportation system developed to improve mobility in the region by increasing capacity and providing alternatives to allow traffic—including truck traffic—to bypass already congested routes. Like other “loop” freeways in the Phoenix metropolitan area, the proposed South Mountain Freeway would be a commuter corridor, helping to move local traffic between the eastern and western portions of Maricopa County.”</i>
	This paragraph says, although not in so many words, that some trucks that now use congested routes will use Loop 202 SMF as a by-pass.
	<i>“Commercial trucks would use the proposed freeway. As with all other freeways in the MAG region, trucks would use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. And as with travel on all other freeways in the MAG region, the primary users of the proposed action would be automobiles.”</i>
	This quote is stating, in essence, that trucks would in fact use Loop 202 SMF for through-transport, which is described in the following quote from the ADOT web site.
	<i>“Traffic that neither starts nor ends in the Valley is referred to as “pass-through.” An example is I-10 traffic that originates in Los Angeles and passes through the Phoenix area, without stopping, on the way to El Paso.”</i>
	These quotes support the contention in the DEIS comments that, intended or not, trucks will use Loop 202 as a by-pass for through or intra-regional trips.
	The MAG Traffic Forecasting Model produces truck traffic forecasts for all freeways and arterials in the Region. An initial review indicates that there are large differences between the model results and the “approximately 10% trucks on the freeways” quoted in the FEIS. Because the MAG forecast information became available late in the FEIS review period, a detailed analysis of the truck traffic patterns, such as origin-destination pairs, could not be performed. The difference between actual model results and the 10% statement in the FEIS remains unexplained. Please refer to Section 1, Comment 179 for further details of the truck forecasts and to Section 1, Page 25 for the timetable for availability of the MAG model results.
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147	<p>8. The DEIS and the FEIS assume that SR-30 would be connected to the Proposed Action alignment in the Western Section even though funding for this route is not assured.</p> <p>The inclusion of SR 30 is not appropriate in the context of the analysis for the proposed action. In the event that construction of SR30 is delayed to a post-2035 period due to lack of funding or due to environmental constraints, the traffic projections for Loop 202 SMF would be substantially affected. The FEIS did not contain a sensitivity analysis to assess the implications of this eventuality. The No Action alternative also includes SR-30, albeit without a good definition of how it would connect with the arterial system and thence to I-10 (Papago). If SR 30 were to be included in the No Action alternative, a possible reasonable variation would have been the construction of the W59 portion of the Proposed Action between I-10 and SR 30 as part of an extension of SR 30.</p>
148	<p>9. The DEIS and FEIS contain conclusions without presenting appropriate backup; also, some referenced information is not readily available.</p> <p>The following is one of the Comments on the DEIS (Item 6.m in the Comments).</p> <p><i>“Numerous tables and figures carry the notation “Source: MAG, Year, Extrapolated Analysis.” The actual source of the data should have been provided and the data provided by MAG should have been included in the FEIS as an Appendix or should have been made readily available and accessible. The Traffic Overview Report, which is the basis of much of Chapter 3 (Alternatives) in the DEIS, does not offer anything further in this matter. Without more backup information, it is not possible to ascertain what constitutes “extrapolation,” and whether the extrapolation reflects the full extent and significance of the information available. Difficulties were encountered in obtaining source information from MAG and are documented on Page 25 of Section 1 of this report. Identify specific</i></p> <p>In Chapter 3 (Alternatives) of the FEIS, traffic volume, capacity, and other information is provided in spotty manner and does not offer the opportunity to ascertain if the information provided for selected locations is reasonable and if it fits in with the overall picture. For example, in Figure 3-38, daily traffic volumes are presented for the length of South Mountain Freeway</p>

Code	Issue	Response
147	Implementation	The State Route 30 project is in the Maricopa Association of Governments 2035 Regional Transportation Plan, updated in January 2014. It is identified in Group 3, with implementation planned between fiscal years 2027 and 2035. As noted in the text box on page 1-5, the Regional Transportation Plan includes only projects for which funding is available or is reasonably expected. Therefore, there is an intent and expectation that the State Route 30 project will be implemented by 2035.
148	Traffic	The citation for most of the traffic-related figures and tables in the Final Environmental Impact Statement is to Maricopa Association of Governments 2013c, extrapolated analysis. In the references and bibliography that citation refers to the Regional Travel Demand Model Output (TransCAD). As noted on page 1-4 of the Final Environmental Impact Statement, the reference to “extrapolated analysis” means that the analysis was performed using Maricopa Association of Governments data as inputs. In most instances the data was extracted directly from the travel demand model output and presented in the figures and tables. Additional details are presented in the Traffic Overview report. Ultimately, the commenter was provided the requested travel demand model output files and responses to specific questions from the Maricopa Association of Governments two weeks prior to the original end of Final Environmental Impact Statement review period. The review period was later extended for an additional 30 days.

Code	Comment Document
	<p>between I-10 (Maricopa) and I-10 (Papago) and several other locations in the immediate vicinity of the Proposed Action. Traffic volume forecasts for other freeways are presented in spotty manner. Therefore routing changes attributable to the Proposed Action cannot be identified by stakeholders and the public on the basis of readily available information.” The difficulties encountered in obtaining source information from MAG are documented on Page 25 of Section 1 of this report.</p> <p>In the FEIS Response to Comments (Volume III, Page B467, Comments 184 and 185), the following two-part explanation is provided.</p> <p>Comment 184-“The sidebar, “How are MAG data used in the DEIS?” on page 1-4 of the Draft Environmental Impact Statement explains the citation notations. In general, the source of the traffic data is the Maricopa Association of Governments regional travel demand model, and analyses were performed using Maricopa Association of Governments data as inputs.”</p> <p>Comment 185- “The desired information is available in Figure 3-12, on page 3-29 of the Draft Environmental Impact Statement. This figure presents traffic volumes with and without the proposed freeway at locations similar to those noted in the comment.”</p> <p>The response is not adequate because the nature and extent of the “extrapolation” is not explained. The difficulties encountered in obtaining source information from MAG are documented on Page 25 of Section 1 of this report.</p> <p>The lack of some readily available information makes it impossible for stakeholders and the public to make informed judgments about points in favor and against the Proposed Action.</p> <p>10. Some reasonable alternatives were not considered at all or dismissed without due consideration.</p> <p>The transit and arterial options were eliminated early in the NEPA process, in the modal screening stage, because they allegedly would not meet the Purpose and Need. This action precluded the formulation of possible alternatives for the Southwest Area to address specific needs with a multi-modal approach that would combine freeway, transit, and/or arterial</p>

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Code	Issue	Response
149	Alternatives	<p>These alternatives and the combination of alternatives were evaluated in the Final Environmental Impact Statement. However, they did not satisfy the project purpose and need. A partial freeway from Interstate 10 (Papago Freeway) to Laveen Village is not reasonable because it would not meet the proposed freeway's identified purpose and need.</p> <p>Construction of Carver Road between 59th and 51st avenues is included in the City of Phoenix <i>General Plan</i> transportation element.</p> <p>Improving 51st Avenue between Carver and Pecos roads would require permission of the Gila River Indian Community. Any alternative on Gila River Indian Community land must consider tribal sovereignty. Tribal sovereignty is based in the inherent authority of Native American Tribes to govern themselves. While this notion of sovereignty is manifested in many areas, generally Native American land is held in trust by the United States. Native American communities have the authority to regulate land uses and activities on their land. States have very limited authority over activities within tribal land (see page 2-1 of the Final Environmental Impact Statement). From a practical standpoint, this means that the Arizona Department of Transportation and Federal Highway Administration do not have the authority to survey tribal land, make land use (including transportation) determinations directly affecting tribal land, or condemn tribal land for public benefit through an eminent domain process. Based on previous comments from the Gila River Indian Community related to pass-through traffic using 51st Avenue, the Gila River Indian Community would not support any activities that would increase unwanted traffic through its communities.</p> <p>Extending Pecos Road to 51st Avenue would not be feasible because a portion would be located on Gila River Indian Community land, and the Gila River Indian Community has not provided permission to construct a facility on its land. Based on previous comments from the Gila River Indian Community related to pass-through traffic using 51st Avenue, the Gila River Indian Community would not support any activities that would increase unwanted traffic through its communities.</p> <p>Improvements to the arterial street system in the southwestern area (Laveen and Estrella Villages) are planned in the City of Phoenix <i>General Plan</i>.</p> <p>For these reasons, alternatives similar to the hybrid alternative proposed in the comment were eliminated from detailed study.</p>

Code	Comment Document
150	<p>elements. One such alternative, “the hybrid” alternative, was suggested in the DEIS comments, but was dismissed without due consideration in the Responses to Comments in the FEIS. The primary reasons for rejection were that the hybrid alternative would not meet the Purpose and Need and that it would necessitate construction on land owned by the Community. Comment 135 in Section 1 of this report, describes the hybrid alternative and enumerates points in its favor.</p> <p>Also Comment 136 in Section 1 explains why an alternative should not be dismissed without thorough analysis, solely because it traverses Community land. Several such alternatives, including the so-called Community Alternative as depicted in Figure 3-25 of the DEIS and FEIS, were also dismissed early in the NEPA process, primarily on the basis that they would traverse Community land.</p> <p>The reasons for the dismissal of these and other alternatives are not presented with adequate supporting information to enable the stakeholders and the public to make informed judgments.</p> <p>As distinct from the Community Alternative mentioned above, the Community submitted yet another alternative during the DEIS comment period. That alternative would lie generally along Baseline Road between 59th Avenue and I-10 and would connect to I-10, either as an extension of US 60 or at Baseline Road. As in the case of similar alternatives submitted early in the NEPA process, the Community’s recent submittal appears to have been ignored in the FEIS.</p> <p>45</p>

Code	Issue	Response
150	Alternatives	The alternative submitted by the Gila River Indian Community is included in the Final Environmental Impact Statement (see page 3-10 of the Final Environmental Impact Statement) and Record of Decision (see page 14).

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EXHIBIT 1

COMPARISON OF SOCIO-ECONOMIC FORECASTS IN DEIS AND FEIS

DEIS	2005 MAG Estimates	2010 Census	2035 MAG Forecasts in DEIS	Growth 2005 to 2010			Growth 2010 to 2035			Persons per job							
				Amount	%Growth	Average Annual % Growth	Growth Amount	%Growth Annual	Average % Annual	DEIS 2005	2010 Census DEIS 2035						
Population																	
County	3,681,000	3,824,000	6,545,000	143,000	3.88%	0.78%	2,721,000	71.16%	2.85%	2.11	2.24						
Study Area	1,308,000	1,506,000	2,578,000	198,000	15.14%	3.03%	1,072,000	197.09%	6.57%	2.93	2.09						
County other than Study Area	2,373,000	2,318,000	3,967,000	-55,000	-2.32%	-0.46%	1,649,000	167.17%	5.57%	1.82	1.93						
Employment																	
County	1,748,000	1,707,000	3,600,000	-41,000	-2.35%	-0.47%	1,893,000	110.90%	4.44%								
Study Area	447,000	506,000	1,236,000	62,000	13.87%	2.77%	727,000	142.83%	5.71%								
County other than Study Area	1,301,000	1,198,000	2,364,000	-103,000	-7.92%	-1.59%	1,166,000	181.71%	6.06%								
FEIS																	
Population																	
County	N/A	2010 Census	2035 MAG Forecasts in FEIS	N/A	N/A	N/A	Growth Amount	%Growth Annual	Average % Annual	N/A	2010 Census FEIS 2035						
Study Area		3,824,000	5,776,000				1,952,000	51.05%	2.04%		2.24						
County other than Study Area		1,506,000	2,424,000				918,000	60.96%	2.44%		2.96						
Employment																	
County		2,318,000	3,352,000				1,034,000	44.81%	1.78%		1.93						
Study Area		1,707,000	2,892,000				1,185,000	69.42%	2.78%		1.84						
County other than Study Area		509,000	1,067,000				558,000	109.63%	4.39%								
		1,198,000	1,825,000				627,000	52.34%	2.09%								
Comparison of MAG Population and Employment Forecasts for DEIS and FEIS																	
Population	DEIS	FEIS	Difference (FEIS-DEIS)														
County	6,545,000	5,776,000	-769,000	Amount	Percent												
Study Area	2,578,000	2,424,000	-154,000	-5.97%													
County other than Study Area	3,967,000	3,352,000	-615,000	-15.50%													
Employment																	
County	3,600,000	2,892,000	-708,000	-19.67%													
Study Area	1,236,000	1,067,000	-169,000	-13.67%													
County other than Study Area	2,364,000	1,825,000	-539,000	-22.80%													

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Code	Issue	Response
151		Exhibit reviewed.

Code Comment Document

COMMENT 2

**SWCA Comments on ADOT South Mountain
Freeway Final EIS (September 2014)**

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Code	Issue	Response
152		Title page.

Code		Comment Document	
SWCA Comments on ADOT South Mountain Freeway Final EIS (September 2014) Prepared for PARC et al.			
ADEQUACY OF THE NEPA ANALYSIS			
Chapter	Section / Subsection	Page(s)	Resource Area
1	All	1-22	General NEPA – Purpose and Need
			<p>Chapter 1 of the DEIS, Purpose and Need, presents a lengthy and elaborate explanation of the need for the proposed freeway ("as recognized in over 25 years of transportation planning") based on Phoenix area growth rates from 1950 to the present day coupled with MAG growth projections to 2035. However, even if one accepts these future growth projections as reasonably accurate and that the "need" is real, there is nothing in the stated "purpose" to demonstrate why the proposed freeway remedy must be built within the selected Study Area and nowhere else. In short, other reasonable alternatives exist that could also fulfill the stated Purpose and Need, but these have been arbitrarily excluded from detailed analysis in violation of 40 CFR 1502.14. (Also see question/answer 2a of "Forty Most Asked Questions Concerning CEQ's NEPA Regulations": "In determining the scope of alternatives to be considered, the emphasis is on what is 'reasonable' rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.")</p>
			<p>219 As discussed beginning on page 1-11 of the Draft Environmental Impact Statement, the proposed action is needed to serve projected growth in population and accompanying transportation demand and to correct existing and projected transportation system deficiencies. The analyses in the Draft Environmental Impact Statement used socioeconomic and traffic projections at the regional analysis zone and traffic analysis zone levels. At the time of publication of the Draft Environmental Impact Statement, Census 2010-based socioeconomic data at the regional analysis zone and traffic analysis zone levels had not been adopted by the Maricopa Association of Governments and were not available to the project team. Therefore, the data used in the Draft Environmental Impact Statement were the most appropriate information available. As presented in text beginning on page 3-1 of the Draft Environmental Impact Statement, a comprehensive alternatives development and screening process was undertaken that represented an objective, defensible, and fully disclosed logical, sequential, step-by-step process using data and expertise from multiple disciplines applied to a comprehensive set of alternatives to establish the appropriate range of reasonable alternatives for detailed study in the Draft Environmental Impact Statement. The Maricopa Association of Governments approved new population, employment, housing, and traffic projections in June 2013. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. The purpose and need analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower anticipated population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated</p>
			<p>In direct contravention of 40 CFR 1503.4, CEQ Regulations Implementing NEPA – Response to Comments, as well as FHWA's own NEPA guidance contained in Technical Advisory T 6640.8A, Section J(2), Comments and Coordination, ADOT's response to this comment on the DEIS completely evades the core point of the comment, which is that "there is nothing in the stated 'purpose' to demonstrate why the proposed freeway remedy must be built within the selected Study Area and nowhere else." The commenter readily conceded at the outset that despite a reliance on demonstrably outdated socioeconomic data, the need for the freeway may be justified (even if one accepts these future growth projections as reasonably accurate and that the "need" is real). And yet the response from ADOT focuses only on the status of socioeconomic and traffic projection data and blatantly ignores the central issue raised by the commenter—that the arbitrary 'Study Area' into which it has been decided the South Mountain Freeway must fit is an artificial construct, and that the Purpose and Need for the project—in short, additional freeway capacity in the southwest Valley linking I-10 south of the metro Phoenix area (i.e., the Maricopa Freeway) to I-10 west of Phoenix (i.e. the Papago Freeway)—could also be fulfilled by routes outside the artificially limited boundaries of the ADOT 'Study Area.' ADOT's response to this comment on the DEIS should be considered invalid—it is non-responsive to the points raised.</p>
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Code	Issue	Response
153	Purpose and Need	<p>As presented in Chapter 1, <i>Purpose and Need</i>, the Study Area was based on where transportation modeling indicated the transportation problem would be diminished by an additional facility. Through transportation modeling, analysis of socioeconomic data, and coordination with stakeholder agencies, the Study Area for the project was strategically positioned where a gap exists in the regional transportation system’s loop freeway network (see Chapter 3, page 3-3 of the Final Environmental Impact Statement). Even so, contrary to what the commenter states, alternatives outside the Study Area were rigorously and comprehensively evaluated during the alternatives development and screening process. Ultimately, none of the alternatives outside the Study Area could address the identified purpose and need (see text beginning on page 4 of the Record of Decision).</p> <p>Current transportation guidance (developed during the time frame of the South Mountain Freeway environmental impact statement) states that transportation objectives developed during the transportation planning process and identified in a statewide or metropolitan transportation plan can be the primary source of a project’s purpose and need statement. The transportation planning process enables State and local governments and metropolitan planning organizations, with the involvement of stakeholders and the public, to establish a vision for a region’s future transportation system, define a region’s transportation goals and objectives for realizing that vision, decide which needs to address, and determine the time frame for addressing these needs. Out of the process emerge proposed projects intended to meet the needs and achieve the objectives of the plan.</p>

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SWCA Comments on ADOT South Mountain Freeway Final EIS (September 2014) Prepared for PARC et al.

ADEQUACY OF THE NEPA ANALYSIS						
Chapter	Section / Subsection	Page(s)	Resource Area	SWCA Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	SWCA Review of Final EIS
1	All	1-22	General NEPA – Study Area	<p>NEPA requires that the EIS "Rigorously explore and objectively evaluate all reasonable alternatives [emphasis added]," including those "not within the jurisdiction of the lead agency" (40 CFR 1502.14(a) and (c)). In reviewing the April 2013 South Mountain Freeway (Loop 202) Draft Environmental Impact Statement and Section 4(f) Evaluation, we find no technical or scientific rationale or justification presented as to why the project Study Area comprises the precise area it does. Why is it declared to fall along these particular boundaries and not others? The impression is that these boundaries were drawn for political and procedural reasons to comport with MAG's and ADOT's previous planning efforts, rather than to allow a comprehensive, objective NEPA assessment. Specifically, this Study Area appears configured so as to exclude freeway alternatives further south or west (including potential alternatives in Pinal or Pima Counties), thus deliberately avoiding evaluation of other "reasonable alternatives" to the Pecos Road alignment.</p>	<p>in the Final Environmental Impact Statement (see Chapter 3, <i>Alternatives</i>). The Federal Highway Administration and the U.S. Environmental Protection Agency approved the air quality conformity determination that includes the Maricopa Association of Governments regional travel demand model that produced the traffic projections used in the traffic analysis for the project (see Final Environmental Impact Statement page 3-27). The model projects demand for multiple modes of travel, including automobile, bus, and light rail. Driving patterns and alternative modes of transportation are among the key model inputs used to forecast travel demand in the Study Area.</p> <p>220 The parameters for delineation of the Study Area are described in Chapter 1, Purpose and Need, of the Draft and Final Environmental Impact Statements as the area defining the transportation problem. As presented in the chapter, transportation models were used to determine where the characteristics of the transportation problem would diminish, and, generally, it is at these locations where the definition of the Study Area took shape. This effort was coordinated with stakeholder agencies, including the U.S. Environmental Protection Agency. The statement that the project team excluded alternatives outside of the Study Area is not supported by the facts presented in the Draft Environmental Impact Statement. Alternatives considered in the Draft Environmental Impact Statement included many that were located outside of the Study Area. Examples include the Riggs Road Alternative (see page 3-9), the State Route 85/Interstate 8 Alternative (see page 3-9), the U.S. Route 60 Extension (see page 3-12), the Interstate 10 Spur (see page 3-12), and the Central Avenue Tunnel (see page 3-12).</p>	<p>The response to this comment is vague at best. ADOT claims that the rationale for the boundaries of the South Mountain Freeway 'Study Area' is described in Chapter 1, Purpose and Need, and yet we are unable to locate this information specifically WHERE in the chapter this information is presented. On what pages is the justification for the northern, southern, eastern, and western boundaries of the Study Area presented? What specific language in the EIS can ADOT point to that provides this rationale? In reality, the Study Area simply emerges in the text as a foregone conclusion of a circular argument—the Study Area is the area that was studied because it was foreseen in earlier planning as the area where there would be a future transportation need that should be studied, so it is therefore the Study Area. This is clearly inadequate in terms of NEPA analysis. The overwhelming impression is that from the outset ADOT has had no intention of presenting a thorough and objective analysis of any full project alternatives outside the core Pecos Road alignment. This was the</p>

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Code	Issue	Response
154	Purpose and Need, Alternatives	<p>As presented in Chapter 1, <i>Purpose and Need</i>, the Study Area was based on where transportation modeling indicated the transportation problem would be diminished by a major transportation facility. Through transportation modeling, analysis of socioeconomic data, and coordination with stakeholder agencies and the public, the Study Area for the project was strategically positioned where a gap exists in the regional transportation system’s loop freeway network (see Chapter 3, page 3-3 of the Final Environmental Impact Statement, and page 4 of the Record of Decision). Even so, alternatives outside the Study Area were rigorously and comprehensively evaluated during the alternatives development and screening process. The Riggs Road Alternative (Final Environmental Impact Statement page 3-9 and Record of Decision page 7), which the commenter mentions specifically, is primarily on Gila River Indian Community land, and the Gila River Indian Community has not allowed detailed study of an alternative using its land. Furthermore, the Riggs Road Alternative would not complete the loop system, thereby causing substantial out-of-direction travel for motorists. Ultimately, none of the alternatives outside of the Study Area, including the Riggs Road Alternative, could address the identified purpose and need with regard to regional travel demand and existing and projected transportation system capacity deficiencies. Similar discussions are provided in the Final Environmental Impact Statement for the other alternatives outside the Study Area.</p> <p>Current transportation guidance (developed during the time frame of the South Mountain Freeway environmental impact statement process) states that transportation objectives developed during the transportation planning process and identified in a statewide or metropolitan transportation plan can be the primary source of a project’s purpose and need statement. The transportation planning process enables State and local governments and metropolitan planning organizations, with the involvement of stakeholders and the public, to establish a vision for a region’s future transportation system, define a region’s transportation goals and objectives for realizing that vision, decide which needs to address, and determine the time frame for addressing these needs. Out of the process emerge proposed projects intended to meet the needs and achieve the objectives of the plan.</p>

Code		Comment Document				
SWCA Comments on ADOT South Mountain Freeway Final EIS (September 2014) Prepared for PARC et al.						
ADEQUACY OF THE NEPA ANALYSIS						
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						preferred route identified in the 1985 MAG Regional Transportation Plan and, judging from this EIS, ADOT has never wavered in its determination to construct along this route. Granted, there are variations to the full course of the Pecos Road alignment, particularly at the proposed western sections of the South Mountain Freeway, but any true alternatives to the Pecos Road alignment are summarily dismissed at the outset. Thus, for ADOT's response to state that "Alternatives considered in the Draft Environmental Impact Statement included many that were located outside of the Study Area" is disingenuous at best. None of the alternatives listed in the response as examples was given more than a cursory glance before being immediately, and without adequate justification, eliminated from further consideration. In particular, we can find no reasonable justification for why the "Riggs Road Alternative" (page 3-9 of the EIS) was not carried forward for detailed analysis. This alternative route would capably serve to complete the linkage between Interstate 10 south of Phoenix and I-10 west of Phoenix, thus allowing long-distance traffic from Tucson or other points south, or from greater Los Angeles and other points west, to bypass the congestion of downtown Phoenix. This functionality should be weighed against the numerous air quality, noise, visual, and other adverse effects of routing the proposed freeway along Pecos Road directly adjacent to a heavily developed residential area (Ahwatukee). To state that the alternative was eliminated from further study because it doesn't neatly complete a symmetrical loop around Phoenix by joining with the Santan Freeway at I-10,
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SWCA Comments on ADOT South Mountain Freeway Final EIS (September 2014) Prepared for PARC et al.

ADEQUACY OF THE NEPA ANALYSIS						
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All	All	All	General NEPA – Omitted, Outdated, and Inaccurate Information Used as Basis for Impact Analysis and Public Comment	<p>Standard practice in preparing NEPA documents, per CEQ regulations at 40 CFR 1502.24 ("Methodology and Scientific Accuracy"), is to use, and to present to the public, the "best available" scientific and technical information. Moreover, in accordance with Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; H.R. 5558), the federal Office of Management and Budget (OMB) issued Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies, which state they are "designed to help agencies ensure and maximize the quality, utility, objectivity and integrity of the information that they disseminate (meaning to share with, or give access to, the public)" and, furthermore, that "it is crucial that information Federal agencies disseminate meets these guidelines." (OMB 2002)</p> <p>It is our assessment that ADOT has failed in the <i>South Mountain Freeway (Loop 202) Draft Environmental Impact Statement and Section 4(f) Evaluation</i> to present to the public the</p>	<p>221 Comment noted. Specific comments are addressed below.</p> <p>222 Air Quality The data presented in Figure 4-18 of the Draft Environmental Impact Statement are included to demonstrate that emissions of criteria pollutants have decreased and continue to decrease. More recent data merely make a stronger case that these emissions have declined and do not change the conclusion. The monitoring data presented beginning on page 4-60 of the Draft Environmental Impact Statement demonstrate pollutant trends in the Study Area. More recent data merely make a stronger case that these emissions have declined and do not change the conclusion. Where information was deemed important to decision-making—for example, more recent trends in attainment status for various criteria pollutants—that information has been included. See for example the discussion on particulate matter that begins on page 4-61. Pinal County is not included in the Study Area and is, therefore, not discussed. All nonattainment areas presented in Figure 4-20 on page 4-61 of the Draft Environmental Impact</p>	<p>as envisioned by MAG RTP planners nearly 30 years ago, is not justification enough to dismiss it from detailed analysis (in fact, this is precisely the kind of arbitrary and capricious decision-making that the National Environmental Policy Act was designed to prevent). The statement that the Riggs Road alternative doesn't fulfill predetermined regional transportation planning goals is similarly insufficient—perhaps such restrictive goals should be reconsidered in light of the multiple adverse effects presented by the Pecos Road alignment and the significant residential and commercial development that has occurred on the adjacent lands since the 1985 RTP was put forth.</p> <p>Air Quality:</p> <ul style="list-style-type: none">Contrary to ADOT's assertion, Figure 4-18 was not updated with more recent readily available information identified previously.Ambient monitoring data remains unchanged from that of the DEIS.It is unclear how the study area for the air quality resource was established and why a nonattainment area in such close proximity to the project was ignored (i.e., the Pinal County PM10 and PM2.5 nonattainment areas). The FEIS should provide a clear justification on how the study area was selected and should not disregard the fact that the Pinal County PM2.5/PM10 nonattainment areas are real and should be shown as such on Figure 4-20. In addition, the figure still does not accurately present the current nonattainment boundaries in Maricopa County.Figure 4-24 was not updated with more recent readily available information. A quantitative hotspots

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155	Air Quality	<p>The purpose of Figure 4-18 is to demonstrate that emissions of criteria pollutants are decreasing and continue to do so. More recent data confirm and strengthen the trend, but do not change the conclusion. Therefore, updating the figure would be of no substantive benefit.</p> <p>There is no substantive benefit to updating ambient monitoring data for the same reasons as mentioned previously—newer data strengthen the conclusions in the Final Environmental Impact Statement, but do not change them.</p> <p>The core of the comment regarding the air quality study area seems to be the exclusion of nonattainment areas near the Study Area. The Pinal County particulate matter (PM_{2.5} and PM₁₀) nonattainment areas were not included in the air quality study area because they are far enough from the project (15 miles) that the emissions from the project would not impact those areas. The receptor diagrams in the air quality technical report demonstrate that concentrations drop to zero or near zero within a few hundred meters of the project. The air quality study area was determined through interagency consultation and neither of the air quality agencies involved in the interagency consultation process (Arizona Department of Environmental Quality or the U.S. Environmental Protection Agency, Region 9) requested that these areas be included in the analysis.</p> <p>The current nonattainment and maintenance areas for particulate matter (PM₁₀), carbon monoxide, and ozone in Maricopa County are presented in the Record of Decision, Figure 23, on page 69.</p> <p>The main point of the remainder of the air quality comments is that they have not been incorporated in the Final Environmental Impact Statement. These points are discussed at an appropriate and standard level of detail in the air quality technical report and are incorporated into the Final Environmental Impact Statement by reference. The air quality technical report, along with other technical appendices have always been available to the public. It should be noted that the commenter states that vehicle miles traveled and vehicle mix are critical and should be discussed in the Final Environmental Impact Statement—again, this information is incorporated by reference and was requested by a commenter earlier in project development.</p> <p>The commenter incorrectly states that a hot-spot analysis was conducted for mobile source air toxics. A hot-spot analysis was only conducted for carbon monoxide and particulate matter (PM₁₀). The Draft Environmental Impact Statement analysis included a draft carbon monoxide dispersion modeling analysis and a qualitative particulate matter (PM₁₀) analysis. However, the Final Environmental Impact Statement analysis had to meet transportation conformity requirements; conformity requires that the year of peak emissions be modeled, which was determined to be 2035 for both pollutants. The quantitative particulate matter (PM₁₀) analysis only addressed 2035 because it was first completed for the Final Environmental Impact Statement and this is the only required year. Since the carbon monoxide analysis was an update of the Draft Environmental Impact Statement analysis, and since both years were modeled in the Draft Environmental Impact Statement, both were presented in the Final Environmental Impact Statement for continuity, even though only 2035 was technically required.</p>

(Response 155 continues on next page)

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				<p>"best available" scientific and technical information. This is particularly true of the following resources and associated impact analyses.</p> <p>Air Quality:</p> <ul style="list-style-type: none">The data presented in Figure 4-18 <i>Comparison of National Economic and Demographic Growth Indicators and Air Emissions, 1970-2005</i>, is outdated. The U.S. EPA website http://www.epa.gov/airtrends/actrends.htm#comparison provides data through 2011.The subsection fails to include a discussion of more recent ambient monitoring data for calendar years 2011 and 2012. The MCAQD 2011 <i>Air Monitoring Network Review</i> is readily available (http://www.maricopa.gov/act/divisions/monitoring/docs/pdf/2011_Network_Assessment.pdf) and should have been employed in the analysis. Furthermore, the most recent available ambient monitoring data from 2012 should have been incorporated into the DEIS. These data are available at: http://www.epa.gov/airdata/Figure 4-20 <i>Nonattainment Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County</i>, is not up-to-date. While footnote "b" attempts to address an expansion to the 8-hour ozone nonattainment area, it does not include the Pinal County PM2.5 nonattainment area approximately 15 miles to the south of the project. An interactive GIS map available on ADEQ's website identifies the current nonattainment boundaries in the vicinity of the project http://gisweb.azdeq.gov/arcgis/e/maps/?topic=nonattain	<p>Statement are current. As clarification, the title of Figure 4-20 was changed in the Final Environmental Impact Statement from "Nonattainment Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County" to "Nonattainment and Maintenance Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County."</p> <p>40 Code of Federal Regulations § 93.111(c) was followed to conduct a qualitative analysis for particulate matter (PM10) for the proposed action. This analysis complied with National Environmental Policy Act requirements for the development of the Draft Environmental Impact Statement. In December 2010, the U.S. Environmental Protection Agency established transportation conformity guidance for performing quantitative particulate matter (PM2.5 and PM10) hot-spot analyses for transportation projects and established a 2-year grace period. U.S. Environmental Protection Agency conformity guidance continues to allow qualitative particulate matter (PM10) hot-spot conformity analyses for analyses that were started before or during the grace period and if the final environmental document for the project is issued no more than 3 years after issuance of the draft environmental document. A particulate matter (PM10) qualitative analysis was performed for this project because the initial air quality technical analysis report for the proposed action was produced in October 2005. The Arizona Department of Transportation and Federal Highway Administration have updated the qualitative analysis to a quantitative analysis for the Final Environmental Impact Statement to ensure that a state-of-the-art analysis is completed for the proposed project. The results of the analysis are summarized in the prologue to the Final Environmental Impact Statement (page xiii) and are more fully described beginning on page 4-68 of the Final Environmental Impact Statement. The carbon monoxide and particulate matter (PM10) analyses demonstrated that the proposed freeway would not contribute to any new localized violations, increase the frequency</p>	<p>analysis was conducted for CO, PM10, and MSATs. However, there is an inconsistency with the modeled data as project year 2020 and 2035 results were provided for CO while only data for 2035 was presented for PM10. It is unclear from the FEIS why there was this inconsistency with the presented data? Moreover, the vehicle mix breakdown and VMT should be specifically described and summarized in the FEIS. This is a critical data input within the project description and for the purposes of the hotspots modeling analysis. Burying this data in the technical report does not fully disclose the project for review by the general public. Furthermore, it is still unclear if the hotspots analysis evaluated the potential increases in heavy duty diesel vehicles from the CANAMEX project. It is unclear whether the 10% truck traffic, assumed as a typical ratio and used in the hotspots analysis, included heavy-duty truck traffic associated with the CANAMEX project. Potential increases to heavy-truck traffic could result in significant increases to criteria pollutant and MSAT emissions. These potential impacts must be clearly discussed and disclosed in the direct and cumulative impacts sections of the FEIS.</p> <ul style="list-style-type: none">In our comments to the DEIS we specifically reference vibration from non-blasting construction and operational activities. ADOT simply ignores this comment. What about highway construction-related activities? Would noise-sensitive areas (NSAs) in close proximity to the construction activities be

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155 (cont.)		The Maricopa Association of Governments regional travel demand model projects that truck traffic will represent approximately 10 percent of the total traffic on the freeway, similar to what is currently experienced on other regional freeways such as Interstate 10, State Route 101L, and U.S. Route 60. As disclosed in the Final Environmental Impact Statement, it is expected that “true” through-truck traffic (not having to stop in the metropolitan area) will continue to use the faster, designated, and posted bypass system of Interstate 8 and State Route 85 (see page 3-64 of the Final Environmental Impact Statement).
156	Vibration-related Impacts	As stated in the response to comments on the Draft Environmental Impact Statement, no federal requirements are directed specifically to highway traffic-induced vibration. All studies completed by highway agencies to assess the impact of operational traffic-induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings. No mitigation is warranted.

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				<ul style="list-style-type: none">Figure 4-24 <i>Priority Mobile Source Air Toxics Emissions, 1999, On-road Versus Other Sources</i>, presents outdated information. More recent data should have been obtained from: http://www.epa.gov/ttn/chief/einfor nation.htmlWhile we agree the EPA transportation guidance provided on December 20, 2010, established modeling guidance for performing transportation conformity along with a 2-year grace period. However, based upon the FHWA's <i>Information: Interim Guidance Update on Mobile Source Air Toxics Analysis in NEPA</i> released on December 6, 2012, states "At the end of this grace period, i.e., beginning December 20, 2012, project sponsors should use MOVES to conduct emissions analysis for NEPA purposes." http://www.fhwa.dot.gov/envir onment/air_quality/air_toxics/policy_and_guidance/airguidmcm.cfm
				<p>Noise:</p> <ul style="list-style-type: none">Vibration from blasting is qualitatively discussed in the Topography, Geology, and Soils section of the DEIS; however, vibration from non-blasting construction activities and from operational impacts is not discussed anywhere within the DEIS. Procedures for screening and analyzing for vibrational impacts from construction and highway operation are provided in the U.S. Department of Transportation Federal Transit Administration "Transit Noise and Vibration Impact Assessment" (2008): http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdfThe DEIS notes that "To further clarify the process of noise analysis and the evaluation of noise abatement, ADOT adopted a Noise Abatement Policy (NAP), last updated in 2007" (pg. 4-80). However, the most recently issued
				<p>or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. The mobile source air toxics discussion was also updated to reflect the Federal Highway Administration's 2012 guidance. This discussion begins on page 4-77 of the Final Environmental Impact Statement.</p> <p>223 – NOISE/TRAFFIC</p> <p>There are no federal requirements directed specifically to highway traffic induced vibration. All studies the highway agencies have done to assess the impact of operational traffic induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings. The noise analysis was updated for the Final Environmental Impact Statement using most recent Federal Highway Administration and Arizona Department of Transportation policy and traffic projections provided by the Maricopa Association of Governments in August 2013. This updated analysis begins on page 4-88 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental Impact Statements resulted. As stated in the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, environmental impact statements should be analytic rather than encyclopedic (40 Code of Federal Regulations Part 1502.2(a)). Those noise regulations of direct consequence to the proposed action were discussed.</p> <p>224 – WATER/GROUNDWATER</p> <p>As noted on page 4-97 of the Draft Environmental Impact Statement, although groundwater level data in Ahwatukee Foothills Village were shown from 1972 to 1992, this information was gathered from the U.S. Geological Survey in 2009. Groundwater data in other areas may indeed be more current. This</p>
				<p>significantly impacted by construction related vibration impacts? What mitigation measures are proposed to ensure potential vibration impacts will remain less than significant?</p> <ul style="list-style-type: none">The FEIS indicates the most recent ADOT guidance was used, but it is unclear if it was applied properly. In our comments to the DEIS we specifically identified various laws that should have been addressed in ADOT's noise analysis. ADOT ignores the application of the laws and simply states that, "Those noise regulations of direct consequence to the proposed action were discussed."The EIS should clearly identify applicable laws and guidelines which are the basis for determining whether significant impacts may occur and to aid in the selection of mitigation measures. <p>Water Resources:</p> <ul style="list-style-type: none">The best source of information on water levels in wells in Arizona is the Arizona Department of Water Resources, either the well registry or the Groundwater Site Inventory databases. Despite being mentioned specifically in public comments, ADOT continued to rely on the USGS, which is not as comprehensive a data source with respect to groundwater levels.Several responses were provided to comments regarding the analysis of the Foothills Community water supply. In response to the public comments, in the FEIS ADOT made minor text changes to remove mention of City of Phoenix effluent as an available water

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157	Noise	The noise analysis presented in the Final Environmental Impact Statement uses the most recent Arizona Department of Transportation Noise Abatement Policy (last updated in 2011), which was formally approved by the Federal Highway Administration, and traffic projections provided by the Maricopa Association of Governments in August 2013. Both the Noise Control Act of 1972 and the Quiet Communities Act of 1978 addressed emissions from transportation vehicles and equipment, machinery, appliances, aircraft, and other products in commerce. Based on this authority, the U.S. Environmental Protection Agency developed noise emission standards and controls for vehicles, which are enforced by the U.S. Department of Transportation. The noise emissions of motor vehicles are used in the Federal Highway Administration's noise prediction model (Traffic Noise Model), which was used on this project (see Final Environmental Impact Statement beginning on page 4-88). The noise regulations of other agencies have limited (U.S. Department of Housing and Urban Development and local noise ordinances) or no applicability (Federal Transit Administration—for federally funded transit projects) to the project. U.S. Department of Housing and Urban Development regulations consider noise in the acquisition of undeveloped land and noise exposure to existing developments. The Federal Highway Administration's Procedures for Abatement of Highway Traffic Noise and Construction Noise specifies abatement criteria for undeveloped land and existing housing. These criteria were used to determine mitigation for the project (see Final Environmental Impact Statement beginning on page 4-88). Local noise regulations are intended to address nuisance noise. They address emissions from modified motor vehicle exhausts, loud performances, and nighttime activities. Page 4-174 of the Final Environmental Impact Statement discusses the mitigation measures to be used to address the noise generated during construction, including nighttime construction. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The Occupational Safety and Health Administration Occupational Noise Exposure, Hearing Conservation Amendment applies to on-the-job worker exposure to noise. These exposure limits will apply to highway construction workers in compliance with the Arizona Department of Transportation's safety policy.
158	Water Resources	Groundwater data in other areas may be more current; however, this additional level of detail would not assist the environmental impact statement decision-making process because groundwater levels are not a differentiating factor among action alternatives and because each action alternative is located in a similar area and follows a similar vertical profile.

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159	Water Resources	<p>Impacts from well/water acquisition will be mitigated through well or water replacement; therefore, there will be minimal impact to the golf course and the Foothills Community Association. This is clearly stated in the Draft and Final Environmental Impact Statements. The discussion in the Final Environmental Impact Statement (see page 4-108) indicates that reclaimed wastewater would not be available; however, the conclusion is appropriate, "In the event that well replacement were to be impossible, [the Arizona Department of Transportation] would still replace the water that would be lost through the acquisition."</p> <p>Secondary and cumulative impacts related to groundwater are discussed beginning on page 4-179 of the Final Environmental Impact Statement. Specific analysis of the indirect impacts from the loss of water to the noted facilities was not included because, if affected, the water will be replaced by the Arizona Department of Transportation.</p>

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160	Air Quality	<p>Mobile sources are not regulated for impacts on visibility in Class I areas (40 Code of Federal Regulations Section 51.307) and neither of the air quality agencies involved in the interagency consultation process (Arizona Department of Environmental Quality or the U.S. Environmental Protection Agency, Region 9) requested that Class I areas be included in the analysis.</p> <p>Qualitative discussions regarding construction activities are found under <i>Mitigation</i> on page 4-85 of the Final Environmental Impact Statement. Maintenance activities mentioned by the commenter (i.e., repaving, re-striping, landscaping maintenance) will be construction-like activities, although at a smaller scale, and will have similar, but more often less impact than construction activities.</p>

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Ch. 4	Figure 4-18	4-58	Air Quality	<p>potential air quality impacts due to ongoing maintenance activities (i.e., re-striping, re-surfacing, landscaping maintenance, etc.);</p> <ul style="list-style-type: none">Provides no discussion of whether a carpooling lane will be included and the potential benefits impacts; andProvides no clear discussion of cumulative impacts including reasonably foreseeable development.It is unclear what vehicle traffic mix was used for the emission estimates/modeling.It is unclear whether increases in heavy duty diesel traffic from the CANAMEX project and other truck traffic (such as commercial trucks having a haul load origin or destination in the Phoenix metro area) were included in this assessment.	<p>the Draft Environmental Impact Statement and Impact Statement. The air quality analysis has been updated for the Final Environmental Impact Statement using most recent Federal Highway Administration and U.S. Environmental Protection Agency guidance and traffic projections provided by the Maricopa Association of Governments in August 2013. This updated analysis begins on page 4-58 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental Impact Statements resulted.</p> <p>Trucks – The Maricopa Association of Governments regional travel demand model forecasts approximately 10 percent truck traffic on the South Mountain Freeway in 2035 (see Final Environmental Impact Statement page 3-54). This percentage is similar to current conditions on Interstate 10 between Loop 101 and Interstate 17 and on U.S. Route 60. Air quality and noise modeling for the Draft and Final Environmental Impact Statements used this forecast truck traffic (see Final Environmental Impact Statement pages 4-58 and 4-100, respectively).</p> <p>See comment 225 above.</p>	<ul style="list-style-type: none">(Superstition Wilderness Area and Mazatzal Wilderness Area). There is still no discussion, even qualitative, of ongoing maintenance activities (e.g., repaving, re-striping, landscaping maintenance, etc.).
Ch. 4	Figure 4-18	4-58	Air Quality	<p>The data presented in Figure 4-18 <i>Comparison of National Economic and Demographic Growth Indicators and Air Emissions, 1970-2005</i>, is outdated. The U.S. EPA website http://www.epa.gov/airtrends/airtrends.html#comparison provides data through 2011.</p>		<p>This comment was not addressed in Comment 225 and the FEIS was not updated with the latest readily available data. For the purposes of NEPA and public disclosure the analysis should be based on the latest readily available data.</p>
Ch. 4	Subsection - Criteria Pollutants	4-58 thru 4-59	Air Quality	<p>While this section describes attainment and nonattainment areas it is completely silent on maintenance areas. This is important as the Study Area is located in a currently designated CO Maintenance Area.</p>	<p>227 – Air Quality The maintenance area is discussed in the subsection, Carbon Monoxide, on page 4-59 Draft Environmental Impact Statement. As clarification, the title of Figure 4-20 was changed in the Final Environmental Impact Statement from "Nonattainment Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County" to "Nonattainment and Maintenance Areas for Particulate Matter, Carbon Monoxide, and</p>	<p>Change was made.</p>

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161	Air Quality	<p>Socioeconomic projections are updated every 3 to 5 years by the Arizona State Demographer’s Office. The projections by the Arizona State Demographer’s Office are produced at the county level and were approved in December 2012. The Maricopa Association of Governments is tasked with producing the sub-county level projections, and those were approved in June 2013 after the Draft Environmental Impact Statement was published, but before the Final Environmental Impact Statement was issued. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. These new projections were used to update other sections, including <i>Air Quality</i> (beginning on page 4-68).</p> <p>Figure 4-18 was not updated because the comparison of national economic and demographic growth indicators and air emissions show the same trend of increasing vehicle miles traveled and decreasing emissions of principal air pollutants. Updating the figure would neither change the conclusions of the environmental document or aid in decision-making.</p>
162		Comment noted.

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Ch. 4	Table 4-27	4-59	Air Quality	While the data provided within Table 4-27 National Ambient Air Quality Standards, is accurate and up-to-date, the actual 1-hour and annual standards for nitrogen dioxide should be listed in parts per billion (ppb). http://www.epa.gov/air/criteria.html	Ozone, Maricopa County.* 228 – Air Quality According to the U.S. Environmental Protection Agency, the official level of the annual nitrogen dioxide standard is 0.053 parts per million. See footnote #2 (epa.gov/air/criteria.html).	No comment.
Ch. 4	Subsection – Characteristics of Criteria Pollutants	4-60 thru 4-62	Air Quality	<p>The subsection fails to include a discussion of more recent ambient monitoring data for calendar years 2011 and 2012.</p> <p>For example:</p> <ul style="list-style-type: none">According to Maricopa County Air Quality Department's <i>2011 Air Monitoring Network Review</i>, there were a total of 18 unique days when at least one monitor exceeded the ozone standard. There were 70 individual exceedances of the 8-hour standards at 14 different sites. For the year there was one violation of the 8-hour ozone standard.In terms of PM10, there were 19 unique days when at least one monitor exceeded the 24-hour standard and 11 sites that violated the 24-hour standard. It should be noted that some of these exceedances were petitioned to be classified as exceptional events; however, EPA approval of these requests can take over a year.In addition, there were 9 unique days when at least one monitor exceeded the standard; however, there were no violations of the 24-hour or annual PM2.5 standards. The MCAQD <i>2011 Air Monitoring Network Review</i> should have been obtained from: http://www.maricopa.gov/divisions/monitoring/docs/pdf/2011_Network_Assessment.pdf <p>Furthermore, the most recent available ambient monitoring data from 2012 should have been incorporated into the DEIS and is</p>	<p>229 – Air Quality The carbon monoxide analysis presented on page 4-65 of the Draft Environmental Impact Statement was updated on page 4-75 of the Final Environmental Impact Statement to represent current conditions. The Arizona Department of Transportation also conducted a quantitative particulate matter (PM10) hot-spot analysis that is discussed on page 4-76 of the Final Environmental Impact Statement. The carbon monoxide and particulate matter (PM10) analyses demonstrated that the proposed freeway would not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.</p> <p>As noted on page 4-76 of the Final Environmental Impact Statement, since ozone is a regional pollutant, there is no requirement to analyze potential impacts of ozone to occur at the localized violations of ozone to occur at the project level. The Maricopa Association of Governments is responsible for developing plans to reduce emissions of ozone precursors in the Maricopa area. The Preferred Alternative is included in the <i>Regional Transportation Plan</i> that has been determined by the U.S. Department of Transportation to conform to the State Implementation Plan on February 12, 2014.</p>	<p>A hot spot analysis for PM is required under the U.S. EPA Transportation Conformity regulations for projects in Federal nonattainment or maintenance areas for PM10 or PM2.5. Similarly and for environmental review (NEPA) purposes, a hotspots analysis is needed for projects in Federal nonattainment or maintenance areas for CO. The hotspots analysis should be based on project-specific data to accurately assess and disclose potential PM10 and CO hotspot impacts.</p> <p>While the FEIS has been updated with a hotspots analysis, there is an inconsistency with how the results of the analysis have been presented. For CO, results for base case years 2020 and 2035 were presented. Even though the FEIS states calendar year 2035 has the highest emissions and traffic volumes the CO concentrations presented in Table 4-32 represent that year 2020 would have higher concentrations than that of 2035. However, the modeled concentration data presented for PM10 (Table 4-33) only present data for year 2035? With higher modeled concentrations of CO occurring in 2020, what were the results for PM10 in base case year 2020? The FEIS should clearly describe and provide justification as to why data for base case 2020 for PM10. Also the total concentration of PM10 rounded to the nearest 10 ug/m³ is</p>

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163		Comment noted.
164	Air Quality	<p>Particulate matter (PM₁₀) emission rates (from vehicles and re-entrained road dust) were used in the CAL3QHCR dispersion model to generate particulate matter (PM₁₀) concentrations at specific receptor locations at each of the three analysis locations. The particulate matter (PM₁₀) concentrations (including a background concentration) were used to determine whether the vehicle emissions resulting from the project would cause the applicable National Ambient Air Quality Standards for particulate matter (PM₁₀) to be exceeded. For each analysis location, particulate matter (PM₁₀) emission rates for running exhaust, crankcase running exhaust, brake wear, and tire wear were developed using MOVES2010b.</p> <p>The conformity regulations require hot-spot analyses to address the year or years of peak emissions. Through the interagency consultation process, 2035 was selected as the analysis year when traffic volumes and vehicle miles traveled would be the greatest. The U.S. Environmental Protection Agency was consulted on the conformity methodology presented in the Final Environmental Impact Statement.</p> <p>The carbon monoxide analysis was updated for the Final Environmental Impact Statement similar to the particulate matter (PM₁₀) analysis, using link-specific data and model inputs consistent with the inputs the Maricopa Association of Governments uses for regional carbon monoxide emissions analyses.</p> <p>The Draft Environmental Impact Statement analysis included a draft carbon monoxide dispersion modeling analysis and a qualitative particulate matter (PM₁₀) analysis. However, the Final Environmental Impact Statement analysis had to meet transportation conformity requirements; conformity requires that the year of peak emissions be modeled, which was determined to be 2035 for both pollutants. The quantitative particulate matter (PM₁₀) analysis only addressed 2035 because it was first completed for the Final Environmental Impact Statement and this is the only required year. Since the carbon monoxide analysis was an update of the Draft Environmental Impact Statement analysis, and since both years were modeled in the Draft Environmental Impact Statement, both were presented in the Final Environmental Impact Statement for continuity, even though only 2035 was technically required. While carbon monoxide consists only of exhaust emissions, particulate matter (PM₁₀) consists of exhaust, brake wear, tire wear, and road dust. The trend in exhaust emissions is downward, due to the ongoing phase-in of U.S. Environmental Protection Agency tailpipe emissions standards, but brake wear, tire wear, and road dust increase in direct proportion to vehicle miles traveled (there are no U.S. Environmental Protection Agency standards that reduce these sources of emissions).</p> <p>The Final Environmental Impact Statement (page 4-75) states that the Maricopa Association of Governments most recent conformity analysis for its regional transportation plan shows regional emissions of carbon monoxide will be highest in 2035. This is from the regional model, whereas Table 4-32 in the Final Environmental Impact Statement shows site-specific modeled results, hence the difference. Regardless, the conclusion remains the same that the project complies with the transportation conformity regulations at 40 Code of Federal Regulation, Part 93 and with conformity provisions of Section 176(c) of the Clean Air Act.</p>

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Ch. 4	Figure 4-20	4-61	Air Quality	Figure 4-20 Nonattainment Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County, is not up-to-date. While footnote "b" attempts to address an expansion to the 8-hour ozone nonattainment area further to the south, Figure 4-20 does not include the Pinal County PM2.5 nonattainment area approximately 15 miles to the south of the project. An interactive GIS map is available on ADEQ's website identifies the current nonattainment boundaries in the vicinity of the project http://gisweb.azdeq.gov/atc/gis/maps/2?topic=nonattain	230 – Air Quality Pinal County is not included in the Study Area and is, therefore, not discussed. All nonattainment areas presented in Figure 4-20 on page 4-61 of the Draft Environmental Impact Statement are current. As clarification, the title of Figure 4-20 was changed in the Final Environmental Impact Statement from "Nonattainment Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County" to "Nonattainment and Maintenance Areas for Particulate Matter, Carbon Monoxide, and Ozone, Maricopa County."	right at the 24-hour PM10 NAAQS! How is the public ensured based on the results of the refined modeled impacts that the project will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones? This should be clearly discussed within the FEIS. It is unclear how the study area for the air quality resource was established and why a nonattainment area in such close proximity to the project was ignored (i.e., the Pinal County PM10 and PM2.5 nonattainment areas are approximately 15 miles to the south of the project). The FEIS should provide a clear justification on how the study area was selected and should not disregard the fact that the Pinal County PM2.5/PM10 nonattainment areas are real and should be shown as such on Figure 4-20. In addition the figure still does not accurately present the current nonattainment boundaries in Maricopa County. In addition, under standard modeling procedures the study area is based on a radius from the project boundaries rather than an arbitrary boundary. For example, ADEQ modeling guidance recommends a receptor grid to extend out to 50 km (31 miles) even if the maximum impact is anticipated to be close to the project site. The data was not updated as requested and simply deleted without providing any explanation.
Ch. 4	Figure 4-23	4-62	Air Quality	It is unclear what time period (i.e., year) is being presented in Figure 4-23 Sources of the 188 Hazardous Air Pollutants Regulated by the Environmental Protection Agency. Data from 2008 should have been obtained from: http://www.epa.gov/ttn/chief/ei/information.html	231 – Air Quality As noted in the footnote reference to Figure 4-23, the information was based on the Federal Highway Administration publication, Transportation Air Quality Facts and Figures, January 2006. The data referenced were from 1999. This figure was removed from the Final	

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165	Air Quality	<p>As indicated in the Final Environmental Impact Statement, the project complies with the transportation conformity regulations at 40 Code of Federal Regulations Part 93 and with the conformity provisions of Section 176(c) of the Clean Air Act. The U.S. Environmental Protection Agency was consulted on the conformity methodology presented in the Final Environmental Impact Statement.</p> <p>The Pinal County particulate matter (PM_{2.5} and PM₁₀) nonattainment areas were not included in the air quality study area because they are far enough from the project (15 miles) that the emissions from the project would not impact those areas. The air quality study area was determined through interagency consultation and neither of the air quality agencies involved in the interagency consultation process (Arizona Department of Environmental Quality or the U.S. Environmental Protection Agency, Region 9) requested that these areas be included in the analysis.</p> <p>The U.S. Environmental Protection Agency's guidance for hot-spot modeling for highway projects does not require such an extensive receptor grid. The geographic extent of the hot-spot modeling was agreed to through interagency consultation with the Arizona Department of Environmental Quality and the U.S. Environmental Protection Agency. Concentrations comply with the National Ambient Air Quality Standards at the roadside and decrease with distance away from the roadway. Extending the receptor network would simply produce additional model results that are even farther below the National Ambient Air Quality Standards.</p>
166	Air Quality	<p>The figure in question was based on emissions information that was out of date. In addition, it presented information on source contributions for all 188 air pollutants that are regulated by the U.S. Environmental Protection Agency as air toxics, even though most of these pollutants are not mobile source air toxics. Pages 4-74 and 4-75 of the Final Environmental Impact Statement include three tables and one figure with local Maricopa County information about the sources of mobile source air toxic pollutants, which is more relevant to the Study Area.</p>

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Ch. 4	Local Emissions of Priority MSATs	4-64
Ch. 4	Table 4-30	4-65
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Figure 4-24 Priority Mobile Source Air Toxics Emissions, 1999, On-road Versus Other Sources, presents outdated information. More recent data from 2008 should have been obtained from: http://www.epa.gov/ttn/chief/ei/information.html		
The DEIS fails to discuss the findings of Joint Air Toxics Assessment Project (JATAP) which occurred within the DEIS Air Quality Study Area. According to data collected during the Pilot Study (March 2003 – March 2004), annual average concentrations of formaldehyde, acetaldehyde, benzene and 1,3 butadiene were on the high end of the range when compared to EPA funded assessment of other U.S. cities.		
It is unclear as what year is being represented in Table 4-30 Priority Mobile Source Air Toxic Emissions, South Phoenix. Data from 2008 should have been obtained from: http://www.epa.gov/ttn/chief/ei/information.html		
ADOT Responses to Comments on Draft EIS		
Environmental Impact Statement.		
232 – Air Quality As noted in the footnote reference to Figure 4-23, the information was based on the Federal Highway Administration publication, Transportation Air Quality Facts and Figures, January 2006. This figure was removed from the Final Environmental Impact Statement.		
233 – Air Quality Summary information about the findings of the Joint Air Toxics Assessment Project study is provided as background information in the Draft and Final Environmental Impact Statements, but the study itself is not relevant to the type of analysis done pursuant to the Federal Highway Administration's mobile source air toxics guidance, which is an emissions analysis. Monitored ambient concentrations of mobile source air toxics (the focus of the Joint Air Toxics Assessment Project) do not inform this type of analysis. While monitoring data can be useful for defining current conditions in the affected environment (to the extent that the monitoring data are current), they don't tell us anything about future conditions, or the impacts of the project itself, which is why an emissions analysis was performed. The mobile source air toxic analysis presented beginning on page 4-77 of the Final Environmental Impact Statement is an estimated inventory of mobile source air toxic emissions for the entire Study Area for 2025 and 2035. This approach was used because the inventory estimate accounts for changes in traffic and emissions on all roadways affected by a proposed project, and would, therefore, be a more reliable predictor of changes in exposure to mobile source air toxics.		
234 – Air Quality The footnote to Figure 4-30 on page 4-65 of the Draft Environmental Impact Statement references data from the 2004 Joint Air Toxics Assessment Project. These data are from 2003–2004.		
SWCA Review of Final EIS		
The data was not updated as requested and simply deleted without providing any explanation.		
While the JATAP study may have been referenced, the DEIS fails to discuss the findings of the study, which are important in terms of describing the affected environment of the project.		
This comment was not addressed in Comment 225 and the FEIS was not updated with the latest readily available data. For the purposes of NEPA and public disclosure, the analysis should be based on the latest readily available data		

Code	Issue	Response
167	Air Quality	The figure in question was based on emissions information that was out of date. In addition, it presented information on source contributions for all 188 air pollutants that are regulated by the U.S. Environmental Protection Agency as air toxics, even though most of these pollutants are not mobile source air toxics. Pages 4-74 and 4-75 of the Final Environmental Impact Statement include three tables and one figure with local Maricopa County information about the sources of mobile source air toxic pollutants, which is more relevant to the Study Area.
168	Air Quality	The Joint Air Toxics Assessment Project study is provided as background information in the Draft and Final Environmental Impact Statements, but the study itself is not relevant to the type of analysis done pursuant to the Federal Highway Administration's interim mobile source air toxics guidance, which is an emissions analysis. Monitored ambient concentrations of mobile source air toxics, the focus of the Joint Air Toxics Assessment Project, do not inform this type of analysis. The discussions in the <i>Air Quality</i> section of the Final Environmental Impact Statement are of sufficient detail to understand existing conditions without having to use the particular study the commenter mentions. It should be noted, however, that Tables 4-30 and 4-31 in the section, <i>Air Quality</i> , use this study to show existing conditions regarding mobile source air toxics. Also, the mobile source air toxics analysis showed that emissions will decline, and that reductions on the order of 57 to 92 percent will occur irrespective of whether the project is constructed.
169	Air Quality	The table presents the findings of the Joint Air Toxics Assessment Project, which was completed in 2004. Updating these background data would not change the conclusions of the project-specific analysis.

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Ch. 4	Environmental Consequences – CO	4-65	Air Quality	<p>The EPA transportation guidance provided on December 20, 2010, established modeling guidance for performing transportation conformity and under certain circumstances allows for a 2-year grace period. However, based upon the FHWA's <i>Information: Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA</i> released on December 6, 2012, states "At the end of this grace period, i.e., beginning December 20, 2012, project sponsors should use MOVES to conduct emissions analysis for NEPA purposes." Therefore, in accordance with FHWA guidance the CO analysis presented in the DEIS should have been updated using MOVES2010, which is the current EPA/FHWA approved model.</p>	<p>235 – Air Quality</p> <p>40 Code of Federal Regulations § 93.111(c) was followed to conduct a qualitative analysis for particulate matter (PM10) for the proposed action. This analysis complied with National Environmental Policy Act requirements for the development of the Draft Environmental Impact Statement. In December 2010, the U.S. Environmental Protection Agency established transportation conformity guidance for performing quantitative particulate matter (PM2.5 and PM10) hot-spot analyses for transportation projects and established a 2-year grace period.</p> <p>U.S. Environmental Protection Agency conformity guidance continues to allow qualitative particulate matter (PM10) hot-spot conformity analyses for analyses that were started before or during the grace period and if the final environmental document for the project is issued no more than 3 years after issuance of the draft environmental document. A particulate matter (PM10) qualitative analysis was performed for this project because the initial air quality technical analysis report for the proposed action was produced in October 2005. The Arizona Department of Transportation and Federal Highway Administration have updated the qualitative analysis to a quantitative analysis for the Final Environmental Impact Statement to ensure that a state-of-the-art analysis is completed for the proposed project. The results of the analysis are summarized in the prologue to the Final Environmental Impact Statement (page xiii) and are more fully described beginning on page 4-68 of the Final Environmental Impact Statement. The carbon monoxide and particulate matter (PM10) analyses demonstrated that the proposed freeway would not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.</p>
Ch. 4	Environmental Consequences	4-65	Air Quality	<p>It is unclear whether the maximum projected 1-hour and 8-hour CO concentrations at</p>	<p>236 – Air Quality</p> <p>The modeling protocols area is discussed in</p> <p>Comment - It appears the background concentrations of CO included use of 4.8</p>

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Code	Issue	Response
170	Air Quality	<p>The conformity regulations require hot-spot analyses to address the year or years of peak emissions. Through the interagency consultation process, 2035 was selected as the analysis year when traffic volumes and vehicle miles traveled would be the greatest. The Draft Environmental Impact Statement analysis included a draft carbon monoxide dispersion modeling analysis and a qualitative particulate matter (PM₁₀) analysis. However, the Final Environmental Impact Statement analysis had to meet transportation conformity requirements; conformity requires that the year of peak emissions be modeled, which was determined to be 2035 for both pollutants. The quantitative particulate matter (PM₁₀) analysis only addressed 2035 because it was first completed for the Final Environmental Impact Statement and this is the only required year. Since the carbon monoxide analysis was an update of the Draft Environmental Impact Statement analysis, and since both years were modeled in the Draft Environmental Impact Statement, both were presented in the Final Environmental Impact Statement for continuity, even though only 2035 was technically required. While carbon monoxide consists only of exhaust emissions, particulate matter (PM₁₀) consists of exhaust, brake wear, tire wear, and road dust. The trend in exhaust emissions is downward, due to the ongoing phase-in of U.S. Environmental Protection Agency tailpipe emissions standards, but brake wear, tire wear, and road dust increase in direct proportion to vehicle miles traveled (there are no U.S. Environmental Protection Agency standards that reduce these sources of emissions).</p> <p>The Final Environmental Impact Statement (page 4-75) states that the Maricopa Association of Governments most recent conformity analysis for its regional transportation plan shows regional emissions of carbon monoxide will be highest in 2035. This is from the regional model, whereas Table 4-32 in the Final Environmental Impact Statement shows site-specific modeled results, hence the difference. Regardless, the conclusion remains the same that the project complies with the transportation conformity regulations at 40 Code of Federal Regulation, Part 93 and with conformity provisions of Section 176(c) of the Clean Air Act.</p>
171	Air Quality	<p>The background values used in the Final Environmental Impact Statement were updated from what was used in the Draft Environmental Impact Statement (see Table 4-32 on page 4-76 of the Final Environmental Impact Statement) and were agreed to through interagency consultation with the Arizona Department of Environmental Quality and U.S. Environmental Protection Agency.</p>

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			SWCA Comment on Draft EIS intersections/interchanges reported on Table 4-31 and 4-32 include background concentrations or existing permitted stationary sources in the study area.
			ADOT Responses to Comments on Draft EIS greater detail in the air quality technical report prepared for the project. The results of the analyses are summarized in the Draft Environmental Impact Statement. The carbon monoxide analyses used a background value of 2 parts per million. This has been updated in the Final Environmental Impact Statement (see page 4-75).
			SWCA Review of Final EIS ppm (1-hour CO) and 3.9 (8-hour CO) within Table 4-32 in the FEIS—not the 2 ppm as indicated by ADOT response to comment 235. ADOT's response fails to adequately respond to the comment. What about the alternatives? The FEIS should have a qualitative/quantitative analysis of not only the preferred alternative, but of all action alternatives.
Ch. 4	Environmental Consequences - Ozone	4-65	Air Quality
			The DEIS lacks discussion of potential impacts with regard to ozone on a quantitative or even a qualitative level. While we agree that O3 is a regional pollutant, just because another agency is responsible for the developing plans to reduce emissions of O3 precursors does not mean that potential impacts due to ozone should have been discounted.
Ch. 4	Environmental Consequences - Particulate Matter	4-65	Air Quality
			The EPA transportation guidance provided on December 20, 2010, established modeling guidance for performing transportation conformity along with a 2-year grace period. However, based upon the FHWA's <i>Information: Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA</i> released on December 6, 2012, states "At the end of this grace period, i.e., beginning December 20, 2012, project sponsors should use MOVES to conduct emissions analysis for NEPA purposes." http://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/a/qintguidmem.cfm The December 20, 2010 FR notice (Vol. 75, No. 243) specifies "that any quantitative PM hot-spot analyses conducted during the grace period must use MOVES1010a, since MOBILE6.2 does not have the capabilities to produce viable results for project-level PM emissions analysis and is therefore not
			See comment 235 above
			The FEIS now includes a quantitative hotspots analysis. However, as discussed in Comment 229 there is an inconsistency with how the CO and PM10 modeled results have been presented in the FEIS. With higher modeled concentrations of CO occurring in 2020, what were the results for PM10 in base case year 2020? The FEIS should clearly describe and provide justification as to why data for base case 2020 was not presented for PM10.

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Code	Issue	Response
172	Air Quality	Ozone is a regional pollutant, and under the Clean Air Act conformity requirements, ozone precursor emissions are addressed at the regional level through emissions analysis of the Maricopa Association of Government's long range transportation plan. As long as projects are included in a conforming plan, as is the case for the South Mountain Freeway, then they are considered to have complied with the Clean Air Act requirements applicable to ozone. Analysis of the alternatives for National Environmental Policy Act purposes is not necessary, because any alternative would have to meet this same conformity test in order to proceed (the Arizona Department of Transportation and Federal Highway Administration could not approve any alternative that did not meet regional conformity requirements for demonstrating compliance with the ozone National Ambient Air Quality Standards). The question of whether one alternative is "better" than another from an ozone standpoint is moot, because all alternatives are required to be consistent with attainment of the ozone standard.
173	Air Quality	<p>The conformity regulations require hot-spot analyses to address the year or years of peak emissions. Through the interagency consultation process, 2035 was selected as the analysis year when traffic volumes and vehicle miles traveled would be the greatest. The Draft Environmental Impact Statement analysis included a draft carbon monoxide dispersion modeling analysis and a qualitative particulate matter (PM₁₀) analysis. However, the Final Environmental Impact Statement analysis had to meet transportation conformity requirements; conformity requires that the year of peak emissions be modeled, which was determined to be 2035 for both pollutants. The quantitative particulate matter (PM₁₀) analysis only addressed 2035 because it was first completed for the Final Environmental Impact Statement and this is the only required year. Since the carbon monoxide analysis was an update of the Draft Environmental Impact Statement analysis, and since both years were modeled in the Draft Environmental Impact Statement, both were presented in the Final Environmental Impact Statement for continuity, even though only 2035 was technically required. While carbon monoxide consists only of exhaust emissions, particulate matter (PM₁₀) consists of exhaust, brake wear, tire wear, and road dust. The trend in exhaust emissions is downward, due to the ongoing phase-in of U.S. Environmental Protection Agency tailpipe emissions standards, but brake wear, tire wear, and road dust increase in direct proportion to vehicle miles traveled (there are no U.S. Environmental Protection Agency standards that reduce these sources of emissions).</p> <p>The Final Environmental Impact Statement (page 4-75) states that the Maricopa Association of Governments most recent conformity analysis for its regional transportation plan shows regional emissions of carbon monoxide will be highest in 2035. This is from the regional model, whereas Table 4-32 in the Final Environmental Impact Statement shows site-specific modeled results, hence the difference. Regardless, the conclusion remains the same that the project complies with the transportation conformity regulations at 40 Code of Federal Regulation, Part 93 and with conformity provisions of Section 176(c) of the Clean Air Act.</p>

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				appropriate for this purpose."		
				Therefore, in accordance with FHWA guidance the PM analysis presented in the DEIS should have used MOVES2010, which is the current EPA/FHWA approved model.		
Ch. 4	Environmental Consequences – Particulate Matter	4-65	Air Quality	<p>The FHWA guidance specifies "the implications of MOVES on MSAT emissions estimates compared to MOBILE are" lower estimates of total MSAT emissions; significantly lower benzene emissions; significantly higher diesel PM emissions; especially for lower speeds. Consequently, diesel PM is projected to be the dominate component of the emissions totals."</p> <p>Therefore, in accordance with FHWA guidance the MSAT analysis presented in the DEIS should have used MOVES2010, which is the current EPA/FHWA approved model.</p>	238 – Air Quality As noted on page 4-70 of the Draft Environmental Impact Statement, MOBILE6.2 was used to project emissions at a regional level consistent with 40 Code of Federal Regulations Part 93.111(c), since the mobile source air toxics analysis for the proposed action started before or during the grace period for using the MOVES2010 emissions model. However, the mobile source air toxics analysis presented on page 4-70 of the Draft Environmental Impact Statement was updated on page 4-77 of the Final Environmental Impact Statement using the MOVES2010 model.	The FEIS presents MSAT analysis data based upon the current MOVES2010 model. However, the vehicle mix breakdown and VMT should be specifically described and summarized in the FEIS. This is a critical data input within the project description and for the purposes of the hotspots modeling analysis. Burying this data in the technical report does not fully disclose the project for review by the general public.
Ch. 4	Environmental Consequences – Particulate Matter	4-65	Air Quality	Was a formal interagency consultation process conducted to determine whether the current qualitative analysis is adequate for the purpose of full disclosure of potential PM10 and PM2.5 impacts associated with the action alternatives?	239 The air quality analysis parameters were determined through the process established by the Arizona Department of Transportation interagency consultation procedures (40 Code of Federal Regulations § 93.105(c)(1) (i)).	The FEIS now includes a quantitative hotspots analysis using MOVES 2010. However, as discussed in Comment 229, there is an inconsistency with how the CO and PM10 modeled results have been presented in the FEIS.
Ch. 4	Environmental Consequences – Particulate Matter	4-65	Air Quality	The analysis fails to address impacts of PM2.5. This is a significant flaw as the project is within approximately 15 miles of the Pinal County PM2.5 nonattainment area.	240 Maricopa County is in attainment for the particulate matter (PM2.5) National Ambient Air Quality Standard; the Pinal County particulate matter (PM2.5) nonattainment area is not included in the Study Area.	It is unclear how the study area for the air quality resource was established and why a nonattainment area in such close proximity to the project was ignored (i.e., the Pinal County PM10 and PM2.5 nonattainment areas located approximately 15 miles south of the project). The FEIS should provide a clear justification on how the study area was selected and should not disregard the fact that the Pinal County PM2.5/PM10 nonattainment areas are real.
Ch. 4	Mobile Source Air Toxics – Emissions Model	4-70	Air Quality	The DEIS states "The implications of MOVES related to MSAT emissions estimates compared with MOBILE as used in this analysis are lower estimated of total MSAT emissions; and significantly lower benzene emissions; significantly higher DPM emissions,	See comment 238 above	The FEIS presents MSAT analysis data based upon the current MOVES2010 model.

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Code	Issue	Response
174	Air Quality	MOVES2010b is the mobile-source emission factor model used in this analysis. The main point of the comment appears to be that these critical data have not been incorporated into the Final Environmental Impact Statement. These data were incorporated into the air quality technical report, which is available to the public. These data were incorporated into the Final Environmental Impact Statement by reference (see page 4-78).
175	Air Quality	The conformity regulations require hot-spot analyses to address the year or years of peak emissions. Through the interagency consultation process, 2035 was selected as the analysis year when traffic volumes and vehicle miles traveled would be the greatest. The Draft Environmental Impact Statement analysis included a draft carbon monoxide dispersion modeling analysis and a qualitative particulate matter (PM ₁₀) analysis. However, the Final Environmental Impact Statement analysis had to meet transportation conformity requirements; conformity requires that the year of peak emissions be modeled, which was determined to be 2035 for both pollutants. The quantitative particulate matter (PM ₁₀) analysis only addressed 2035 because it was first completed for the Final Environmental Impact Statement and this is the only required year. Since the carbon monoxide analysis was an update of the Draft Environmental Impact Statement analysis, and since both years were modeled in the Draft Environmental Impact Statement, both were presented in the Final Environmental Impact Statement for continuity, even though only 2035 was technically required. While carbon monoxide consists only of exhaust emissions, particulate matter (PM ₁₀) consists of exhaust, brake wear, tire wear, and road dust. The trend in exhaust emissions is downward, due to the ongoing phase-in of U.S. Environmental Protection Agency tailpipe emissions standards, but brake wear, tire wear, and road dust increase in direct proportion to vehicle miles traveled (there are no U.S. Environmental Protection Agency standards that reduce these sources of emissions).
176	Air Quality	Conformity applies to the nonattainment or maintenance area(s) where the proposed project is located; therefore, modeling a nonattainment area 15 miles away from the project is neither necessary nor required.
177	Air Quality	MOVES2010b is the mobile-source emission factor model used in this analysis.

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Ch. 4	Mobile Source Air Toxics – Emissions Model	4-70	Air Quality	MSAT emissions and impacts during construction of proposed action and the alternatives are lacking. Furthermore, it is unclear whether morning and afternoon rush hour short-term emissions were included in the modeling? especially for lower speeds.” Therefore, in accordance with FHWA guidance the MSAT analysis presented in the DEIS should have used MOVES2010, which is the current EPA/FHWA approved model.	241 The Arizona Department of Transportation is evaluating construction delivery methods for the proposed freeway. One concept is to deliver it as a single design- build project. This method would accelerate the construction duration for the entire project to around 3 to 3.5 years. Another concept would be to deliver the project in a more traditional method, breaking the 22-mile corridor into nine segments (each 1 to 3 miles long) and constructing them in phases. Each segment would be under construction for 1 to 3 years, and the total construction duration for the entire corridor would be 5 to 6 years. A discussion of construction implementation is provided beginning on page 3-59 of the Final Environmental Impact Statement. Any particular area of the Preferred Alternative would not be expected to see construction activities beyond an approximate 2-year period. The mobile source air toxics analyses as presented in the Draft Environmental Impact Statement were based on average daily traffic volumes over a 1-year period. However, a quantitative project-level particulate matter (PM10) hot-spot analysis has been prepared for the proposed project. The results of the analysis are summarized in the prologue to the Final Environmental Impact Statement (page xiii) and are more fully described beginning on page 4-68 of the Final Environmental Impact Statement. For this analysis, emission factors were generated for the morning peak, midday hours, afternoon peak, and overnight. Particulate matter (PM10) emissions were modeled incorporating operating conditions included in the U.S. Environmental Protection Agency’s <i>Transportation Conformity Guidance for Quantitative Hot-spot Analyses in PM2.5 and PM10</i>	The FEIS presents MSAT analysis data based upon the current MOVES2010 model. However, the vehicle mix breakdown and VMT should be specifically described and summarized within the project description and for the purposes of the hotspots modeling analysis. Burying this data in the technical report does not fully disclose the project for review by the general public.

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Code	Issue	Response
178	Air Quality	The mobile source air toxics analyses as presented in the Final Environmental Impact Statement were based on average daily traffic volumes over a 1-year period. Vehicle miles traveled are presented in the mobile source air toxics tables starting on page 4-80 of the Final Environmental Impact Statement. The Final Environmental Impact Statement indicates that local vehicle mix was a model input (page 4-79). Details on vehicle mix (heavy trucks versus all vehicles) are located in the appendix of the air quality technical report (page A-3), which is available to the public. Technical reports are designed to support the environmental impact statement, not to be reproduced in the environmental impact statement.

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Ch. 4	Figure 4-28	4-71	Air Quality	It is unclear what type of vehicle is being represented by this graph (i.e., gasoline passenger vehicle, diesel passenger vehicle, heavy-duty diesel truck, etc.). The DEIS should be updated to clarify what type vehicle this represents and provide a comparison to the other vehicle classes.	242 MOBILE6.2 national defaults, including the national default vehicle fleet mix.	ADOT simply ignores this comment as Figure 4-28 of the DEIS was simply removed from the FEIS without explanation.
Ch. 4	Table 4-34	4-72	Air Quality	It is unclear in both ADOT's <i>Environmental Planning Group Draft Report Air Quality Assessment South Mountain Freeway SR 202L</i> dated March 1, 2013 and the DEIS what is the breakdown of VMT for light duty/ heavy duty gasoline and diesel vehicles under the various alternatives? The assessment and DEIS should have clearly specified the vehicle mix. As stated in the DEIS "The implications of MOVES related to MSAT emissions estimates compared with MOBILE as used in this analysis are lower estimated of total MSAT emissions; and significantly lower benzene emissions; significantly higher DPM emissions, especially for lower speeds." Therefore, in accordance with FHWA guidance the MSAT analysis presented in the DEIS should have used MOVES2010, which is the current EPA/FHWA approved model.	243 Vehicle traffic mix projections were provided by the Maricopa Association of Governments. ALSO see comment 238 above.	Like 242 above, ADOT simply ignores this comment. The vehicle mix breakdown should be specifically described and summarized in the FEIS. This is a critical data input within the project description and for the purposes of the hotspots analysis. Burying this data in the technical report does not fully disclose the project for review by the general public. In addition, it is still unclear if the hotspots analysis evaluated the potential increases in heavy duty diesel vehicles from the CANAMEX project. Potential increases to heavy-truck traffic could result in significant increases to criteria pollutant and MSAT emissions. These potential impacts must be clearly discussed and disclosed in the direct and cumulative impacts sections of the FEIS.
Ch. 4	Table 4-34	4-72	Air Quality	ADOT's <i>Environmental Planning Group Draft Report Air Quality Assessment South Mountain Freeway SR 202L</i> dated March 1, 2013, which is the basis for the modeled impact results presented in the DEIS, does not account for increases in heavy duty diesel vehicles from the CANAMEX project and/or Phoenix-area origination and destination traffic, as "Average daily traffic volumes are	244 The Mexico to Canada route (commonly referred to as the CANAMEX route) is described in detail on page 3-64 of the Draft Environmental Impact Statement. The locally preferred route includes Interstate 8 and State Route 85 to bypass the Phoenix metropolitan area. State Route 85 is currently being reconstructed	It is still unclear if the hotspots analysis evaluated the potential increases in heavy duty diesel vehicles from the CANAMEX project. Potential increases to heavy-truck traffic could result in significant increases to criteria pollutant and MSAT emissions. These potential impacts must be clearly discussed and disclosed in the direct

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Code	Issue	Response
179	Air Quality	Figure 4-28 in the Draft Environmental Impact Statement was based on MOBILE6.2 national defaults, including the national default vehicle fleet mix. Because MOBILE6.2 has been replaced by MOVES, the graphic was no longer relevant and was deleted.
180	Air Quality, Trucks	<p>The Final Environmental Impact Statement indicates that local vehicle mix was a model input (page 4-79). Details on vehicle mix (heavy trucks versus all vehicles) are located in the appendix of the air quality technical report (page A-3), which is available to the public. Technical reports are designed to support the environmental impact statement, not to be reproduced in the environmental impact statement.</p> <p>As with all other freeways in the region, trucks will use the project for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles. The Maricopa Association of Governments regional travel demand model projects that truck traffic will represent approximately 10 percent of the total traffic on the freeway, similar to what is currently experienced on other regional freeways such as Interstate 10, State Route 101L, and U.S. Route 60. As disclosed in the Final Environmental Impact Statement, it is expected that "true" through-truck traffic (not having to stop in the metropolitan area) will continue to use the faster, designated, and posted bypass system of Interstate 8 and State Route 85 (see page 3-64 of the Final Environmental Impact Statement). The vehicle mix and specifically the percentages of trucks using the facility is similar in vehicle mix ratios found throughout the region's existing freeway system.</p>

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Ch. 4	MSAT Information Status	4-74	Air Quality	<p>The DEIS fails to discuss the "Mobile Source Air Toxics (MSATs) at Three Schools Next to US 95 in Las Vegas, Nevada" (May 2010). This report was prepared for the Nevada Department of Transportation and provides a discussion on the:</p> <ol style="list-style-type: none">1) indoor and outdoor concentrations of MSATs to which students are exposed at the three schools near US 95;2) the influence of US 95 vehicle traffic on MSAT concentrations at the three schools, both before and after the November 2007 freeway expansion; and3) the effectiveness and MSAT removal efficiencies of HVAC/filtration systems before and after modified air filtration systems were installed at each school. <p>The DEIS should have included a discussion of this study as it provides a potential mitigation strategy for reducing MSAT exposure at schools.</p>	<p>Project) do not inform this type of analysis. While monitoring data can be useful for defining current conditions in the affected environment (to the extent that the monitoring data are current), they don't tell us anything about future conditions, or the impacts of the project itself, which is why an emissions analysis was performed. The mobile source air toxic analysis presented beginning on page 4-77 of the Final Environmental Impact Statement is an estimated inventory of mobile source air toxic emissions for the entire Study Area for 2025 and 2035. This approach was used because the inventory estimate accounts for changes in traffic and emissions on all roadways affected by a proposed project, and would, therefore, be a more reliable predictor of changes in exposure to mobile source air toxics.</p> <p>246 The National Near Roadway Mobile Source Air Toxic Study is discussed on page 4-74 of the Draft Environmental Impact Statement, but not in great detail. As stated in the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, environmental impact statements should be analytic rather than encyclopedic [40 Code of Federal Regulations Part 1502.2(a)].</p> <p>The mobile source air toxics emissions information presented in the Draft and Final Environmental Impact Statements demonstrates mobile source air toxics emissions at the study area level would be much lower in the future. The U.S. Environmental Protection Agency's MOVES model also predicts lower mobile source air toxics emissions in the future. Therefore, there is no basis for the assumption that mitigation would be needed.</p>	<p>The FEIS does not include a discussion of the Mobile Source Air Toxics (MSATs) at Three Schools Next to US 95 in Las Vegas, Nevada dated May 2010. The EIS should have provided an analytical discussion of this study given the importance of the impact on children.</p>
Ch. 4	No-Action Alternative	4-76	Air Quality	<p>The DEIS states "MSATs emissions for the entire regional Study Area would decline regardless of whether the proposed action</p>	<p>247 Vehicle traffic mix projections were provided by the Maricopa Association of</p>	<p>The FEIS presents MSAT analysis data based upon the current MOVES2010 model. However, the vehicle mix</p>

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Code	Issue	Response
182	Air Quality	<p>The National Near Roadway Mobile Source Air Toxic Study is discussed on page 4-81 of the Final Environmental Impact Statement, although not in detail. The National Near Roadway Mobile Source Air Toxic Study is provided as background information in the Draft and Final Environmental Impact Statements, but the study itself is not relevant to the type of analysis done pursuant to the Federal Highway Administration's interim mobile source air toxics guidance, which is an emissions analysis. Monitored ambient concentrations of mobile source air toxics, the focus of the National Near Roadway Mobile Source Air Toxic Study, do not inform this type of analysis. The discussions in the <i>Air Quality</i> section of the Final Environmental Impact Statement are of sufficient detail to understand existing conditions without having to use the particular study the commenter mentions.</p> <p>The Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act state that environmental impact statements should be analytic rather than encyclopedic [40 Code of Federal Regulations Part 1502.2(a)]. The information presented in both the Draft and Final Environmental Impact Statements demonstrated mobile source air toxics emissions at the Study Area level will be much lower in the future. The U.S. Environmental Protection Agency's MOVES model also predicts lower mobile source air toxics in the future; therefore, it can be logically assumed that these emissions will be lower at the schools as well.</p>
183	Air Quality	<p>The mobile source air toxics analyses presented in the Final Environmental Impact Statement were based on average daily traffic volumes over a 1-year period. Vehicle miles traveled are presented in the mobile source air toxics tables starting on page 4-80 of the Final Environmental Impact Statement. The Final Environmental Impact Statement indicates that local vehicle mix was a model input (page 4-79). Details on vehicle mix (heavy trucks versus all vehicles) are located in the appendix of the air quality technical report (page A-3), which is available to the public. Technical reports are designed to support the environmental impact statement, not to be reproduced in the environmental impact statement.</p>

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				were constructed." Does this statement consider increases to heavy-truck traffic associated with trucks bypassing the Phoenix downtown area as well as those from the CANAMEX project, and from Phoenix-area origination and destination traffic? Therefore, in accordance with FHWA guidance the MSAT analysis presented in the DEIS should have used MOVES2010, which is the current EPA/FHWA approved model, and should have included the projected increases in heavy truck traffic.	Governments and are consistent with the regional conformity analyses; they are discussed in greater detail in the air quality technical report prepared for the project. As noted on page 4-70 of the Draft Environmental Impact Statement, MOBILE6.2 was used to project emissions at a regional level consistent with 40 Code of Federal Regulations Part 93.111(c), since the mobile source air toxics analysis for the proposed action started before or during the grace period for using the MOVES2010 emissions model. However, the mobile source air toxics analysis presented on page 4-70 of the Draft Environmental Impact Statement was updated on page 4-77 of the Final Environmental Impact Statement using the MOVES2010 model.	breakdown should be specifically described and summarized in the FEIS. This is a critical data input within the project description and for the purposes of the hotspots analysis. Burying this data in the technical report does not fully disclose the project for review by the general public.
Ch. 4	No-Action Alternative	4-76	Conformity	Neither the DEIS or the supporting technical report provides the conformity determination (i.e., the conformity analysis demonstrating the project conforms).	248 As stated on page 4-76 of the Draft Environmental Impact Statement, the proposed action is contained within the currently approved <i>Regional Transportation Plan</i> and the Maricopa Association of Government's Fiscal Year 2011–2015 TIP contains several references to the South Mountain Freeway project. Therefore, the proposed action would conform to the approved transportation plan and transportation improvement program. The carbon monoxide and particulate analyses demonstrated that the proposed freeway would not contribute to any new localized violations, increase the frequency or severity of any existing violation or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.	No comment.
NOISE						
Ch. 4	General Comment	-	Noise	The DEIS discussion is incomplete or lacking in the following areas: <ul style="list-style-type: none">Provides no discussion with regard to potential noise impacts due to ongoing maintenance activities (i.e., re-striping, re-surfacing, landscaping maintenance, etc.);	249 Analysis of noise impacts associated with maintenance activities are not required by Arizona Department of Transportation and Federal Highway Administration policy. Cumulative noise impacts are addressed on page 4-176 of the Draft Environmental Impact	<ul style="list-style-type: none">The FEIS provides no discussion with regard to potential noise impacts due to ongoing maintenance activities. NEPA requires full disclosure of impacts to the public.The FEIS does not provide a clear
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Code	Issue	Response
184		Comment noted.
185	Noise	<p>Analysis of noise-related impacts from maintenance activities is not required under Arizona Department of Transportation and Federal Highway Administration noise policies. Noise generated by maintenance activities would be temporary in nature and would be similar to that generated during construction of the freeway (see page 4-173 of the Final Environmental Impact Statement).</p> <p>A discussion of induced growth can be found beginning on page 4-182 of the Final Environmental Impact Statement. Cumulative impacts from noise are discussed on page 4-188 of the Final Environmental Impact Statement. Vehicle traffic mix projections were provided by the Maricopa Association of Governments and are consistent with the regional conformity analyses; they are discussed in greater detail in the noise technical report prepared for the project. The technical report is designed to support the environmental impact statement and is available to the public.</p>

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Ch. 4	Noise Criteria	4-80	Noise	<ul style="list-style-type: none">Provides no clear discussion of cumulative impacts including reasonably foreseeable development; andIt is unclear what vehicle traffic mix was used for the noise modeling	<p>Statement: Vehicle traffic mix projections were provided by the Maricopa Association of Governments and are consistent with the regional conformity analyses; they are discussed in greater detail in the noise technical report prepared for the project.</p>
	Noise Criteria	4-80	Noise	<p>The DEIS notes that "To further clarify the process of noise analysis and the evaluation of noise abatement, ADOT adopted a Noise Abatement Policy (NAP), last updated in 2007" (4-80). However, the most recently issued ADOT Noise Abatement Policy is dated July 13, 2011, which superseded the 2007 version cited in the DEIS. It does not appear that the DEIS utilized the most recent ADOT Noise Abatement Policy in the noise analysis.</p>	<p>250 The noise analysis has been updated for the Final Environmental Impact Statement using most recent Federal Highway Administration and Arizona Department of Transportation policy and traffic projections provided by the Maricopa Association of Governments in August 2013. This updated analysis begins on page 4-88 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental Impact Statements resulted.</p>
Ch. 4	Noise Criteria	4-80	Noise	<p>The DEIS includes an incomplete review of the regulations regarding noise. The only regulations analyzed in the DEIS for noise impacts in any detail are those dealing with the Federal Highway Administration Noise Abatement Criteria (found in 23 CFR 772), and the ADOT Noise Abatement Plan dated 2007 (which isn't even the most up-to-date version). The following additional laws and guidelines could impact the project:</p> <ul style="list-style-type: none">Noise Control Act of 1972, as amended (PL 92-574, 42 USC 4901 et seq.);The Quiet Communities Act of 1978 (42 USC 4913) promoting the development of state and local noise control programs;U.S. Department of TransportationFederal Transit Administration (FTA) has	<p>251 As stated in the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, environmental impact statements should be analytic rather than encyclopedic [40 Code of Federal Regulations Part 1502.2(a)]. Those noise regulations of direct consequence to the proposed action were discussed.</p> <p>The EIS should clearly identify applicable laws and guidelines which are the basis for determining whether significant impacts may occur and to aid in the selection of mitigation measures.</p>

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Code	Issue	Response
186		Comment noted.
187	Noise	<p>The noise analysis presented in the Final Environmental Impact Statement uses the most recent Arizona Department of Transportation Noise Abatement Policy (last updated in 2011), which was formally approved by the Federal Highway Administration, and traffic projections provided by the Maricopa Association of Governments in August 2013. Both the Noise Control Act of 1972 and the Quiet Communities Act of 1978 addressed emissions from transportation vehicles and equipment, machinery, appliances, aircraft, and other products in commerce. Based on this authority, the U.S. Environmental Protection Agency developed noise emission standards and controls for vehicles, which are enforced by the U.S. Department of Transportation. The noise emissions of motor vehicles are used in the Federal Highway Administration's noise prediction model (Traffic Noise Model), which was used on this project (see Final Environmental Impact Statement beginning on page 4-88). The noise regulations of other agencies have limited (U.S. Department of Housing and Urban Development and local noise ordinances) or no applicability (Federal Transit Administration—for federally funded transit projects) to the project. U.S. Department of Housing and Urban Development regulations consider noise in the acquisition of undeveloped land and noise exposure to existing developments. The Federal Highway Administration's Procedures for Abatement of Highway Traffic Noise and Construction Noise specifies abatement criteria for undeveloped land and existing housing. These criteria were used to determine mitigation for the project (see Final Environmental Impact Statement beginning on page 4-88). Local noise regulations are intended to address nuisance noise. They address emissions from modified motor vehicle exhausts, loud performances, and nighttime activities. Page 4-174 of the Final Environmental Impact Statement discusses the mitigation measures to be used to address the noise generated during construction, including nighttime construction. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The Occupational Safety and Health Administration Occupational Noise Exposure, Hearing Conservation Amendment applies to on-the-job worker exposure to noise. These exposure limits will apply to highway construction workers in compliance with the Arizona Department of Transportation's safety policy.</p>

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Ch. 4	Table 4-40 – Noise Analysis Results, Western and Eastern Sections	4-84	Noise	<p>published a guideline that specifically addresses issues of community noise (FTA-VA-90-1003-06);</p> <ul style="list-style-type: none">Occupational Safety and Health Administration (OSHA) Occupational Noise Exposure, Hearing Conservation Amendment (Federal Register 48[46]:9738-9785);U.S. Department of Housing and Urban Development (24 CFR 51.101(a)(8)); andCounty, city, or local noise ordinances applicable to the project. <p>It appears that not all sensitive receptors that could be impacted by noise from the project were identified and impacts predicted for; only the ones closest to the project were analyzed. For example, multiple schools located within approximately 0.5 mi of the project or alternatives that could be impacted were not evaluated, such as the following:</p> <ul style="list-style-type: none">Kyrene de la Estrella;Kyrene del Milenio;Kyrene de la Sierra;Desert Vista High School;Keystone Montessori;Horizon Community Learning Center;St. John Bosco Interparish Catholic School;Betty Fairfax High School;Cheatham Elementary School;Country Gardens Charter School;Summit School of Ahwatukee, andSunridge Elementary School.	252 As stated on page 4-82 of the Draft Environmental Impact Statement, over 220 sensitive receivers were evaluated from a traffic noise perspective. All of the receivers represent noise sensitive land uses in proximity to the proposed project. These receivers were closer to the proposed action than the schools listed; therefore, these receivers would have higher noise levels than the schools more distant from the proposed action. Analysis of noise impacts is conducted in accordance with Arizona Department of Transportation and Federal Highway Administration policy.	No comment.
Ch. 4	Construction Noise Inset	4-89	Noise	<p>Both the DEIS and the accompanying Noise Report use as a proxy for noise-related construction impacts from the project "measurements" from "a freeway construction project in Arizona that assessed the collective impact of construction noise" (p. 4-89 in the DEIS and p. 3-17 of the Noise Report). However, the specific freeway construction project was not mentioned; therefore, the comparability of these measurements to the proposed project is questionable and cannot</p>	253 The measurements were collected during the construction of State Route 202L (Red Mountain Freeway) near Mesa Drive. This information has been added to the text box on page 4-98 of the Final Environmental Impact Statement.	No comment.

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Code	Issue	Response
188		Comment noted.
189		Comment noted.

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Ch. 4	Mitigation for Vibration-related Impacts Inset	4-115	Topography, Geology, and Soils	Vibration from blasting is qualitatively discussed in the Topography, Geology, and Soils section of the DEIS; however, vibration from non-blasting construction activities and from operational impacts is not discussed anywhere within the DEIS. Procedures for screening and analyzing for vibrational impacts from construction and highway operation are provided in the U.S. Department of Transportation Federal Transit Administration "Transit Noise and Vibration Impact Assessment" (2006).	254 There are no federal requirements directed specifically to highway traffic induced vibration. All studies the highway agencies have done to assess the impact of operational traffic induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings.	No comment.
WATER RESOURCES						
4	Water Resources	4-93	Surface Water	<p>The DEIS correctly identifies that there are impaired waters within the project area (page 4-93). However, the importance of this designation is not fully carried through the analysis. ADOT's Statewide Stormwater Permit (Permit No. AZS000018-2008) has specific monitoring criteria associated with impaired waters and specific mitigation criteria that shall be implemented for impaired waters. These specific criteria are not discussed.</p> <p>The specific water quality constituents are not identified that cause the impairment of these waters. This lack of disclosure prevents full analysis of the expected impact to these impaired waters due to both construction and operation of the proposed freeway.</p> <p>The analysis concludes that "Implementation of BMPs associated with any of the action alternatives would reduce water quality impacts on the receiving waters of the Salt and Gila rivers. Both construction and operational impacts may be mitigated through the use of BMPs." (page 4-101) This conclusion is not supported by the existing disclosure. Without disclosure of 1) the types of impairment on the Salt and Gila Rivers, 2) the specific monitoring/mitigation required under the ADOT Statewide permit, and 3) analysis of the types</p>	<p>255 The specific water quality constituents that cause the impairment change from year to year as the Arizona Department of Environmental Quality and U.S. Environmental Protection Agency assess and evaluate the water quality standards; therefore, the specific contaminants from the Section 303(d) list are not noted in the Draft Environmental Impact Statement. The primary constituent that causes impairment (total dissolved solids) is discussed on page 4-93 of the Draft Environmental Impact Statement. Specific best management practices would not be known until final design when the stormwater pollution prevention plan would be developed. The Flood Control District of Maricopa County has shared drainage systems with the municipalities and stormwater discharges that have the potential to reach the Salt and Gila rivers; therefore, the Flood Control District of Maricopa County has established and implemented monitoring requirements to comply with Arizona Pollutant Discharge Elimination System regulations, as discussed beginning on page 4-93 of the Draft Environmental Impact Statement. Discussion of Arizona Pollutant Discharge Elimination System requirements and the Arizona Department of Transportation's permit requirements through individual permits begins</p>	<p>The public comment made three specific, reasonable suggestions for this analysis: "It would be reasonable to extend the analysis to disclose a) what measures might be needed, and b) whether those measures would be effective. Without disclosure of 1) the type of impairment, 2) the types of contaminants, and 3) the prescribed mitigation measures and their effectiveness, disclosure of impacts to the impaired waters is partial and limited."</p> <p>The ADOT response provides a response to the first question—the type of impairment. However, the likely types of contaminants and the prescribed mitigation measures and effectiveness remains absent from the analysis. The commenter is referred to page 4-93 of the DEIS. This page contains a detailed description of the AZPDES permitting process. It does not contain a disclosure of the types of contaminants likely to be experienced in the impaired waters due to this project, or the typical mitigation measures that would be applied to a project of this sort and their effectiveness at reducing impacts to the impaired waters. A reasonable</p>

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Code	Issue	Response
190		Comment noted.
191	Water Resources	The impacts to surface waters as a result of the project are discussed beginning on page 4-105 of the Final Environmental Impact Statement and include increased runoff, which can increase pollutant transport, attributable to the introduction of an impermeable surface (i.e., a freeway). As discussed on page 4-101 of the Final Environmental Impact Statement, total dissolved solids are a major constituent associated with degraded water quality. Other constituents that cause impairment vary from year to year, therefore, are not noted in the Final Environmental Impact Statement. In Arizona the accepted mitigation associated with reducing impacts to surface waters (or impaired waters) is implementation of a stormwater pollution prevention plan (and best management practices) and the Arizona Pollutant Discharge Elimination System (see page 4-102). The Arizona Pollutant Discharge Elimination System meets the requirements of Section 402 of the Clean Water Act.

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				<p>of contaminants to be discharged from the project, the conclusion as stated is arbitrary and unsupported.</p> <p>Specific to the impaired waters, the analysis also concludes that "Increased pollutant loading from freeway operation might further impair listed reaches of the Salt River and might need measures in addition to existing permit controls to achieve or maintain water quality standards in accordance with CWA Section 303(d)." (page 4-97) This analysis is incomplete. It would be reasonable to extend the analysis to disclose a) what measures might be needed, and b) whether those measures would be effective. Without disclosure of 1) the type of impairment, 2) the types of contaminants, and 3) the prescribed mitigation measures and their effectiveness, disclosure of impacts to the impaired waters is partial and limited.</p>	<p>on page 4-94 of the Draft Environmental Impact Statement.</p>	disclosure of impacts for a specific project cannot rest solely on the description of a future permitting process.
4	Water Resources	4-93	Surface Water	<p>The impaired waters should be identified on at least one of the maps included in the Water Resources section. Instead they appear in the Waters of the U.S. section later in the DEIS.</p>	<p>256 A reference to the figure on which the impaired waters are shown has been added to the discussion on page 4-101 of the Final Environmental Impact Statement. The sentence, "Several reaches of the Salt and Gila rivers are on the Section 303(d) list, including that portion of the Salt River in the Study Area" has been modified to read: "Several reaches of the Salt and Gila rivers are on the Section 303(d) list, including that portion of the Salt River in the Study Area (see Figure 4-36 on page 4-116)."</p>	The change appears to have been made as indicated.
4	Secondary and Cumulative Impacts	4-173	Surface Water	<p>The analysis indicates in several places that along the Eastern route, surface water discharge would be routed onto lands owned by the Gila River Community, and that this currently occurs. The drainage design features of the E1 Alternative would be such that drainage patterns from the South Mountains toward the Gila River would not be altered. Currently, drainage flows generally from the north to the south, passing under Pecos Road through a series of culverts</p>	<p>257 As noted on page 4-171 of the Draft Environmental Impact Statement, the type of activities that could contribute to cumulative impacts included general development patterns. Development on the Gila River Indian Community is a tribal function and requires no approval from other jurisdictions or notice to other jurisdictions regarding pending development. As a result, development along the Gila River Indian</p>	The ADOT response is responsive to only part of the public comment. While the response provides an after-the-fact justification for not including any specific development projects south of the proposed freeway as Reasonably Foreseeable Actions, it does not address the underlying concern about the Cumulative Impacts section of the EIS.

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Code	Issue	Response
192		Comment noted.
193	Water Resources, Secondary and Cumulative Impacts	<p>The Gila River Indian Community has not provided notice to the Arizona Department of Transportation regarding reasonably foreseeable development. As a result, development along the Gila River Indian Community boundary is speculative.</p> <p>The Final Environmental Impact Statement's <i>Secondary and Cumulative Impacts</i> section includes a discussion of water resources and the continued conversion of undisturbed land to human-based development. All reasonably foreseeable development plans are included as "human-based" development. The specifics the commenter requests can be found in "<i>Development Plans</i>" on page 4-7 of the Final Environmental Impact Statement and in Figures 4-4 and 4-5 on pages 4-8 and 4-10, respectively. In an effort to avoid being encyclopedic, the specific information is not repeated.</p>

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4	Water Resources	4-100	Ground-water	<p>components:</p> <p>1) The "best available scientific and technical information" shall be used (CEQ)</p> <p>2) The analysis is not a bitrary (Administrative Procedures Act)</p> <p>3) Resources are interrelated and the direct impacts on one resource may engender indirect impacts on other resources; these indirect impacts must be assessed (CEQ)</p> <p>The disclosure of impacts on water availability is insufficient with respect to these three fundamental requirements: 1) the analysis does not make use of the best available information; 2) application of the analysis is applied in an arbitrary manner; and 3) interrelated indirect impacts are insufficiently analyzed. Each of these three components is addressed individually below.</p>	259 Page 4-100 of the Draft Environmental Impact Statement states that finding a suitable location for a new well in this area may be difficult. Productivity of the well in bedrock formations is primarily based on intercepting fractures, and that can be very difficult to do. The Arizona Department of Transportation is aware of the difficult conditions that exist in replacing wells in this area. The Arizona Department of Transportation is also aware of the productivity of the well in question. The comment is correct that wastewater effluent is not available as a replacement source and is not being used. The City of Phoenix did operate a wastewater reclamation facility in this area, but it was removed from service and demolished. The City of Phoenix still owns the property, but all facilities have been removed from the site. Thus, only two water sources are available for irrigation and lake supply for the Foothills Community Association: the well that would be acquired and potable water from the	This public comment was about the use of outdated information. Three specific issues were raised: 1) the use of outdated reports and identification of other data sources that could be referenced; 2) the fact that effluent is not available for use; and 3) the clear difficulty in replacing water supplies when all the available information is properly reviewed. The ADOT response only responds to the second issue, regarding effluent. ADOT does not appear to have made use of any additional data sources, nor has ADOT included additional analysis of the difficulty of replacing groundwater sources. ADOT states that "In the event that well replacement were to be impossible, the Arizona Department of Transportation would still replace the water that would
				<p>The analysis of water availability does not use the "best available scientific and technical information."</p> <p>Concerns were raised to ADOT through the scoping process about the destruction of supply wells located along the Eastern alternative (Pecos Road). ADOT appears to be aware of these concerns, as an attempt is made to directly address them on page 4-100 of the DEIS. This page specifically analyzes wells used for water supply for the Foothills golf courses. The analysis included on page 4-100 makes use of information that is both outdated and erroneous. This leads to an insufficient analysis that does not make use of the "best available scientific and technical information". There are three major concerns:</p> <p>1. The sole information utilized (a report from 1996) is seriously out-of-date. A 17-year period in a rapidly growing community like the Ahwatukee Foothills Village has resulted in the use of a report</p>		

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Code	Issue	Response
195	Water Resources, Secondary and Cumulative Impacts	<p>The City of Phoenix regularly evaluates a wide array of factors that will influence long-term (50 years) water availability and water demand. These assessments are documented in the city's <i>Water Resources Plan</i>. The most recent document was published in 2011 (see <phoenix.gov/waterservicessite/Documents/wsd2011wrp.pdf>). The study states, "Today, the City maintains a well diversified water supply portfolio which is sufficient to meet the needs of this growing community for decades to come." Additionally, the City of Phoenix Water Services Department states in its <i>Water Supplies</i> frequently asked questions document (updated July 25, 2014) that "Phoenix water supplies are in good condition."</p> <p>Based on information received from the City of Phoenix Water Services Department, the current breakdown of water sources is 41 percent from the Central Arizona Project (Colorado River) and 49 percent from the Salt River Project (Verde River and Salt River). The remaining water comes from groundwater and reclaimed water. Combining all water sources, the City of Phoenix's current total capacity is approximately 555 million gallons per day. During the peak summer months, the total demand is approximately 380 million gallons per day. The Foothills Community Association well produces approximately 700 gallons per minute, which equals approximately 1 million gallons per day. In comparison to the current peak demand and the total capacity, the well represents 0.26 percent and 0.19 percent, respectively. The City of Phoenix provides water for several golf courses and has indicated that there is sufficient capacity to serve the Foothills golf course were that the only option left.</p> <p>The procedure identified on page 4-108 of the Final Environmental Impact Statement defines the procedure that the Arizona Department of Transportation will use to replace adversely affected wells, and also identifies the general costs the Arizona Department of Transportation will incur to replace the lost water sources. As noted in this discussion, if it were necessary to provide replacement water instead of a new well, the Arizona Department of Transportation would, in negotiations with the well owner, include the difference between the costs of pumping the well and the costs of the new replacement water source.</p>

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				<p>Figure 1. Groundwater Availability within Ahwatukee Foothills</p>		
4	Water Resources	4-100	Ground-water	<p>The analysis of water availability is applied in an arbitrary manner, and is not complete. In addition to being technically flawed by the use of outdated information and by not fully assessing available information, the analysis presented by ADOT has been applied in an arbitrary manner. The detailed analysis regarding water availability (page 4-100) focused solely on the Foothills Community Association and the potential loss of their wells. The DEIS does not analyze nearby entities that would experience the same</p>	<p>261 Because of the public concern expressed during the environmental impact statement process, page 4-100 of the Draft Environmental Impact Statement focuses on the Foothills Community Association to provide more details on the well acquisition, condition assessment, and replacement process used by the Arizona Department of Transportation. The Arizona Department of Transportation understands, and states on page 4-100 of the Draft Environmental Impact Statement, that finding a suitable location for a new well in this area may be difficult.</p>	<p>The public comment brought up a very specific concern that the analysis of impacts to water supplies was being applied arbitrarily. Specifically, that the water replacement issues associated with the Foothills Community Association and not on other impacted water supplies that could be equally problematic. The public comment identified a specific water supply—that associated with the Lakewood community—as being equally difficult to replace.</p>

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Code	Issue	Response
196	Water Resources	<p>The response was explaining that all wells and well owners will be treated the same and that the Arizona Department of Transportation understands that relocation of any well is a difficult activity. However, the Arizona Department of Transportation has effectively mitigated well impacts associated with its projects throughout the region and state.</p> <p>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system would need to be protected as they pass under the freeway, but production would not be affected.</p>

Code		Comment Document				
SWCA Comments on ADOT South Mountain Freeway Final EIS (September 2014) Prepared for PARC et al.						
ADEQUACY OF THE NEPA ANALYSIS						
Chapter	Section / Subsection	Page(s)	Resource Area	SWCA Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	SWCA Review of Final EIS
4	Water Resources	4-100	Ground-water	impacts, or entities anywhere else along the potential freeway route. One specific example is the Lakewood Community Association. As shown in Figure 1, the supply wells currently used by the Lakewood community would be even more difficult to replace given their large pumping capacity. The DEIS arbitrarily discloses impacts to one entity (Foothills Community Association) and not the other (Lakewood Community Association), no more than a few miles away. Further, no other impacts to domestic wells or supply wells are disclosed anywhere along any of the alternative routes, despite the potential for significant impacts to be present as demonstrated by the Foothills Community Association wells. With respect to the total number of wells to be impacted (Table 4-41), this type of tabulation is not a useful or sufficient analysis. A thorough analysis would, at the least, identify the number of domestic or exempt wells, the presence of monitoring wells, and the ownership of major supply wells.	Depending on whether an action alternative were to become the Selected Alternative, it may be possible to keep certain wells in their current location, but move the well controls and associated piping to outside of the right-of-way. Such an analysis would be performed later in the design process. Table 4-41, on page 4-98 of the Draft Environmental Impact Statement, discloses the number of wells that may be acquired by each action alternative and, as noted on page 4-98 of the Draft Environmental Impact Statement, some of these wells are abandoned wells. This information was updated in the Final Environmental Impact Statement on page 4-106. The comment suggests that the wells that would be adversely affected should be further classified as domestic, supply, or monitoring, and well ownership should be noted. This additional level of detail would not assist the environmental impact statement decision-making process.	The ADOT response does not address the specific concern raised at all. In fact, the response is even more arbitrary than before. The justification for not providing an analysis of a very specific issue raised by the public (the Lakewood Community water supply) is that "This additional level of detail would not assist the EIS decision-making process." That statement reflects less on the importance of the issue—which is assuredly important to the Lakewood community—and more on the shortcomings of the ADOT decision process. FHWA Technical Advisory T 6640.8A states that the response should adequately address the issue or concern raised by the commenter or, where substantive comments do not warrant further response, explain why they do not, and provide sufficient information to support that position." Sufficient information was not provided in the comment to support the position that analysis of the Lakewood Community water supply would not impact the decision.
				The analysis of water availability fails to take into account significant indirect effects. Analysis of impacts under NEPA does not require that speculative impacts be assessed, but it does require that reasonably foreseeable impacts be addressed, and in particular indirect impacts that may affect another resource. The DEIS fails to disclose significant adverse indirect impacts resulting from the loss of these supply wells. ADOT states that there are three sources of water: effluent, groundwater, and municipal water. The best available scientific and technical information indicates that two of these sources—effluent and groundwater—are	262 The comment is correct that wastewater effluent is not available as a replacement source and is not being used. The City of Phoenix did operate a wastewater reclamation facility in this area, but it was removed from service and demolished. The City of Phoenix still owns the property, but all facilities have been removed from the site. Thus, only two water sources are available for irrigation and lake supply for the Foothills Community Association: the well that would be acquired and potable water from the City of Phoenix. In the Final Environmental Impact Statement, the discussion on page 4-100 of the Draft Environmental Impact Statement has been modified to reflect that reclaimed wastewater would not be available (see page 4-108 of the	Several responses were provided to comments regarding the analysis of the Foothills Community and Lakewood water supply. In response to the public comments, in the FEIS ADOT made minor text changes to remove mention of City of Phoenix effluent as an available water supply. These changes do not address the specific comment raised, particularly in #262. This comment was specifically about the indirect effects of losing that water supply and having it replaced with the only choice of replacement water left—City of Phoenix potable water. The FEIS does not analyze these indirect effects in any way, nor does the

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Code	Issue	Response
197	Water Resources, Secondary and Cumulative Impacts	<p>The City of Phoenix regularly evaluates a wide array of factors that will influence long-term (50 years) water availability and water demand. These assessments are documented in the city’s <i>Water Resources Plan</i>. The most recent document was published in 2011 (see <phoenix.gov/waterservicessite/Documents/wsd2011wrp.pdf>). The study states, “Today, the City maintains a well diversified water supply portfolio which is sufficient to meet the needs of this growing community for decades to come.” Additionally, the City of Phoenix Water Services Department states in its <i>Water Supplies</i> frequently asked questions document (updated July 25, 2014) that “Phoenix water supplies are in good condition.”</p> <p>Based on information received from the City of Phoenix Water Services Department, the current breakdown of water sources is 41 percent from the Central Arizona Project (Colorado River) and 49 percent from the Salt River Project (Verde River and Salt River). The remaining water comes from groundwater and reclaimed water. Combining all water sources, the City of Phoenix’s current total capacity is approximately 555 million gallons per day. During the peak summer months, the total demand is approximately 380 million gallons per day. The <i>Water Resources Plan</i> notes that from the peak demand year of 2002, total demand has actually declined by more than 16 percent, while the service population increased by nearly 8 percent. The Foothills Community Association well produces approximately 700 gallons per minute, which equals approximately 1 million gallons per day. In comparison to the current peak demand and the total capacity, the well represents 0.26 percent and 0.19 percent, respectively. The City of Phoenix provides water for several golf courses and has indicated that there is sufficient capacity to serve the long-term needs of the Foothills golf course were that the only option left.</p> <p>The procedure identified on page 4-108 of the Final Environmental Impact Statement defines the procedure that the Arizona Department of Transportation will use to replace adversely affected wells, and also identifies the general costs the Arizona Department of Transportation will incur to replace the lost water sources. As noted in this discussion, if it were necessary to provide replacement water instead of a new well, the Arizona Department of Transportation would, in negotiations with the well owner, include the difference between the costs of pumping the well and the costs of the new replacement water source.</p>

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ADEQUACY OF THE NEPA ANALYSIS						
Chapter	Section / Subsection	Page(s)	Resource Area	SWCA Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	SWCA Review of Final EIS
4	Secondary and Cumulative Impacts	4-173	Water Availability	<p>these lakes is reasonably foreseeable and should have been disclosed as an indirect environmental impact of losing supply wells.</p> <p>Based on the above concerns, the assessment of cumulative impacts of water availability is lacking. The DEIS states: "Ongoing planned and permitted residential, commercial, and industrial development in the region would likely continue to place a demand on water availability. The proposed action would have little cumulative effect on water availability." (emphasis added)</p> <p>Given the outcomes of attempting to replace water lost to both Foothills Community Association and Lakewood Community Association, there would be stresses placed on other aspects of the water delivery system within the City of Phoenix. This has not been analyzed properly as either a direct, indirect, or cumulative impact.</p>	262 See comment # 262 above	Similar to that described above, this comment pointed out another indirect effect that was specifically called out by the public. An analysis was not included in the FEIS, and the reasons for not including such an analysis in the FEIS were not provided.
4	Water Resources	4-97	Ground-water	<p>A comment typical throughout the document, but specific to groundwater resources is the use of outdated information. Specifically, groundwater levels are shown from 1992, almost 20 years in the past.</p> <p>If new information is not available, it is the responsibility of the agency to either obtain that information, or state clearly why that cannot be done. (CEQ Regs 1502.22)</p> <p>Curiously, elsewhere in the document "Topography, Geology, and Soils" more up-to-date groundwater levels are presented.</p>	263 As noted on page 4-97 of the Draft Environmental Impact Statement, although groundwater level data in Ahwatukee Foothills Village were shown from 1972 to 1992, this information was gathered from the U.S. Geological Survey in 2009. Groundwater data in other areas may indeed be more current; however, this additional level of detail would not assist the environmental impact statement decision-making process.	<p>This highlights another deficiency in the ADOT response to comments. The best source of information on water levels in wells in Arizona is the Arizona Department of Water Resources, either the well registry or the Groundwater Site Inventory databases. These sources were specifically used and mentioned in public comments. The USGS is not as comprehensive a data source with respect to groundwater levels. Use of this data source and no other does not reflect the best available information and science.</p> <p>Several wells have been attempted in the Foothills area in the last few years, with negative results. An appropriate search of ADWR files possibly could have identified additional information pertinent to available water supply.</p> <p>As noted in the response to #261, ADOT states that "This additional level of detail</p>

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Code	Issue	Response
198	Water Resources, Secondary and Cumulative Impacts	<p>The City of Phoenix regularly evaluates a wide array of factors that will influence long-term (50 years) water availability and water demand. These assessments are documented in the city’s <i>Water Resources Plan</i>. The most recent document was published in 2011 (see <phoenix.gov/waterservicessite/Documents/wsd2011wrp.pdf>). The study states, “Today, the City maintains a well diversified water supply portfolio which is sufficient to meet the needs of this growing community for decades to come.” Additionally, the City of Phoenix Water Services Department states in its <i>Water Supplies</i> frequently asked questions document (updated July 25, 2014) that “Phoenix water supplies are in good condition.”</p> <p>Based on information received from the City of Phoenix Water Services Department, the current breakdown of water sources is 41 percent from the Central Arizona Project (Colorado River) and 49 percent from the Salt River Project (Verde River and Salt River). The remaining water comes from groundwater and reclaimed water. Combining all water sources, the City of Phoenix’s current total capacity is approximately 555 million gallons per day. During the peak summer months, the total demand is approximately 380 million gallons per day. The Foothills Community Association well produces approximately 700 gallons per minute, which equals approximately 1 million gallons per day. In comparison to the current peak demand and the total capacity, the well represents 0.26 percent and 0.19 percent, respectively. The City of Phoenix provides water for several golf courses and has indicated that there is sufficient capacity to serve the Foothills golf course were that the only option left.</p> <p>The procedure identified on page 4-108 of the Final Environmental Impact Statement defines the procedure that the Arizona Department of Transportation will use to replace adversely affected wells, and also identifies the general costs the Arizona Department of Transportation will incur to replace the lost water sources. As noted in this discussion, if it were necessary to provide replacement water instead of a new well, the Arizona Department of Transportation would, in negotiations with the well owner, include the difference between the costs of pumping the well and the costs of the new replacement water source.</p>
199	Water Resources	<p>Groundwater data in other areas may be more current; however, this additional level of detail would not assist the environmental impact statement decision-making process because groundwater levels are not a differentiating factor among action alternatives and because each action alternative is located in a similar area and follows a similar vertical profile.</p>

Code

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4	Water Resources	4-97	Ground-water	The analysis of water quality is insufficient. While existing background water quality (page 4-97) is of interest, the more important concern is the potential for the proposed freeway route to impact known areas of contamination. This is not disclosed in the assessment of water resources. There are several basic and readily available data sources that should have been consulted for this analysis. At a minimum: 1) known Leaking Underground Storage Tank (LUST) sites, 2) known State (WQARF) or Federal (CERCLA) superfund sites, and 3) known or suspected landfills, either historic or active (the location along the Salt River makes this a particularly important item to assess in the DEIS).	264 Both the Van Buren Tank Farm and the West Van Buren Water Quality Assurance Revolving Fund site were identified and considered during development of the Draft Environmental Impact Statement (see pages 4-97 and 4-153 of the Draft Initial Site Assessment prepared for the proposed project). These sites are primarily groundwater-impact sites, and groundwater is found at a depth of over 60 feet below the footprint of the Preferred Alternative. Given the separation distance between the adversely affected medium (groundwater) and the construction zone (near-surface in these locations), the project team determined that these sites would not pose a risk to construction or to the general public once the facility were completed. This assessment has been clarified in the Final Environmental Impact Statement on page 4-165.	would not assist the EIS decision-making process." That statement reflects less on the importance of the issue—which is assuredly important to the local community—and more on the shortcomings of the ADOT decision process. FHWA Technical Advisory T 6640.8A states that the response "should adequately address the issue or concern raised by the commenter or, where substantive comments do not warrant further response, explain why they do not, and provide sufficient information to support that position." Sufficient information was not provided in the comment to support the position that analysis of these issues of water supply would not impact the decision.
				The DEIS states: "The general and special conditions of the Section 404 Individual Permit would minimize impacts on jurisdictional waters to the extent practicable. ADEQ would issue Section 401 Individual certification for compliance with water quality prior to Section	265 According to 33 Code of Federal Regulations 323.3, a permit is required for discharges of dredged or fill material into waters of the United States. As noted on page 4-110 of the Draft Environmental Impact Statement, as design	The analysts of known contamination sites is included in the Hazardous Materials section as noted in the comment response.
4	Waters of the U.S.	4-112	Waters of the U.S.	The DEIS states: "The general and special conditions of the Section 404 Individual Permit would minimize impacts on jurisdictional waters to the extent practicable. ADEQ would issue Section 401 Individual certification for compliance with water quality prior to Section	265 According to 33 Code of Federal Regulations 323.3, a permit is required for discharges of dredged or fill material into waters of the United States. As noted on page 4-110 of the Draft Environmental Impact Statement, as design	The response is completely inappropriate to the actual public comment. The public comment was not about the 404 process, but rather about the ability to obtain 401 water quality certification from the State of Arizona

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Code	Issue	Response
200		Comment noted.
201	Waters of the United States	<p>As described on page 4-118 of the Final Environmental Impact Statement, it is anticipated that the W59 (Preferred) Alternative will qualify for Section 404 of the Clean Water Act Nationwide Permit #14, Linear Transportation Projects, because of the limited amount of fill that would be placed into jurisdictional waters. Generally, nationwide permits on non-tribal lands in Arizona have water quality certification conditions, which, when implemented, provide conditional water quality certification for the permit; however, if the activity affects an impaired water, an individual water quality certification is required.</p> <p>If an individual Section 404 permit is required, a permit application will be submitted to the U.S. Army Corps of Engineers describing the proposed activity. Once the application is complete, the U.S. Army Corps of Engineers issues a public notice containing the information needed to evaluate the likely impacts of the activity. A notice is sent to all interested parties including adjacent property owners, government agencies, and others who have requested a notice. During the public notice period of the individual permit, the Arizona Department of Environmental Quality conducts its Clean Water Act Section 401 certification review. As part of the application review, the Arizona Department of Environmental Quality may issue a public notice that provides an opportunity for the public to comment on the Arizona Department of Environmental Quality certification decision prior to providing a water quality certification.</p> <p>Controlling and treating runoff is a normal function of Arizona Department of Transportation projects. The U.S. Army Corps of Engineers, as a cooperating agency, has participated and contributed in each step of the environmental process. The agency has found the logical sequence of decision making to be sound and in line with National Environmental Policy Act requirements. The Arizona Department of Environmental Quality has also contributed to the process. Both agencies have oversight roles in project permitting as established in the Clean Water Act (Sections 401, 402, and 404). Extensive mitigation in accordance with the permitting requirements can be found in the <i>Water Resources</i> and <i>Waters of the United States</i> sections of Chapter 4 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The Arizona Department of Transportation will comply with the conditions required in the Section 404 permit and Section 401 water quality certification.</p>

Code		Comment Document
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	404 permit issuance. The issuance of the Section 401 individual certification in light of the impaired nature of the Salt and Gila River should have been discussed.	proceeds, the Arizona Department of Transportation would prepare and submit an application to the U.S. Army Corps of Engineers for a permit under Section 404 of the Clean Water Act. Steps are outlined beginning on page 4-110 of the Draft Environmental Impact Statement. Minimization of impacts would be achieved and unavoidable impacts would be practicable. These steps are outlined beginning on page 4-110 of the Draft Environmental Impact Statement.
		SWCA Review of Final EIS given the presence of impaired waters in the area. The ADOT response makes reference only to the 404 permit. This response does not adequately address the issue or comment raised by the commenter, or indicate why it was not addressed. It should be noted that EPA raised questions regarding the 404 permitting in their review of the DEIS; these questions do not appear to have been addressed in any more detail in the FEIS than they were in the DEIS.
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Code	Issue	Response


Code	Comment Document
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202

COMMENT 3

**Comment from Chris Garret, B.S., P. HGW, at
SWCA regarding South Mountain Freeway
(Loop 202) EIS Depressed Freeway Alternative**

Code	Issue	Response
202		Title page.

Code	Comment Document
	<div></div> <p>November 5, 2014</p> <p>Patricia Lawlis Protecting Arizona's Resources and Children, Inc. PO Box 50455 Phoenix, AZ 85076</p> <p>Re: South Mountain Freeway (Loop 202) EIS Depressed Freeway Alternative</p> <p>Dear Ms. Lawlis:</p> <p>The purpose of this letter is to provide you with some thoughts specific to the dismissal of the depressed freeway alternative in the ADOT Loop 202 EIS. As a hydrologist, it is difficult to actually assess from a technical viewpoint whether a depressed freeway alternative is reasonable or not, for the very simple reason that ADOT has not provided any analysis to review or consider, even at a generic level. For that reason, most of the following thoughts are related to the NEPA process, and not the actual hydrology.</p> <p>I note that both the Draft EIS and Final EIS state the following (page 3-18): "For these reasons, the depressed freeway options were not carried forward for further study. Instead, the rolling profile was carried forward. Maintaining the existing flows onto Community land with a rolling profile would require extension of the existing drainage structures and the construction of small drainage basins at regular intervals." This statement is preceded in the EIS by a discussion of the design components that would be required to consider a depressed freeway option. From this it would appear that ADOT considered and analyzed the depressed freeway option internally. Even if we assume that such an internal analysis was conducted, it remains unclear as to why this alternative was dismissed as an alternative¹.</p> <p>That an alternative is different is not a reason to dismiss it. That an alternative could take more land, have a bigger footprint, cost more, or require special engineering are all components to be analyzed and compared against other alternatives, not reasons to dismiss an alternative from consideration. Generally speaking, the only valid reasons to dismiss an alternative are that it does not meet the Purpose and Need, is illegal, or that design constraints make it an impossibility to accomplish (i.e., it is not practical or feasible).</p> <p>A review of the Purpose and Need is enlightening on this point. It does not mention cost or funding as any part of the purpose and need for this project. It appears to me that the depressed freeway alternative meets the stated purpose and need for the project just as well as any other alternative. The depressed freeway alternative clearly should not have been dismissed for not meeting the Purpose and Need.</p> <p>¹ The National Environmental Policy Act is a disclosure exercise, designed to ensure that a decision maker, as well as the public, adequately understands the environmental impacts (both positive and negative) of various alternatives that meet the Purpose and Need. Failure to discuss the basis for dismissal of an alternative, either in the EIS or in publicly-available decision documents, is contrary to the spirit of the law as well as to available NEPA guidance.</p>

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Code	Issue	Response
203	Alternatives	<p>Depressing the freeway is considered a design option of the associated alternative. Numerous design options were evaluated and documented during the alternatives development and screening process. It is not required within the National Environmental Policy Act process that every potential similar variation be carried forward and studied in detail.</p> <p>As noted beginning on page 3-15 of the Final Environmental Impact Statement, depressing the Pecos Road sections would entail installation of pump stations to drain the main line freeway. A depressed freeway would also need a drainage channel to capture the off-site flows to prevent their entering the freeway. Pump stations were not used because of the high cost of construction and maintenance needed for their operation. The recommended freeway configuration has the E1 Alternative aboveground and the existing culverts extending to pass the drainage under the freeway. Pecos Road currently has numerous existing culvert crossings. Depressing the freeway in this area would eliminate the existing culvert crossings and potentially have adverse flooding impacts on adjacent properties. Extending the existing culverts or upsizing the culverts would maintain or improve drainage flows. This would ensure that there would be no adverse flooding impacts on adjacent properties. To reduce impacts by depressing the freeway in the Eastern Section, the Arizona Department of Transportation would:</p> <ul style="list-style-type: none">• need to spend an additional \$400 million for right-of-way acquisition and construction• displace an additional 300 residences• maintain additional pump stations and detention basins for the life of the freeway• would still have noise-related impacts requiring mitigation (i.e., noise barriers and their associated costs and visual impacts) <p>Because the below-ground option would result in substantially greater costs and residential displacements, this option was eliminated from further study.</p> <p>The individual alternatives screening documents were referenced throughout Chapter 3 of the Draft Environmental Impact Statement, including the <i>E1 Alternative - Profile Variations along Pecos Road</i> memorandum mentioned on page 3-18. This document and others were included as part of the <i>Validation of the Alternatives Screening Process at the FEIS Stage</i> (2014) document, which presented a reassessment and validation of the alternatives screening process for the Final Environmental Impact Statement, including the revised traffic projections. This document was available for public review on the project Web site at <azdot.gov/southmountainfreeway>.</p>

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204

Years of Experience

20

Expertise

NEPA compliance

Hydrology and water
resource permitting;
water supply analysis

Groundwater/surface
water interaction
studies

Clean Water Act
compliance

Groundwater modeling

Education

B.S., Hydrology;
University of Arizona,
Tucson; 1995

Registration/
Certification

Professional
Hydrologist-
Groundwater
(P.HGW.), Certified
and Registered by the
American Institute of
Hydrology (04-H-
1623)

Training

Adjunct Faculty, Water
Resources Technology
Program, Gateway
Community College;
2004–2008

CHRIS GARRETT, B.S., P.HGW.

Tucson Office Director, Project Manager, Hydrologist

Experience Summary

Mr. Garrett has served as the director of SWCA's Tucson office since 2011. In that role, he has overseen the execution of projects large and small, managing interdisciplinary, multi-phase projects involving a variety of tasks and sub-consultants. Mr. Garrett is an experienced NEPA planner and he has managed or participated in the preparation of more than a half dozen major Environmental Impact Statements.

Mr. Garrett has been centrally involved in two of the most controversial NEPA projects in Arizona in the past five years. Mr. Garrett is the project manager for the Rosemont Copper Project EIS for the Coronado National Forest, which has involved highly complex technical issues, numerous cooperating agencies, and vocal public comment. Mr. Garrett was also involved in the Northern Arizona Withdrawal EIS, developing the Reasonably Foreseeable Development scenario for numerous uranium mining claims.

As a registered Professional Hydrologist specializing in groundwater (P.HGW.), Mr. Garrett also coordinates hydrologic investigations and water resource assessments with federal and state agencies, water and energy utilities, commercial and industrial clients, developers, and private land owners, as well as providing hydrologic analysis for EISs and EAs.

Mr. Garrett has served as an adjunct faculty member in water resources technology at Gateway Community College, and as a guest speaker for the Bureau of Land Management training in aquifer testing.

Selected Project Experience

Southline Transmission EIS; Las Cruces, New Mexico, to Wilcox, Arizona; Southline Transmission LLC. SWCA serves as the third-party NEPA consultant to the BLM and the Western Area Power Administration (the co-lead federal agencies) and Southline Transmission LLC (the proponent). The project proposes more than 360 miles of new and rebuilt transmission line and will provide 1,000 megawatts of capacity in southern New Mexico and Arizona. *Role: Environmental Specialist. Provided hydrologic analyses and NEPA expertise.*

Rosemont Mine EIS; Coronado National Forest near Tucson, southeastern Pima County, Arizona; Rosemont Copper Company. As a third party contractor, SWCA worked with the U.S. Forest Service (USFS) to determine and document potential environmental impacts of a proposed open-pit copper, molybdenum, and silver mine on more than 5,000 acres of private and National Forest lands in the Santa Rita Mountains. *Role: Project Manager / Hydrologist. Since 2010, has served as lead hydrologist and Project Manager, responsible for oversight of expert peer review of groundwater modeling, geochemical modeling, and surface water modeling. Served a key role in designing mitigation and monitoring components for this project. Project required a sophisticated and robust approach to hydrologic and geochemical modeling, and assessment of impacts to riparian resources.*

GARRETT

Code	Issue	Response
204		Résumé.

Code	Issue	Response
205		Title page.

Code

Comment Document

206

RESPONSE TO FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)
SOCIOECONOMIC FACTORS

Comments prepared by Kevin Kane on behalf of PARC, et al.
October 29, 2014

The FEIS has addressed a number of concerns laid out in my original comment document, provided to ADOT in response to the DEIS on July 24, 2013. My original comments principally addressed (comment #1) the use of outdated input data, (comment #2) the DEIS’s internal inconsistency of using short-term trends to predict long-range growth, and (comment #3) the uncertainty of predictive models of population and VMT growth. While the use of outdated input data appears to have been addressed, the differences between the old and new projections beg the question of whether the new figures were actually considered in determining whether the proposed action is needed.

The FEIS responds to the criticism of its use of outdated input data in comments 19 and 20. ADOT avers that Census 2010-based socioeconomic data had not yet been adopted by MAG at the time of the DEIS, and they are now integrated in the FEIS. Comment 20 notes that the newly updated projections in the FEIS are consistent with the county-wide estimates provided by the ADOA and presented in my response to the DEIS.

The response in comment 20 also states that, “While new projections based on the 2010 census showed a lower anticipated population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the DEIS were validated in the FEIS.” Namely, that the proposed action is needed. A comparison of DEIS and FEIS socioeconomic projections is included in Table 1:

Table 1: Comparison of DEIS vs. FEIS 2035 Projections

	2010 Census	Year 2035 Projections:		
		DEIS (using 2005 Census input data)	FEIS (using 2010 Census input data)	Pct. Difference
County Population	3,824,000	6,545,000	5,776,000	11.75%
Study Area Population	1,506,000	2,578,000	2,424,000	5.97%
County Employment	1,707,000	3,600,000	2,892,000	19.67%
Study Area Employment	509,000	1,236,000	1,067,000	13.67%

While the population and employment estimates now correctly use current data (which includes a period of substantially slowed employment and population growth in the County and Study Area from 2005-2010), these major differences are not accompanied by updated narrative conclusions or justification. The only acknowledgement of these differences is from the above-quoted response in comment 20. Therefore, while new figures are provided in the FEIS, ADOT did not sufficiently address my comment to the DEIS (comment #1), which stated that

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Code	Issue	Response
206		<p>Comments noted. Responses to specific comments are provided in the following pages.</p> <p>As noted on page xi of the Prologue to the Final Environmental Impact Statement, the purpose and need for the project was reevaluated using the new socioeconomic projections related to regional traffic, and the conclusions reached in the Draft Environmental Impact Statement were reconfirmed in the Final Environmental Impact Statement. Similarly, it is noted on page xi that the alternatives development and screening process was validated using the updated socioeconomic and traffic projections.</p>
207	Socioeconomic Projections	<p>The Maricopa Association of Governments continually updates databases containing known development projects and general plan land use amendments. The effects of changes to the known development projects and general plan land use updates, as well as the regional economic downturn and changes to population and employment control totals, are the main drivers of the differences between the socioeconomic data used in the Draft and Final Environmental Impact Statements.</p> <p>While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>).</p> <p>The need for the project is based on socioeconomic factors and regional transportation demand and existing and projected transportation system capacity deficiencies (see text beginning on page 1-11 of the Final Environmental Impact Statement). Socioeconomic forecasts show population, housing, and employment increasing at high rates. Projections for 2035 are of a population of 5.8 million, housing of 2.3 million dwelling units, and an employment level of 2.9 million jobs. Increases in vehicle miles traveled are expected to meet or exceed growth of the three socioeconomic trends. Almost 50 percent of the projected regional growth is expected to occur in areas that will be immediately served by the freeway.</p> <p>The commenter is focused on the change in values from the Draft Environmental Impact Statement to the Final Environmental Impact Statement instead of the more relevant comparison between 2010 and the new 2035 values presented in the Final Environmental Impact Statement. This comparison still shows an increase of almost 2 million people and over 1 million jobs in the next 25 years. The project is needed to serve that growth. Without a major transportation facility in the Study Area, the region will suffer even greater congestion, travel delays, and limited options for moving people and goods safely through the Phoenix metropolitan region.</p>

Code

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population growth rates (1.32% vs. 1.46% annually), but slower employment growth (2.60% to 2.21%) than previously projected?

Table 2: Comparison of Activity Area Growth Rates

	2035 Population – DEIS (%) <i>Annual Growth</i>	2035 Population – FEIS (%) <i>Annual Growth</i>	2035 Employment – DEIS (%) <i>Annual Growth</i>	2035 Employment – FEIS (%) <i>Annual Growth</i>
Central West Valley	809,000 (1.53%)	880,000 (1.7%)	378,000 (3.7%)	339,000 (3.72%)
Southwest Valley	809,000 (6.42%)	521,000 (3.84%)	282,000 (6.08%)	190,000 (4.86%)
Ahwatukee/Gila River Indian Community	89,000 (0.27%)	97,000 (0.77%)	45,000 (1.85%)	41,000 (1.68%)
Chandler/Gilbert/Queen Creek	871,000 (1.32%)	926,000 (1.46%)	531,000 (2.6%)	497,000 (2.21%)
Study Area Total	2,578,000 (2.29%)	2,424,000 (1.92%)	1,236,000 (3.45%)	1,067,000 (3%)
Maricopa County Total	6,545,000 (1.94%)	5,776,000 (1.66%)	3,600,000 (2.44%)	2,892,000 (2.13%)

This is important omitted information in the FEIS, since transportation between land uses in these activity areas are crucial to the volume of origin-destination pairs served by the proposed action. Significant changes in the projected population or employment of the Central West Valley and the Chandler/Gilbert/Queen Creek area directly impact the analysis of future demand for the proposed action since its intent appears to be, in part, to connect places of residence with places of employment that are in other parts of the region. These figures – which changed dramatically between the DEIS and FEIS – should be accompanied by a clear description of why and how employment and population by area are expected to grow and require a major transportation facility connecting them specifically. While the land use section of chapter 4 (pages 4-3 to 4-19) discusses land use in the study area, it does not discuss purpose and need based on socioeconomic factors of the population and employment centers the proposed action connects, rather focusing on land uses impacted by the various alignment options.

Finally, MAG provided projections of population, housing, and employment using 2010 input data, which was relied upon for the FEIS¹. However, MAG’s time horizon for projection is 30 years into the future, providing projections at 10-year intervals. The MAG report using 2005 input data² which was used in the DEIS provided 2005, 2015, 2025, and 2035 estimates, though

¹ Maricopa Association of Governments, *Socioeconomic Projections: Population, Housing, and Employment by Municipal Planning Area and Regional Analysis Zone*. Phoenix, 2013.

² Maricopa Association of Governments, *Socioeconomic Projections: Population, Housing, and Employment by Municipal Planning Area and Regional Analysis Zone*. Phoenix, 2007.

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Code	Issue	Response
212 (cont.)		<p>The need for the project is based on socioeconomic factors and regional transportation demand and existing and projected transportation system capacity deficiencies (see text beginning on page 1-11 of the Final Environmental Impact Statement). Socioeconomic forecasts show population, housing, and employment increasing at high rates. Projections for 2035 are of a population of 5.8 million, housing of 2.3 million dwelling units, and an employment level of 2.9 million jobs. Increases in vehicle miles traveled are expected to meet or exceed growth of the three socioeconomic trends. Almost 50 percent of the projected regional growth is expected to occur in areas that will be immediately served by the freeway.</p> <p>The commenter is focused on the change in values from the Draft Environmental Impact Statement to the Final Environmental Impact Statement instead of the more relevant comparison between 2010 and the new 2035 values presented in the Final Environmental Impact Statement. This comparison still shows an increase of almost 2 million people and over 1 million jobs in the next 25 years. The project is needed to serve that growth. Without a major transportation facility in the Study Area, the region will suffer even greater congestion, travel delays, and limited options for moving people and goods safely through the Phoenix metropolitan region.</p>
213	Socioeconomic Projections	<p>The Maricopa Association of Governments continually updates databases containing known development projects and general plan land use amendments. The effects of changes to the known development projects and general plan land use updates, as well as the regional economic downturn and changes to population and employment control totals, are the main drivers of the differences between the socioeconomic data used in the Draft and Final Environmental Impact Statements.</p> <p>Once the Maricopa Association of Governments approved the new socioeconomic projections, they became the basis for the evaluation of purpose and need for the project. The Final Environmental Impact Statement presents the analysis of these new projections with respect to purpose and need and alternatives (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). While a general comparison between the values used in the Draft Environmental Impact Statement and Final Environmental Impact Statement is provided, a detailed side-by-side comparison is not presented because the values presented in the Draft Environmental Impact Statement no longer represent the best information available; the values in the Final Environmental Impact Statement do.</p> <p>The analysis of the new traffic projections based on the new socioeconomic projections and land use plans are presented in Chapter 1 (see page 1-13) and in Chapter 3 (see pages 3-27 and 3-60) of the Final Environmental Impact Statement.</p> <p>As noted on page xi of the Prologue to the Final Environmental Impact Statement, the purpose and need for the project was reevaluated using the new socioeconomic projections related to regional traffic, and the conclusions reached in the Draft Environmental Impact Statement were reconfirmed in the Final Environmental Impact Statement. Similarly, it is noted on page xi that the alternatives development and screening process was validated using the updated socioeconomic and traffic projections.</p>
214	Socioeconomic Projections	<p>The Maricopa Association of Governments socioeconomic projections are reviewed with the Maricopa Association of Governments Population Technical Advisory Committee by traffic analysis zone. While the dataset for 2035 from the 2013 Maricopa Association of Governments socioeconomic projections was not adopted, the dataset was produced using the AZ-SMART model, which operates</p>

Code	Issue	Response
214 (cont.)		<p>on an annual basis, in line with the approved datasets for 2030 and 2040. The 2035 dataset conforms to the population control totals contained in the Arizona State Demographer's Office projections approved in December 2012. A detailed time line for the Maricopa Association of Governments 2013 socioeconomic projections can be found in the documentation available at <azmag.gov/Documents/IS_2013-06-25_MAG-Socioeconomic-Projections-Documentation-June-2013.pdf>.</p> <p>The Arizona Department of Transportation and Federal Highway Administration elected to continue to use 2035 as its horizon year and not change it to 2040 to keep the Draft Environmental Impact Statement and Final Environmental Impact Statement consistent. Changing the planning horizon would not change the reason the project is needed.</p>
215	Purpose and Need	<p>While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13). For example, in 2012, the regional transportation system's operating capacity was able to meet 84 percent of existing travel demand. Even with the major transportation improvements planned in the <i>Regional Transportation Plan</i> (except for the proposed action), the 2035 system would be able to meet only 69 percent of projected travel demand.</p> <p>The commenter is focused on the change in values from the Draft Environmental Impact Statement to the Final Environmental Impact Statement instead of the more relevant comparison between 2010 and the new 2035 values presented in the Final Environmental Impact Statement. This comparison still shows an increase of almost 2 million people and over 1 million jobs in the next 25 years. The project is needed to serve that growth.</p>

Code Comment Document

COMMENT 5

**Response to ADOT 10/2014 Response to
Comments on the Loop 202 South Mountain
Freeway
by
George D. Thurston, Sc.D.**

216

Code	Issue	Response
216		Title page.

Code	Issue	Response
217		Specific responses are provided in the following pages.
218	Health Risk Assessment	Specific responses are provided in the following pages.

Code	Comment Document

Code	Issue	Response
219	Air Quality	The response to code 12 was addressing the introductory information related to emissions. The response was noting where the analysis of mobile source air toxics could be found in the Final Environmental Impact Statement. A more detailed response related to the human health implications of these emissions was provided in subsequent responses (see page B325 in Volume III of the Final Environmental Impact Statement) and in the Final Environmental Impact Statement beginning on page 4-79. For more information, see the following responses to comments 220 and 222, as well as the responses to related comments made by the U.S. Environmental Protection Agency beginning on page A6 of this Appendix A of the Record of Decision.
220	Health Risk Assessment	<p>As indicated in the response, given the uncertainty of a mobile source air toxics health risk assessment, the Federal Highway Administration instead addresses the potential impacts of mobile source air toxics through an emissions assessment in its National Environmental Policy Act documents. For smaller projects with a lower likelihood of a meaningful impact, this discussion is qualitative. For larger projects, emissions analysis is conducted. The Federal Highway Administration approach is consistent with the Council on Environmental Quality's direction in Section 1502.2(b) to discuss impacts in proportion to their significance. The results of an emissions analysis can be summarized concisely in a National Environmental Policy Act document and provide useful information for decision makers (e.g., an alternative that has lower emissions is likely to be "better" from a mobile source air toxics health risk standpoint than one that has higher emissions).</p> <p>The statement beginning, "Indeed, a small percentage change . . ." is incorrect in the context of highway air quality assessment; concentrations produced by the available dispersion models (CAL3QHCR and AERMOD) are directly proportional to emissions, so a "small percentage change" in emissions would produce an identical percentage change in concentrations, and resulting health impacts. Also note that "factor of 2 uncertainty" also means that the impacts could be half those predicted.</p> <p>In any event, the Final Environmental Impact Statement does include a quantitative health-based assessment of likely mobile source air toxics impacts, using emissions in the project area as an indicator of likely health outcomes. While the comment takes issue with the Federal Highway Administration's explanation of the shortcomings of health risk assessment as it applies in the context of highway projects, it does not contest the Federal Highway Administration's statements that changes in emissions in the area affected by the project are a reasonable indicator of changes in 70-year health risk. The Final Environmental Impact Statement also includes a summary of recent health risk assessments conducted for other highway projects, all of which showed very low risk.</p>
221	Noise, Air Quality	The first part of the response to code 14 addresses the consideration of schools in the noise analysis. The second part, in relation to chemicals, should not have been included in that response because the comment did not discuss chemical exposure. The statements related to the risk of asthma development and exacerbation were addressed in the response to code 15.

Code	Comment Document
222	<p>responsive to my comments.</p> <p>Response to Code 15 (pp. B330-332): The key assumption by this ADOT response that “the National Ambient Air Quality Standards-based assessment ensures adequate consideration of health-based issues” is incorrect. In fact, even if the EPA NAAQS were to be met after the construction of this major thoroughfare, this would not ensure that adverse human health effects will not occur, as the U.S. EPA has acknowledged. For example, in its 2013 rulemaking adopting the revised annual particulate matter NAAQS standard, EPA explained that “evidence- and risk-based approaches using information from epidemiological studies to inform decisions on PM_{2.5} standards are complicated by the recognition that <i>no population threshold, below which it can be concluded with confidence that PM_{2.5}-related effects do not occur, can be discerned from the available evidence.</i>” (emphasis added) (Fed. Register, Jan. 15, 2013). Furthermore, in its calculations of the benefits of reducing the PM_{2.5} NAAQS limit, the U.S. EPA has acknowledged that there can be extant adverse health risks occurring <i>below</i> the NAAQS. For example, in a recent EPA Regulatory Impact Analysis for reducing the annual PM_{2.5} standard from 15 µg/m³ to 12 µg/m³ (U.S. EPA, 2012), EPA included a figure (Fig. 5-7) summarizing the best, most current science regarding PM_{2.5} health effects, which clearly documents that air pollution deaths occur below the existing PM_{2.5} NAAQS (35 µg/m³ for the daily standard, and 12 µg/m³ for the annual standard). Finally, this comment tries to dismiss the contribution of the proposed increased traffic to toxic compounds, such as benzene, by stating that “indoor air concentrations of benzene are usually higher than outdoor levels and that indoor air in smokers’ homes is a significant contributor to children’s exposures.” However, this is not a cause to dismiss the additional exposures caused by the roadway, but, to the contrary, makes them of greater concern because the road emission impacts are <i>in addition to</i> the other sources already in their lives. This is part of a deeply concerning pattern in the report and comment responses, wherein serious health concerns from the proposed added traffic are dismissed because the residents have potentially greater risks from other sources, but the opposite should be the case. The fact that these populations suffer from other risks should make adding to their woes of even greater concern to the ADOT, not less.</p>

Code	Issue	Response
222	Health Effects	<p>Please see the response in the Final Environmental Impact Statement regarding the air quality health risk assessment. The Arizona Department of Transportation and Federal Highway Administration believe the response adequately addresses the comment.</p> <p>The Clean Air Act framework requires the U.S. Environmental Protection Agency to adopt National Ambient Air Quality Standards that protect public health with an adequate margin of safety. In turn, the Clean Air Act requires the Federal Highway Administration to demonstrate that its projects do not cause violations of these standards, exacerbate existing violations of the standards, or delay attainment of the standards or any required interim milestones, which the Federal Highway Administration has accomplished for this project. The U.S. Environmental Protection Agency has determined that its National Ambient Air Quality Standards protect public health and the Federal Highway Administration has complied with those National Ambient Air Quality Standards. The Federal Highway Administration does not have authority to address inadequacies with respect to the National Ambient Air Quality Standards themselves.</p> <p>The Final Environmental Impact Statement accounts for the mobile source air toxic health risk impact of the project through the Study Area and subarea emissions analyses, which best represent the likely net change in 70-year health risk for the reasons described in the Final Environmental Impact Statement. The information on other sources of exposure to mobile source air toxic pollutants was not provided to diminish the impact of project emissions, but to help illustrate the complexity of meaningfully quantifying the health risk attributable to just one source of these pollutants, a source that most people are likely to be exposed to for only a small portion of their nominal 70-year lifetime at a fixed location adjacent to the roadway.</p>

[illegible]

Code	Issue	Response
223		References.

Code	Comment Document
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224

COMMENT 6

**Comments on the South Mountain Freeway/202
Loop Final Environmental Impact Statement
(FEIS) Air Quality Component
by
Richard Haddow**

Code	Issue	Response
224		Title page.

Code	Comment Document
	South Mountain Freeway/202 Loop Federal Environmental Impact Statement (FEIS) Air Quality Component
	Comments on the FEIS of the Arizona Department of Transportation (ADOT) by Rick Haddow, original Maricopa County ambient air monitoring network designer and program manager 1985-2002
	Conformity links Air Quality and Transportation planning through air quality planning, State Implementation Plans (SIP) Transportation planning, metropolitan transportation plans and transportation Improvement Programs (TIP).
225	The Federal Environmental Impact Statement fails to meet existing federal transportation conformity and does not qualify or merit consideration as ADOT's designated route. The Clean Air Act and metropolitan transportation planning provisions of Title 23 and Title 49 of the United States Code require a planning process that integrates air quality and metropolitan transportation planning such that transportation investments support clean air goals. Title 23 & 49 of U.S.C. codify the transportation laws including the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, SAFETEA-LU.
226	ADOT failed to adequately evaluate and comply with federal mandates of conformity by not conducting proper or technically adequate air quality modeling. All data sets used are not relevant to evaluate the highway's impact to local or downwind communities and air shed pollutant loading. Meteorological data and most atmospheric data used in the ADOT modeling had no relevance to the analysis. Simple Delta T measurements and uses show AQ modelers had no understanding of Air Quality Modeling. Modeling used by ADOT to support their claim of conformity is not representative of the proposed 202 route or for that matter any other valley location, particularly for the geographical area designated for the highway.
	ADOT's own consultants from ASU show the ambient air drainage flow influence of pollutants near and adjacent to the valley's mountain ranges but failed to show the influence of South Mountain. ADOT failed to consider the diurnal flows of the valley and the influence of the South Mountain range on atmospheric air pollutants.
227	The influence of South Mountain will not only contain but also increase pollutant concentrations and will worsen local and transport pollutants. The areas to the south and east of I-10 and the proposed 202 route will experience the transport of high concentrations of ozone precursors that will be compounded by diurnal winds reducing timely attainment of nonattainment areas and increasing ozone concentrations in downwind locations of the new 202 highway, primarily in Pinal County, hence violating MAG Ozone SIP.

Code	Issue	Response
225	Air Quality	The U.S. Environmental Protection Agency issued the transportation conformity regulations (40 Code of Federal Regulations Section 93) to implement the Clean Air Act requirements. The conformity regulations require that the metropolitan planning organization's transportation plan and Transportation Improvement Program must include the specific federal projects in the regional emissions analysis that must not exceed a certain emissions level for the area. As noted in the Final Environmental Impact Statement on page 4-76, the Preferred Alternative is included in the Maricopa Association of Governments' conforming plan and program. The Preferred Alternative, now the Selected Alternative, has complied with project level conformity requirements and is included in the Maricopa Association of Government's conforming plan and transportation improvement program, per the Clean Air Act and 40 Code of Federal Regulations Section 93.
226	Air Quality	<p>In the Final Environmental Impact Statement, the Arizona Department of Transportation and Federal Highway Administration presented a quantitative particulate matter (PM₁₀) analysis to ensure that a state-of-the-art analysis was completed for the proposed action.</p> <p>The air quality technical report describes the various methodologies, model inputs, and modeled results for the particulate matter (PM₁₀) 24-hour and carbon monoxide hot-spot analyses and the quantitative mobile source air toxics analysis. The determination of models and associated methods was made through an extensive interagency consultation process with local agencies (Arizona Department of Environmental Quality, Maricopa County Air Quality Department, Federal Highway Administration, Arizona Department of Transportation, and Maricopa Association of Governments) and the U.S. Environmental Protection Agency. The Arizona Department of Transportation and Federal Highway Administration specifically consulted with the U.S. Environmental Protection Agency on met data, and the analysis follows the U.S. Environmental Protection Agency's recommendation for the source of these data.</p>
227	Air Quality	<p>While the U.S. Environmental Protection Agency's transportation conformity regulations (40 Code of Federal Regulations Part 93) require localized hot-spot analysis of carbon monoxide and particulate matter (PM₁₀) for some projects, no similar localized analysis is required for ozone. This is because ozone is a regional-scale pollutant. Ozone impacts are accounted for in the regional emissions analysis associated with the regional transportation plan and transportation improvement program conformity determination. The transportation conformity rule requires projects such as the South Mountain Freeway to be included in the regional emissions analysis.</p> <p>The Maricopa Association of Governments is responsible for developing state implementation plans to reduce emissions of ozone precursors in the Maricopa area. The Selected Alternative is included in the regional emissions analysis associated with the <i>Regional Transportation Plan</i>, which was determined by the U.S. Department of Transportation to conform to the State Implementation Plan on February 12, 2014.</p>

Code	Comment Document
228	<p>Depending on atmospheric conditions such as ambient air temperature inversion strength and duration, Tribal lands and those citizens along the proposed 202 route will experience compounding pollution wash based on South Mountain's range orientation. PM10, PM2.5 and reentrained disturbed surfaces (mostly tribal lands south of the proposed 202) will be a constant source of particulate matter inundating the entire 202 route. Heavy loading of particulates, air toxics and ozone precursors will build up along the southern mountain base at the I-10 interchange on the south east corner of the range. Heavy truck traffic and other vehicles will continue to emit pollutants that will be trapped against South Mountain in the morning. The mornings see slight winds pushing pollutants west for a few hours then shifting to the north approximately 10am to noon, then to the east from noon until evening. All the vehicle pollutants that have accumulated from evening and the morning will not have sufficient wind speed to clear the mountain during the northerly shift and all pollutants pushed west and north will return with existing mobile emissions to create enough concentrated ozone precursors and other harmful pollutants to disqualify this route as viable.</p> <p>Before any route can be considered viable for consideration ADOT must meet transportation conformity requirements. Transportation conformity is a process required by the Clean Air Act Section 176(c) which establishes the framework for improving air quality to protect pubic health and the environment. The goal of transportation conformity is to ensure that the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) funding and approvals are given to highway and public transportation activities that are consistent with air quality goals.</p> <p>Clean Air Act Section 176(c)(1) states that the Federal Government can not support, finance, or approve any activity which does not conform to an EPA-Approved or promulgated State Implementation Plan that would adversely impact Maricopa County, Pinal County and Tribal Lands.</p> <p>This section also indicates that metropolitan planning organization such as the Maricopa Association of Governments (MAG) can not approve any project, program or plan that does not conform to an EPA –approved or promulgated State Implementation Plan (SIP).</p> <p>Conformity to a SIP means that such activities will not cause or contribute to any new violations of the national ambient air quality standards (NAAQS); increase the frequency or severity of NAAQS violations; or delay timely attainment of the NAAQS or any required interim milestone.</p> <p>Under general conformity 40 CFR Part 93, Subpart B, describes the general conformity requirements of the Federal Government supported, financed, or approved activities which are located in Maricopa eight-hour ozone nonattainment area. Under transportation conformity- 40 CFR Part 93, Subpart A, clearly identifies the conformity requirements for plans, programs and projects developed, funded, or approved under federal highway and transit laws.</p>

Code	Issue	Response
228	Air Quality	<p>The project is included in the Maricopa Association of Governments' Fiscal Year 2014–2018 Transportation Improvement Program and 2035 <i>Regional Transportation Plan</i>, which were found to conform to the ozone, carbon monoxide, and particulate matter (PM₁₀) State Implementation Plans by the U.S. Department of Transportation on February 12, 2014.</p> <p>The carbon monoxide and particulate matter (PM₁₀) hot-spot analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones (see text beginning on page 4-74 of the Final Environmental Impact Statement).</p>

Code	Comment Document
229	<p>MAG has failed to follow the requirements in 40 CFR §93.105 regarding the consultation process for transportation conformity determinations. MAG is the designated metropolitan planning organization for Maricopa County and portions of Pinal County, including Apache Junction, the Town of Florence, and the City of Maricopa. As such MAG is responsible for the preparing the Transportation Improvement Program (TIP), Regional Transportation Plan, and the associated transportation conformity analyses.</p> <p>On September 10, 2013, the EPA advised MAG to include conformity test results in the most recent conformity analysis for mobile source emissions budgets that had been submitted in air quality plans, but were not yet approved or found to be adequate by EPA. March 14, 2014 , the EPA signed a notice proposing approval of the MAG 2009 Eight-hour Ozone Redesignation Request and Maintenance Plan, including the 2025 conformity budgets for VOC and NOx. When finalized, the new 2025 budgets, as well as the 2008 budgets, will be utilized to demonstrate transportation conformity for ozone precursor emissions.</p> <p>To achieve conformity in areas not meeting the air quality standards for one or more criteria pollutants, the area is designated nonattainment. The federal Clean Air Act requires Arizona’s areas that are failing to meet national ambient air quality standards to produce a State Implementation Plan (SIP).</p> <p>A SIP is an enforceable plan developed at the state and local level that explains how the plan will comply with air quality standards according to the federal Clean Air Act. As an enforceable plan each criteria pollutant is evaluated by use of air pollution strategies, state statutes and state and local rules implemented under Title I of the Clean Air Act. The SIP includes historical background information, description of the nonattainment area, assessment of air quality conditions and ambient air quality data, emissions inventory of source pollutants, control strategies, an attainment demonstration, and contingency plans.</p> <p>Maricopa Association of Governments (MAG) failed to apply their Congestion Mitigation and Air Quality Improvement (CMAQ) Program. Mobile source air toxic (MSAT) analysis during project development failed to show impact toward downwind nonattainment ozone areas and will violate MAG 2014 Eight hour Ozone plan.</p> <p>MAG failed to apply SIP requirements of their Transportation Control Measures (TCM) to reduce emissions of on road pollutants impact to the air shed created by the proposed 202 highway.</p> <p>MAG’s 2012 5% Plans for PM10 for the Maricopa County nonattainment area and the Pinal County Township 1 North, Range 8 East Portion does not support this proposed 202 route thus violating their own commitments.</p>

Code	Issue	Response
229	Air Quality	<p>The consultation requirements described in 40 Code of Federal Regulations Part 93.105 are met by the Maricopa Association of Governments as part of the process of conducting regional transportation conformity analyses. Consultation with the Maricopa Association of Governments Management Committee and other public entities (Federal Transit Administration, Federal Highway Administration, Arizona Department of Transportation, Arizona Department of Environmental Quality, City of Phoenix Public Transit Department, Valley Metro, Maricopa County Air Quality Department, Central Arizona Governments, Pinal County Air Quality Control District, Sun Corridor Metropolitan Planning Organization, U.S. Environmental Protection Agency, and any other interested parties) occurs at the beginning of the conformity analysis process on the transportation projects to be assumed and the proposed models, associated methods, and assumptions for the upcoming analysis. Additional consultation, including a public hearing, occurs on the draft conformity analysis report before the final version is approved by the Maricopa Association of Governments Management Committee and Regional Council and then forwarded to the Federal Highway Administration for approval.</p> <p>In addition to consultation, to be approved by the Federal Highway Administration, a regional conformity analysis must 1) pass an emissions test with a budget found to be adequate or approved by the U.S. Environmental Protection Agency (or must pass an interim emissions test), 2) use latest planning assumptions and emissions models in force at the time the conformity analysis begins, and 3) ensure that the Transportation Improvement Program and <i>Regional Transportation Plan</i> provide for the timely implementation of transportation control measures contained in the approved air quality plans. The most recent Maricopa Association of Governments conformity analysis, which included the Final Environmental Impact Statement Preferred Alternative in the <i>Fiscal Year 2014–2018 Transportation Improvement Program</i> and <i>2035 Regional Transportation Plan</i>, was approved by the Federal Highway Administration on February 12, 2014.</p> <p>The Maricopa Association of Governments is also responsible for preparing the State Implementation Plan revisions that represent air quality plans for the Maricopa carbon monoxide, 8-hour ozone, and particulate matter (PM₁₀) nonattainment and maintenance areas. The U.S. Environmental Protection Agency approved the Maricopa Association of Governments 2003 Carbon Monoxide Redesignation Request and Maintenance Plan on March 9, 2005; the Maricopa Association of Governments 2009 Eight-Hour Ozone Redesignation Request and Maintenance Plan on September 17, 2014; and the Maricopa Association of Governments 2012 Five Percent Plan for PM-10 on May 30, 2014. Each of these plans, as well as the attainment plans for carbon monoxide (also approved on March 9, 2005) and 8-hour ozone (approved on June 13, 2012), established conformity budgets used by the Maricopa Association of Governments in performing regional conformity analyses.</p> <p>Transportation control measures and other emission control and maintenance measures in the U.S. Environmental Protection Agency-approved air quality plans continue to be implemented in the Maricopa area. The Maricopa Association of Governments also manages the distribution of Congestion Mitigation and Air Quality Improvement funds for the Maricopa area; this process includes evaluating the emission reductions and cost-effectiveness of proposed projects, preparing annual reports submitted to the Federal Highway Administration that assess the air quality benefits of projects that are being implemented, and ensuring that funded projects are being implemented in a timely manner.</p>

Code	Comment Document
230	<p>EPA’s nonattainment geographical areas represent the areas whose air quality does not meet federal air quality standards designed to protect public health.</p> <p>The Clean Air Act provides for how an FEIS can help develop strategies for not increasing pollutant concentrations. This FEIS has failed to follow the requirements of the National Environmental Policy Act (NEPA). ADOT has not shown the true scientific methodology used in their analysis in determining compliance of an Environmental Impact Statement. ADOT has clearly failed to describe the negative environmental effects of this proposed new highway by not following the basic standards of detailed information concerning significant environmental impacts.</p> <p>The intent of the NEPA is to help key decision makers and stakeholders balance the need to implement an action with its impacts on the surrounding human and natural environment. ADOT has failed to show or represent how the proposed highway would impact public health. ADOT has not shown any supporting technical information, analytical proof or included the correct use of air quality and air shed databases in their air quality models. Air Quality modeling outputs represented by ADOT do not even remotely represent the potential harm or impact facing this community or reflect their failure to comply with transportation conformity and legal and enforceable State Implementation Plans.</p>

Code	Issue	Response
229 (cont.)		<p>The Maricopa Association of Governments 2012 Five Percent Plan for PM-10 did not include the Final Environmental Impact Statement Preferred Alternative because the attainment date in the plan was 2012, which is prior to implementation of the project.</p> <p>The mobile source air toxics analysis did not show the impact of mobile source air toxics on ozone concentrations because ozone and mobile source air toxics are different pollutants with different health effects. As discussed in the Final Environmental Impact Statement beginning on page 4-72, the mobile source air toxics analysis is designed to present information on the trends in mobile source air toxics emissions with and without the project, providing an indication of likely change in health risks attributable to mobile source air toxics pollutants. Of the seven mobile source air toxics pollutants addressed in the Final Environmental Impact Statement, some are also considered volatile organic compounds, which are a precursor to ozone pollution. Volatile organic compounds are included by the Maricopa Association of Governments in the conformity regional emissions analyses for ozone, discussed above, and in the emissions inventories for the Maricopa Association of Governments ozone state implementation plans. Other mobile source air toxics, including diesel particulate matter, are not volatile organic compounds, but they do contribute to regional particulate matter (PM₁₀) emissions. The mobile source air toxics emissions that exist in particulate form are included in the Maricopa Association of Governments conformity regional emissions analyses for particulate matter (PM₁₀), and in the Maricopa Association of Governments particulate matter (PM₁₀) state implementation plans listed above.</p>
230	Air Quality	<p>The Selected Alternative meets all project level conformity requirements under the Clean Air Act and transportation conformity (40 Code of Federal Regulations Section 93).</p> <p>The U.S. Environmental Protection Agency was consulted on the conformity methodology presented in the Final Environmental Impact Statement. Additional details of this methodology and analysis can be found in the air quality technical report available on the project Web site: <azdot.gov/southmountainfreeway>. Page 4-83 of the Final Environmental Impact Statement provides a summary of health effects from mobile source air toxics.</p>

Code	Comment Document
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231

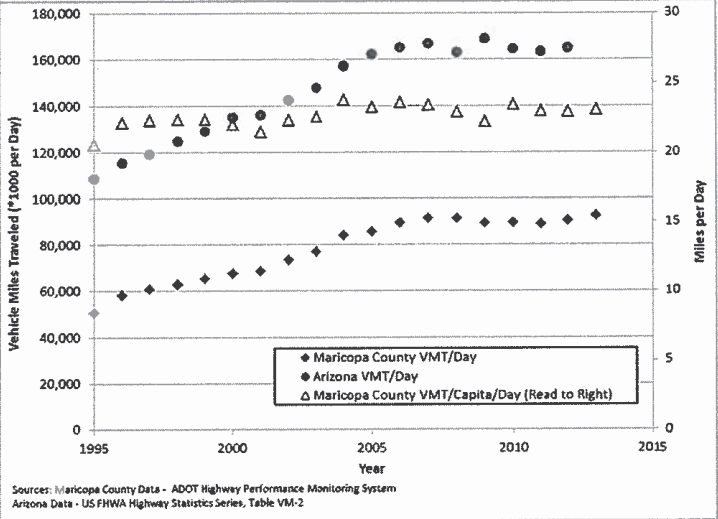
COMMENT 7

**Response to South Mountain Freeway (Loop 202)
Final Environmental Impact Statement (FEIS)
by
Aaron Golub, Ph.D.**

Code	Issue	Response
231		Title page.

Code	Comment Document
	<p>Response to South Mountain Freeway (Loop 202) Final Environmental Impact Statement (FEIS)</p>
	<p>Aaron Golub, Ph.D. (resume attached to the end of this statement) Tempe, Arizona</p>
	<p>As a Tempe resident, I thank you for the opportunity to comment on the Final Environmental Impact Statement for the South Mountain Freeway (Loop 202). This memo will comment on two items: the ADOT response to comments on page B132 of Vol 3 of Comment Response Appendix, and the alternatives analysis presented on page 3-27 of "Chapter 3 – Alternatives."</p>
	<p>1. ADOT response on page B132 of Vol 3 of Comment Response Appendix (Special Interest Group Comments and Responses).</p>
	<p>The commenter, Arizona PIRG, states: "Since transportation infrastructure lasts for decades, the investments we make in transportation infrastructure should be based not only on what is required to meet our needs today, but also on anticipated future needs. For decades, it was assumed that we would drive more miles, necessitating new highways to alleviate the crippling congestion that was sure to follow. For at least the past five years, though, those anticipated increases in driving have failed to materialize in Arizona. It does not appear that this draft EIS has taken these changes into account and instead assumes that Arizonans will continue to drive more and more. Our research indicates that a return to the previous patterns of driving ever more miles is unlikely." [Page B132 of Comment Response Appendix (Vol 3)]</p>
	<p>Response this comment (2) includes the following statement: "The comment relies on national trends for travel; however the local conditions and setting of the Phoenix metropolitan area are not consistent with areas of high-density cities in other parts of the country. In Maricopa County, daily vehicle miles traveled levels increased by almost 2 percent between 2011 and 2012 and the 2012 daily vehicle miles traveled is approaching the prerecession peak in 2007. (Source: Arizona Department of Transportation Multimodal Planning Division Highway Performance Monitoring System Data for the Calendar Year 2012 and 2011). Even if the trend of vehicle miles traveled "per capita" decreasing continues, the total vehicle miles traveled in the region would still increase along with increases in total population." [Page B132 of Comment Response Appendix (Vol 3)]</p>
232	<p>ADOT inaccurately describes AZPIRG's statement as relying on national statistics. They state clearly in their comment that they are citing statistics from Arizona. Indeed, the data over the last 18 years shows significant stagnation in travel and per-capita travel, with such trends notably beginning before the recession (See figure below). Many of the trends cited by PIRG in their statement and in their report show additional and related demographic shifts in licensure rates which will only increase the rates of decline in travel over the coming decades. ADOT should formally recognize the increased unpredictability of VMT in the county, especially as far out as the planning year (2035) and formally recognize the growing and significant uncertainty with which it can predict the future travel impacts of the proposed project. In fact, the growing</p>
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Code	Issue	Response
232	Purpose and Need	While the statement in the comment mentions Arizona, neither report cited in the footnotes to the Arizona PIRG comment presented any statistics specific to Arizona. Both reports presented statistics for the United States as a whole (see <i>Transportation and the New Generation</i> , Arizona PIRG Education Fund, April 2012, < arizonapirgedfund.org/reports/azf/transportation-new-generation > and <i>A New Direction</i> , Arizona PIRG Education Fund, May 2013, < arizonapirgedfund.org/reports/azp/new-direction >).
233	Purpose and Need	The Arizona Department of Transportation and Federal Highway Administration did disclose that projections could change (see text box on page 4-1 of the Final Environmental Impact Statement).

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234	<p>uncertainly in travel behavior may overwhelm the small differences between the “build” and “no-build” scenarios presented in the Alternatives Analysis presented in Chapter 3.</p>  <p>Sources: Maricopa County Data - ADOT Highway Performance Monitoring System Arizona Data - US FHWA Highway Statistics Series, Table VM-2</p> <p>Figure. Historical measures of travel in Maricopa County and Arizona.</p> <p>2. ADOT failed to include a “no-build” land use, population and employment projection in its analysis of the no-build travel scenario.</p> <p>On page 3-27 of “Chapter 3 – Alternatives” begins the analysis of the responsiveness of the proposed project to purpose and need criteria. Part of this analysis relies on a comparison between the “build” scenario and a “no-build” scenario for various measures of travel impact, including travel times, congestion duration, and traffic volumes. While the FEIS used the latest MAG socioeconomic projections for the planning year, these projections do not include a “no-build” scenario. MAG’s responsibilities are to insure its regional plans, at some forecasted future year, meet air quality conformity rules. Its socioeconomic projections therefore are required to include projects included in long-range plans, whether or not they have passed NEPA approval at the current date. For various reasons, using socioeconomic projections in which it is assumed the SMF is implemented is inappropriate for use for forecasting travel impacts for the no-build scenario.</p> <p>To proceed, it helps to understand how MAG’s socioeconomic forecasting model works, which is described in Sections 3 and 4 of the Socioeconomic Projections Documentation (MAG, 2013)¹. While extremely complex, in simple terms, the model forecasts the placement of jobs, housing,</p> <p>¹ https://www.azmag.gov/Documents/IS_2013-06-25_MAG-Socioeconomic-Projections-Documents-June-2013.pdf</p>

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234	Alternatives, No-Action Alternative	<p>The Arizona Department of Transportation and Federal Highway Administration appreciate the suggestion to use alternative methods to describe the No-Action Alternative and the possibility that future impacts could be different than those presented in the No-Action Alternative analysis in the Final Environmental Impact Statement (if these alternative methods were used). The comment assumes land use patterns, growth rates, and induced travel patterns would be different (from what is described in the Final Environmental Impact Statement) if the freeway were not in place. In essence, the comment is suggesting that the description of the No-Action Alternative (and its related impacts) in the Final Environmental Impact Statement is misleading.</p> <p>The Arizona Department of Transportation and Federal Highway Administration agree that scenario planning methods have application in some instances; however, in this case, the Arizona Department of Transportation and Federal Highway Administration believe that the methods used to describe the No-Action Alternative as presented in the Draft and Final Environmental Impact Statements are appropriate. At a basic level, the National Environmental Policy Act requires consideration of reasonable alternatives—meaning the No-Action Alternative should be reasonable as well. Speculation about what an alternative and the conditions surrounding the alternative in the future would look like is not appropriate; the effects of alternatives must be reasonably foreseeable. Under this premise, the description of the No-Action Alternative in the Final Environmental Impact Statement is appropriate. The description of this alternative is presented in the section, <i>Alternatives Studied in Detail</i>, in the Final Environmental Impact Statement on page 3-40. Its features include: not extending State Route 202L west of Interstate 10 (Maricopa Freeway), assuming all other projects in the <i>Regional Transportation Plan</i> are completed, and using population, employment, and housing projections officially approved by the Maricopa Association of Governments.</p> <p>The Arizona Department of Transportation and Federal Highway Administration believe that the depiction of impacts caused by the No-Action Alternative are, therefore, appropriate and correctly presented throughout the Final Environmental Impact Statement. In defining the transportation problem in Chapter 1, <i>Purpose and Need</i>, of the Final Environmental Impact Statement, the analysis illustrates the severity of the breakdown in the transportation network if no action were taken in the area. This is further supported by the impact analyses presented throughout Chapter 4, <i>Affected Environment, Environmental Consequences, and Mitigation</i>, of the Final Environmental Impact Statement. To summarize, durations and physical lengths of congestion would worsen, travel times would become longer over the same distances, congestion would continue to spill over into the arterial street network, and monetary costs to the State and its residents would increase.</p> <p>Further justification of why the No-Action Alternative description in the Final Environmental Impact Statement is most appropriate includes:</p> <ul style="list-style-type: none">• At certain points in the Phoenix metropolitan area’s history, growth rates prior to planning for the region’s freeway system exceeded growth rates after planning for and construction of the regional freeway system began. Chapter 1, <i>Purpose and Need</i>, and the sections, <i>Land Use</i> and <i>Economic Impacts</i>, in Chapter 4, establish cost of living, livability, mild climate, technological advancement (affordable air conditioning), employment opportunities, a development-oriented regulatory environment, and key location for industry as primary growth drivers in the Phoenix metropolitan area. Therefore, transportation is not the sole driver of growth.

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234 (cont.)		<p>· As established in the Final Environmental Impact Statement, “pre-freeway” land use planning mimics “post-freeway” land use planning. In 1979, the <i>Phoenix Concept Plan 2000</i> was adopted by the City of Phoenix. The plan called for 25 Phoenix urban villages. Of those, it established 9 villages with instructions for village planning committees to prepare 25-year concept plans. The Laveen and Estrella Villages were included in the list of 25 suggested villages, although they were not among the 9 villages adopted in the initial plan. However, the intent was that Laveen and Estrella Villages would be developed at a later point in time. The freeway system considered in the plan included only Interstate 10, Interstate 17, and U.S. Route 60—it did not include the regional freeway system.</p> <p>The <i>Phoenix Concept Plan 2000</i> was replaced by the <i>Phoenix General Plan, 1985–2000</i>. The resolution adopting the <i>General Plan</i> directed the village planning committees to continue in the City of Phoenix’s planning process. The resolution included Laveen and Estrella as villages. Planning for the Laveen and Estrella Villages was completed around the same time as the initial planning for the regional freeway system, including the South Mountain Freeway. Therefore, the land use planning and transportation planning were conducted in parallel, not with one effort depending on the other.</p> <p>To conclude that land use patterns would look different than they do today (as inferred in the U.S. Environmental Protection Agency’s comment) is not consistent with past planning patterns. It is more reasonable to argue that the City of Phoenix would have continued to plan for the urban village core concept as has been envisioned since the late 1970s.</p> <p>In this case, scenario planning would be speculative for the following reasons:</p> <ul style="list-style-type: none"> · Factors affecting growth vary (see above), and to assume only transportation as a growth driver would be speculative. · Continuation of “pre-freeway” historical land use planning patterns is reasonable to expect. The section, <i>Land Use</i>, documents the growth scenario under the No-Action Alternative and notes that the area would develop in a similar fashion with or without the project. This is supported by: <ul style="list-style-type: none"> › The Study Area already has good connecting transportation infrastructure (although congested) to support continued development without the freeway. It is also close to downtown Phoenix. Existing infrastructure plus location would result in growth without the freeway as described in the <i>Purpose and Need</i> chapter. The freeway is not opening up the area to development because existing roads (for example, Pecos Road, Baseline Road, and 51st Avenue) provide access. › To date, approximately 67 percent of the land in the Study Area has already been developed in accordance with the City of Phoenix’s <i>General Plan</i> and zoning ordinance. It is assumed that such development would not be torn down and land uses redistributed if the freeway were not built. <p>As documented in the section, <i>Land Use</i>, in Chapter 4 of the Final Environmental Impact Statement, agricultural (22 percent) and open space (11 percent) land uses in the Study Area represent only 33 percent of land area (it should be noted the 11 percent of open space is mostly not developable because of topographic challenges and floodplain constraints), while the remainder of the area is in some form of “built” land use. Distribution of zoning further supports the conclusion—12 percent of the Study Area is zoned for agricultural and open space uses while 88 percent is zoned for other more intensive land uses.</p> <ul style="list-style-type: none"> › Factors contributing to historical and projected growth are well-documented in the Final Environmental Impact Statement in Chapter 1, <i>Purpose and Need</i>, and in the Chapter 4 sections, <i>Land Use</i> and <i>Economic Impacts</i>. The freeway will be built in an area planned for urban growth as established in local jurisdictions’ land use planning activities for at least the last 25 years (see the section, <i>Induced Growth</i>, beginning on page 4-182 of the Final Environmental Impact Statement).

(Response 234 continues on next page)

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235	<p>understand the no-build scenario includes the induced demand from a project which in the no-build scenario is not built.</p> <p>This issue is well documented. Indeed, it has been addressed in NEPA based litigation previously. For example, in <i>Sierra Club, Illinois Chapter v. U.S. Dep't of Transp.</i> 962 F.Supp. 1037 (N.D. Ill. 1997), the Court included the following discussion, which is directly on point:</p> <p>Plaintiffs' second argument is that even if the final impact statement's description of the project's purposes is not excessively narrow, the general objectives upon which defendants rely are not supported by the available evidence. As a result, plaintiffs argue that there was no rational basis for analyzing alternatives to the tollroad. Specifically, plaintiffs point out that defendants relied on a single population forecast and that the forecast was used to analyze the build <i>and</i> no-build scenarios.</p> <p>Plaintiffs' argument is persuasive. Highways create demand for travel and expansion by their very existence. <i>Swain v. Brinegar</i>, 517 F.2d 766, 777 (7th Cir.1975); Def. 12(M) ¶¶ 86. However, the final impact statement in this case relies on the implausible assumption that the same level of transportation needs will exist whether or not the tollroad is constructed. In particular, the final impact statement contains a socioeconomic forecast that assumes the construction of a highway such as the tollroad and then applies that forecast to both the build and no-build alternatives. The result is a forecast of future needs that only the proposed tollroad can satisfy. As a result, the final impact statement creates a self-fulfilling prophecy that makes a reasoned analysis of how different alternatives satisfy future needs impossible.</p> <p>Defendants respond that they unsuccessfully attempted to implement the kind of study suggested by plaintiffs and that such a study was not possible. HY 1–01160. However, when there is incomplete or unavailable information as to the impact of a proposed action, and that information is essential to make a reasoned choice among alternatives, NEPA requires an agency to make clear in the final impact statement that the study was not undertaken and that there are reasons the study was not undertaken. 40 C.F.R. § 1502.22. Here, unlike a case such as <i>Marita</i>, 46 F.3d at 623 (7th Cir.1995), the final impact statement does not indicate that this information is missing or that obtaining this information is infeasible or exorbitantly expensive.</p> <p>NEPA, of course, does not require an agency to use the best scientific methodology available. <i>Id.</i> Thus, this court cannot conclude, as plaintiffs urge, that the final impact statement must contain a socioeconomic forecast that reflects the growth inducing effect of the tollroad. Rather, this court merely holds that information about the growth inducing impact of tollroad construction is crucial to a reasoned conclusion as to alternatives and that the final impact statement was at least required to explain in some meaningful way why such a study was not possible. 40 C.F.R. § 1502.22; <i>cf. Laguna Greenbelt, Inc. v. U.S. Dept. of Transp.</i>, 42 F.3d 517, 526–27 (9th Cir.1994) (suggesting that a final impact statement cannot rely on a single socioeconomic forecast unless the statement relies on existing needs or explains why an alternative study is not possible); <i>Seattle Audubon Society v. Espy</i>, 998 F.2d 699, 704 (9th Cir.1993) (an impact statement, which did not address in any meaningful way the uncertainties of the evidence it relied on, must undertake further study or explain why such study is not necessary or feasible). <i>See generally</i>, Dinah Bear, <i>Using the National Environmental Policy Act to Protect Biological Diversity</i>, 8 Tul. Envtl. L.J. 77, 93 (1994) ("[t]he requirements of Section 1502.22, which have received little attention since the controversial 'worst case' amendment of 1986,</p>

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234 (cont.)		<p>› The sections, <i>Induced Travel</i> and <i>Induced Growth</i>, beginning on pages 4-179 and 4-182, respectively, of the Final Environmental Impact Statement, establish that the freeway would contribute to minimal induced travel demand (which has, to a large degree, been accounted for in the Maricopa Association of Governments' model).</p> <p>› Section 93.110 of the U.S. Environmental Protection Agency's conformity rule requires that population and employment projections (which establish growth rates and distribution) used in a conformity analysis be the most recent estimates that have been officially approved by the Maricopa Association of Governments (as the metropolitan planning organization for the Maricopa County nonattainment and maintenance areas). In accordance with the Governor's Executive Order 2011-04, county-level population projections used for all State agency planning purposes were updated by the Arizona Department of Administration in December 2012, based on the 2010 U.S. Census. To use projections other than the approved demographic trends would be inconsistent with the projections required for use in the transportation conformity assessment.</p> <p>Even if one could argue the only reason the development has occurred as it has is because of the planned freeway (which is not the case—see above) for the last 30 years (in other words, if the freeway had not been planned, development would somehow have been different), the argument is irrelevant. Existing development is now there and, therefore, it is reasonable to assume that the land use distribution and related development will be there in the future</p> <p>The analysis documented in the Final Environmental Impact Statement leads to the conclusion that the No-Action Alternative and action alternative land uses would be similar, and thus, no “scenario planning” is required. Scenario planning could have application if the area was not developed, but the manner in which the No-Action Alternative was determined and presented in the Final Environmental Impact Statement is “state-of-the-practice.” Defining the No-Action Alternative as including all projected socioeconomic growth and planned transportation projects in the <i>Regional Transportation Plan</i> except the proposed action is common practice. The approach taken in the Final Environmental Impact Statement has standard application in the transportation industry. In Arizona, this method to describe the No-Action Alternative has been commonplace in National Environmental Policy Act documents dating back to at least 1990. Further, the environmental impact statements for Legacy Parkway and Mountain View Corridor in Utah had a similar approach of using local land use plans, growth projections, and interviews with City representatives to determine whether the No-Action Alternative land use would be different than with the proposed action. All of these projects were in similar high-growth regions, and the conclusions were that the areas would develop with or without the project, although the timing may change.</p> <p>The No-Action Alternative as defined in the Final Environmental Impact Statement is appropriate. It satisfies reasonableness, withstands a hard look, and was fully disclosed.</p>
235		Legal summary reviewed.

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	<p>final impact statement fails to explain why such a study, which is essential to determining whether the tollroad will meet current needs, was not undertaken. Accordingly, this justification for the tollroad is also legally insufficient. <i>Id.</i></p> <p><i>Id.</i> at 1043-1044; See, also, e.g., <i>Swain v. Brinegar</i>, 517 F.2d 766, 777 (7th Cir. 1975)</p> <p>(The National Environmental Policy Act is, as its name suggests, aimed at protecting the environmental health of the nation as a whole as well as that of each of its separate parts. In few areas is the importance of this broad policy as clear as it is in the area of highway construction, and in particular the area of major interstate and interurban highways. Such highways have a profound influence on “population growth, high-density urbanization, industrial expansion, (and) resource exploitation.” 42 U.S.C. § 4331. While highways of this type are often needed desperately by a population with a real and particular need to travel and expand, it is also true that such highways often create demands for travel and expansion by their very existence. Thus, almost any sponsor of a major four lane highway project can say with some assurance that if the highway is built it will be used and auto travel will be safer, faster, and more efficient because of it. In short, “need” is often a self-fulfilling prophesy in the area of major highway construction.</p> <p>Moreover, the apparent “need” for such a highway project may well seem the greatest to those closest to it. Certainly it can be predicted that for those whose responsibility it is to propose and construct such highways, the tendency will be to develop a dedication or loyalty to projects which have advanced to the public hearing stages or beyond. This can hardly be avoided given human nature. In the present instance, for example, the Lincoln-Peoria project had advanced well beyond the public hearing stages by 1970. In fact, construction had already begun for the northerly segment of that project. Under these circumstances there is at least a grave possibility that the EIS requirement was viewed by the state as merely a procedural hurdle to be contended with in order to complete an ongoing project to which the state had made relatively extensive financial and administrative commitments.).</p> <p>3. Conclusion</p> <p>This memo commented on two items – the factually incorrect response of ADOT to the Arizona PIRG comments (page B132 of Vol 3 of Comment Response Appendix) and the variously misleading alternatives analysis results presented on pages 3-27 to 3-36 of “Chapter 3 – Alternatives.” These two issues are in many ways related – they both challenge long-held assumptions of continued growth in automobile travel. While it is highly likely that growth will occur, the PIRG statement and their broader research based on both local and national data, show that driving rates per capita are slowing. This is due to various factors - significant demographic, cultural and economic shifts - which will continue to confound current planning models. This relates to the second issue of socioeconomic projections and the “no-build” model, because any such projection is so dependent on assumptions of activity locations. Areas served by the SMF are not the only attractive areas in the valley. Without the SMF, they will locate in countless other locations – including near Light Rail and other investments in ways planners have not seen before, as the lure of urban living grows at rates not considered earlier. Combining these issues, it could easily be imagined that the valley could fit the additional two million residents, and accommodate their travel, without the South Mountain Freeway.</p>

Code	Issue	Response
236		See previous responses to specific comments.

Code	Issue	Response
237		Résumé.

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	<p>Project and Consulting Reports</p> <ol style="list-style-type: none"> 1. Golub, A., Wiek, A., et al. (2014) Suite of reports from Affordable Housing and Green Systems analyses for the HUD-funded Reinvent Phoenix project. For example: https://www.phoenix.gov/pddsite/Documents/reinvent_gw_sustainhousing.pdf 2. Golub, A., Guhathakurta, S. & *Sollapuram, B. (2011). <i>Light Rail Economic Impact Analysis - Final Report</i>. School of Geographical Sciences and Urban Planning, Arizona State University. http://www.public.asu.edu/~agolub1/WP/LRT_Impact_Analysis_Task1_Final_Report_ASU_MAG.pdf 3. *Kelley, J. & Golub, A. (2011). <i>The Impact of Congestion Pricing for Greenhouse Gas Abatement on Low-Income Communities - Final Report</i>. Urban Habitat Program, Oakland, CA. 4. Kuby, M. & Golub, A. (Eds.). (2009). <i>From Here to There: Transportation Opportunities for Arizona</i>. Background Report for 94th Arizona Town Hall. http://www.aztownhall.org/pdf/94th_Background_Report2.pdf 5. Miller, M., & Golub, A. (2010). <i>Development of Bus Rapid Transit Performance Assessment Guide Tool</i>. California Partners for Advanced Transit and Highways (PATH) Research Report UCB-ITS-PRR-2010-37. http://www.path.berkeley.edu/PATH/Publications/PDF/PRR/2010/PRR-2010-37.pdf 6. Robinson, G., Golub, A., Buckley, T., Nee, B., Hailu, Y & Grinshaw, J. (2008). <i>Environmental Justice and Transportation Toolkit, Volume 2</i>. Report to Federal Transit Administration, Office of Civil Rights. http://ejkit.com/the-toolkit/ej-toolkit/ej-toolkit-volume-2 7. Golub, A. (2008). <i>Quality of Life Study of the 7th Avenue and 7th Street Reversible Lanes</i>. (Various documents). School of Planning and Phoenix Urban Research Laboratory, ASU. 8. Chambers, C. & Golub, A. (2007). <i>Sacramento Long Range Transit Plan: Long range revenue and service projections</i> (Various documents). Sacramento Area Council of Governments. <p>Selected Publications [Graduate student co-authors are noted with an asterisk.]</p> <ol style="list-style-type: none"> 1. Golub, A. & Martens, K. (2014) Using principles of justice to assess the modal equity of regional transportation plans. <i>Journal of Transport Geography</i> 41, 10-20. http://dx.doi.org/10.1016/j.jtrangeo.2014.07.014 2. Golub, A., Robinson, G. & Nee, B. (2013). Making accessibility analyses accessible: A tool to facilitate the public review of the effects of regional transportation plans on accessibility. <i>Journal of Transportation and Land Use</i> 6(3). http://dx.doi.org/10.5198/jtlu.v6i3.352 3. Golub, A., Guhathakurta, S., & *Sollapuram, B. (2012). Spatial and temporal capitalization effects of light rail in Phoenix: from conception, planning, and construction to operation. <i>Journal of Planning Education and Research</i> 32(4), 415-429. http://dx.doi.org/10.1177/0739456X12455523 4. *Machler, L. & Golub, A. (2012). Using a "Sustainable Solution Space" Approach to Develop a Vision of Sustainable Accessibility in a Low-Income Community in Phoenix, Arizona. <i>International Journal of Sustainable Transportation</i> 6(5), 298-319. http://dx.doi.org/10.1080/15568318.2011.605210 5. Golub, A. (2012). Perceived costs and benefits of reversible lanes in Phoenix, Arizona. <i>Journal of the Institute of Transportation Engineers, February, 2012</i>, 38-42. http://www.ite.org/membersonly/itejournal/pdf/2012/JB12BA38.pdf 6. *Syed, S., Golub, A. & Deakin, E. (2009). Regional rail park-and-ride users' response to parking price changes: system-wide results and detailed study of two stations. <i>Transportation Research Record: Journal of the Transportation Research Board</i> 2110, 155-162. http://dx.doi.org/10.3141/2110-19 7. Nurworsoo, C., Golub, A. & Deakin, E. (2009). Analyzing equity impacts of transit fare changes: Case study of Alameda-Contra Costa Transit, California. <i>Evaluation and Program Planning</i> 32(4), 360-368. http://dx.doi.org/10.1016/j.evalprogplan.2009.06.009 8. Cervero, R., Golub, A. & *Nee, B. (2007). City CarShare: Longer-Term Travel-Demand and Car Ownership Impacts. <i>Transportation Research Record: Journal of the Transportation Research Board</i> 1992, 70-80. http://dx.doi.org/10.3141/1992-09
	<p><i>Golub – Resume</i></p>

Code	Issue	Response

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COMMENT 8

**Comments on the South Mountain Freeway Final
Environmental Impact Statement (FEIS) and
Section 4(F) Evaluation Issued September 2014
Regarding Impacts to Cultural Resources**

by

**Samantha Skenadore, Of Counsel,
The Shanker Law Firm, PLC**

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238		Title page.

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239	<p>COMMENTS ON THE SOUTH MOUNTAIN FREEWAY FINAL ENVIRONMENTAL IMPACT STATEMENT (“FEIS”) AND SECTION 4(F) EVALUATION ISSUED SEPTEMBER 2014 REGARDING IMPACTS TO CULTURAL RESOURCES November 23, 2014</p> <p>Samantha Skenandore Of Counsel, The Shanker Law Firm PLC November 24, 2014</p> <p>The Federal Highways Administration (the “FHWA”) and the Arizona Department of Transportation (“ADOT”) (collectively referred to as the “Agencies”) prepared and issued a Final Environmental Impact Statement and Section 4(f) Evaluation (the “FEIS”) of the Freeway project pursuant to 42 U.S.C. §4332(2)(c), 49 U.S.C. §303 and 33 U.S.C. §1251 in September 2014. The FEIS particularly addresses the preferred alternative (the Eastern Section “E1 Alternative”) for building a major highway known as the South Mountain Freeway (Loop 202) which will destroy and desecrate, at least in part, a mountain range, South Mountain, also referred to <i>Moadak Do’ag</i> (a.k.a. <i>Muhadag</i> and <i>Muhadagi Doag</i>) in the Pima language, <i>Avikwaxóri</i> in the Maricopa language, and <i>Greasy Mountain</i> in the English language. Moadak Do’ag is identified as South Mountains Traditional Cultural Property (a “TCP”)¹ and is held sacred by Native Americans from various tribes. The Agencies issued the FEIS and selected the E1 Alternative despite the known impacts of the alternative which include, <i>inter alia</i>: (1) irreversible damage to the sacred and historically significant South Mountain; and (2) profound negative impact on the religious, cultural and spiritual well-being of Native Americans. Portions of South Mountain lie within the exterior boundaries of a federally-recognized tribe – the Gila River Indian Community (the “GRIC”).² The GRIC and other tribes, discussed below, have attached a significant traditional, cultural and religious value upon South Mountain and adjacent areas.</p> <p>In general, the Agencies failed to respond to adequately our specific and technical comments that addressed procedural and substantive noncompliance with applicable federal and related policies, principles and practices that guide the Agencies’ requisite duty to substantially comply with applicable law. In addition, the Agencies have failed to make any reasonable and prudent efforts to address the noncompliance documented in our comments on the Draft Environmental Impact Statement (the “DEIS”) process. i.e., failure to hold requisite, adequate, consistent and meaningful consultation with Native American tribes that attach significant traditional, cultural and religious value upon the South Mountain and adjacent areas; failure to properly identify, assess, evaluate, mitigate and/or avoid cultural resources and sites in the Section 4(f), NEPA and Section 106 processes, failure to adhere to applicable guidance manuals and bulletins applicable to the Agencies’ duties, and failed to secure a Programmatic Agreement (the “PA”) timely and effectively to observe agency duties under the law. Even if a PA is reached on or after the submission of the present comments, the timing of such a critical agreement unfairly and detrimentally disadvantages Native American tribes, tribal communities and interested persons that attach value to South Mountain and the vicinity affected by the project. More importantly, last minute decisions based on faulty and incomplete data will likely result in irreversible harm to cultural resources and historic properties within the project’s scope. All comments submitted in the DEIS process are hereby incorporated into these updated comments submitted for FEIS and other purposes. See FEIS, ¶¶ B520-B541.</p> <p>¹ The Agencies determined that the South Mountain qualified as a Traditional Cultural Property. See FEIS at 4-142-4-144. ² For more information on the Gila River Indian Community, please see the official page available at: http://www.gilariver.org/ (viewed November 22, 2014).</p>

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239	Cultural Resources	<p>Consultation with Native American Tribes has been extensive and demonstrates a reasonable and good faith effort to include all interested Native American Tribes in the process to take their concerns seriously in the planning effort.</p> <p>As discussed on page 4-159 of the Final Environmental Impact Statement, a Programmatic Agreement was developed for the project to establish a process for consultation, review, and compliance with federal and State preservation laws as the effects of the project on historic properties become known.</p> <p>As noted in Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement, the Programmatic Agreement for the project was executed in 2006 by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer. For the Programmatic Agreement to be executed, only the signatories and invited signatories need to sign the Programmatic Agreement. The executed Programmatic Agreement can be found in Appendix 4-6 of the Final Environmental Impact Statement. Other stakeholders were offered several opportunities to sign the Programmatic Agreement as a concurring party, but some elected not to do so. Concurring party signatures are not required for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act.</p>

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Comments on the FEIS RE: Impacts to Cultural Resources
November 23, 2014
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I. The Agencies failed to make reasonable and good faith efforts to consult all federally recognized Indian tribes that may attach religious and cultural significance to the Area of Potential Effects.

The Agencies identified the following seven (7) tribal nations as consulting parties: Ak-Chin Indian Community, Gila River Indian Community, Hopi Tribe, Salt River Pima-Maricopa Indian Community, Tohono O’odham Nation, Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe. In addition, the Agencies later consulted another fifteen (15) tribes within the process to include the Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Fort Yuma-Quechan Tribe, Havasupai Tribe, Hualapai Tribe, Kaibab-Band of Paiute Indians, Navajo Nation, Pascua Yaqui Tribe, Pueblo of Zuni, San Carlos Apache Nation, San Juan Southern Paiute, Tonto Apache Tribe, and the White Mountain Apache Tribe. *See* FEIS Table 4-47 at 4-144. As we pointed out in our comments on the DEIS process, the Agencies failed to consult with the tribes that attach a significant traditional, cultural and religious value upon South Mountain and adjacent areas. Table 4-47 confirms that in the course of 11 years since the onset of the Section 106 process, only ten events or periods of consultation with tribes exist. Find below a summary of Table 4-47 that succinctly summarizes the purpose of the consultation, applicable date or dates, the number of tribes consulted and an approximate percentage of tribal responses.

Purpose of Consultation	Date	# Tribes Consulted	~% Response
Initiate Section 106	8/20/03	7	71% no response, 14% concur, 14% defer to Southern Tribes
Request concurrence on draft PA	12/9/03	1	100% deferred PA participation to GRIC, reserved participation in consultation
Request concurrence on Darling 2005 Field Survey, TCP, PA	7/7/05	23	83% no response, 9% concur, 8% defer to Southern Tribes
Request participation in final PA and discuss effects on TCPs	8/17/05	21	90% no response, 10% concur
Request concurrence on additional cultural resources report (Brodbeck 2006a), solicit TCP concerns	6/26/06	22	73% no response, 14% concur, 9% No TCP concern, 5% provided input
Request signatures on final PA	12/11/06	22	86% no response, 14% signed PA
Ongoing consultation	12/20/06-8/8/12	1	Only consulted the GRIC
Request concurrence on project effects on resources near Chandler Blvd. extension	8/8/12	22	68% no response, 27% concur, 5% defer to the GRIC
Ongoing consultation	9/6/12 – 1/31/13	1	Only consulted the GRIC
Request concurrence on TCP summary report, NRHP eligibility, findings of effects to TCPs, management recommendations for treatment of TCP	1/31/13	21	48% no response, 43% concur, 10% no information provided by the Agencies

In summarizing Table 4-47 with the table above, it is clear that the Agencies only initiated consultation with 7 tribes and later consulted varying numbers of tribes from 1 to 22 tribes thereafter, excluded consultation with 95% of tribes for approximately 5 years and 11 months of the project (nearly half of the life of the project under Section 106 review to date) and acquiring an average of 74% of no responses by tribes, 19% of concurrence by tribes on the average of all consultation efforts. The summary derived from Table 4-47 evidences that the Agencies have failed to make reasonable and good faith efforts to bring all interested and impacted tribes to the table. As pointed out in our comments concerning the DEIS, the tribes

Code	Issue	Response
240	Cultural Resources	Consultation with Native American Tribes in compliance with Section 106 of the National Historic Preservation Act has been extensive and demonstrates a reasonable and good faith effort to include all interested Native American Tribes in the process to take their concerns seriously in the planning effort (see page 4-145 of the Final Environmental Impact Statement).

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have been left almost entirely out of a project that has been under development since 2001. The summary of Table 4-47 reaffirms alarmingly low response numbers by tribes to a project of this magnitude, in combination with low concurrence numbers on consultation efforts which strongly reaffirms our previous comments that consultation was late, inconsistent, sporadic, inadequate and not meaningful.

The Agencies attribute their untimely identification of impacted tribes – a period of nearly 2 years (2003-2005), to their own failure to scope their own project and identify aboriginal lands of impacted tribes. *See* FEIS at B524. Without identifying some 15 tribes and inviting them to the Section 106 review process (and contrary to 36 C.F.R. § 800.3(f)(2)), the Agencies completed the founding field work, the Darling Field Survey. Therefore, the Agencies’ statement that, “...all tribes were contacted early in the study and have been consulted on many aspects of the study, including the cultural resource-related reports produced over the course of the study” is inaccurate. *See* FEIS at B524.

Table 4-47 demonstrates that the tribes were insufficiently consulted, if at all, about key substantive and procedural decisions involving the technical studies needed to fully comply with Section 106 early in the process. In other words, the Agencies failed to observe their obligations in accordance with Section 106 and applicable guidance manuals.³ The most significant report throughout the Section 106 process is arguably the 2005 Darling field survey report (the “Darling Field Survey”). *See* FEIS, Ch. 4, ¶4-141. The Darling Field Survey identified 19 archaeological sites and 191 isolated occurrences. *See Id.* Note that Table 4-47 indicates that the FHWA initiated Section 106 process on August 20, 2003, however, the record evidences that the tribes were not consulted on the any aspect of the scope of the field work, specialized studies, historic property surveys, the credentials of the field archaeologist/s or any other experts or contractors that may have been involved, and other preservation issues. Instead the tribes were asked to concur on the adequacy of the completed field survey on July 1, 2005. *See* FEIS, at 4-145 & 4-146. The record of inadequate consultation early in the project’s timeline is relevant to the current inadequacy of a lack of a PA late into the project’s review processes. Table 4-47 affirms that the Agencies relied heavily on the Darling field report for the majority of the Section 106 process on the record. Additional supplemental surveys yielded the additional identification and, in some cases, evaluation of numerous other sites missed by the original Darling Field Survey. *See Id.* at Ch. 4, ¶ 4-142. The later phases of the record indicate that the majority of the tribes have not concurred with the findings from the Darling Field Survey and other technical reports and warrants the conclusion that serious and significant shortcomings exist in the substantive and procedural aspects of the Section 106 process.

II. The Agencies did not properly identify, assess and evaluate the South Mountain Traditional Cultural Property.

As a result of inadequate consultation with Tribes and reliance upon inadequate archaeological surveys, supplemental and other reports, the Agencies reached an inaccurate conclusion that the project’s

³ *See* 36 CFR §800.1(a) & (c), §800.2(c)(2)(ii)(A), §800.8(a)(1). *See also* CONSULTATION WITH INDIAN TRIBES IN THE SECTION 106 REVIEW PROCESS: A HANDBOOK, ADVISORY COUNCIL ON HISTORIC PRESERVATION (NOVEMBER 2008) which states, “[t]ribal consultation should commence early in the planning process, in order to identify and discuss relevant preservation issues and plan how to address concerns about confidentiality of information obtained during the consultation process...” and COUNCIL ON ENVIRONMENTAL QUALITY EXECUTIVE OFFICE OF THE PRESIDENT AND ADVISORY COUNCIL ON HISTORIC PRESERVATION NEPA AND NHPA: A HANDBOOK FOR INTEGRATING NEPA AND SECTION 106 (MARCH 2013) (identifies a key concept of integrating NEPA and Section 106 compliance procedures as the development of an integrated strategy to accomplish specialized studies to provide information and analysis needed under NEPA and Section 106 and recommends that agencies establish the schedule, geographic area, and specifications for specialized studies, including historic property surveys, for more than the preferred alternative when there are adverse effects, to have the information they need in each step of the NEPA and Section 106 processes).

Code	Issue	Response
241	Cultural Resources	The identification of unknown resources in the Study Area is part of the National Environmental Policy Act process and does not represent a failure. As information became known, additional stakeholders were identified and were added to the consultation process.
242	Cultural Resources	The survey was performed by the Gila River Indian Community's Cultural Resource Management Program archaeologists that met the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations Part 61; 48 Federal Regulations 44716). None of the consulting parties objected to the scope of the field work, specialized surveys, historic property surveys, or credentials of the field archaeologists in the responses to the consultation on the adequacy of the field survey report.
243	Cultural Resources	As noted in Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement, the Programmatic Agreement for the project was executed in 2006 by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer (see Appendix 4-6 on page A674 in Volume II of the Final Environmental Impact Statement). Other stakeholders were offered several opportunities to sign the Programmatic Agreement as a concurring party, but some elected not to do so. Concurring party signatures are not required for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act.

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244	<p>adverse effects on the South Mountain Traditional Cultural Property would not require mitigation. <i>See</i> FEIS at 4-144 which states, “[t]he E1 (Preferred) Alternative would not significantly adversely affect qualities of SMPP [South Mountain Park/Preserve] that qualify it for listing in the NRHP.” Further, the Agencies’ conclusion that the “Native Americans would not be kept from the practicing their beliefs, access to the mountain would be maintained, and mitigation measures would be implemented based on input from members of the Gila River Indian Community” is flawed and speculative at best. <i>See</i> FEIS at B520. The fact remains that no PA has been reached. In other words, consulting parties have yet to come to an agreement about the identification, assessment, evaluation, avoidance and mitigation of adverse impacts to historic properties. The Agencies repeatedly recommend that the project should move forward with mitigation of adverse impacts to the South Mountain Traditional Cultural Property. <i>See</i> FEIS at B42. Despite the input and applicability of impacts to some 22 tribes, the Agencies purport mitigation measures for access to the South Mountain Traditional Cultural Property to be limited to members of only one tribe: the GRIC. <i>See</i> FEIS at B523. Even the GRIC acknowledge that other tribes attach a significant traditional, cultural and religious value upon South Mountain and adjacent areas. To ignore and/or bar other tribes from cultural and religious practice at South Mountain is an unsubstantiated mitigation resolution.</p>
245	
246	
247	<p>We pointed out that the DEIS did not adequately include crucial data to assist the Agencies and consulting parties in the determination of impacts upon cultural sites and resources. The Agencies made statements in the FEIS that are unresponsive as to whether the Agency found that air, ground, or water attributes were important to certain historic properties. <i>See</i> FEIS at B529. In other words, the Agencies were unresponsive to our DEIS comments concerning the adequacy of the identification and evaluation of historic properties. The Agencies should have been able to affirmatively respond if they evaluated air, ground or water attributes and whether such attributes were properly weighed against National Registry criterion. Because of the unresponsiveness by the Agencies, compliance with Bulletin 38 by the National Park Service and the Department of Interior is at issue.⁴</p> <p>For example, the Agencies failed to properly assess the South Mountain Traditional Cultural Property, particularly, the preservation of its viewshed. It is not clear if the Agencies lacked input in the record of the viewscape and/or other attributes, ignored the comments and the record, or misevaluated them. If the viewshed was properly identified as an intrinsic attribute to the South Mountain Traditional Cultural Property, then the Agencies may have concluded the site should be avoided, cannot be mitigated, or at least more accurately reflect the viewscape’s “space” in the record. More specifically, if the Agencies assessed the viewscape in addition to the “less than .03 percent of the total area” of the project’s impact to the mountain, the fractionalized impact would vastly be increased beyond .03 percent. <i>See</i> FEIS at B520. Even if the Agencies attributed the applicable viewscape to Section 106 review, they failed to address the impacts that the large project would have on the viewscape to the integrity of the TCP and more importantly, the adverse</p> <p>⁴ <i>See</i> NATIONAL REGISTER BULLETIN (BULLETIN 38): GUIDELINES FOR EVALUATING AND DOCUMENTING TRADITIONAL CULTURAL PROPERTIES U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (1998, AS AMENDED) (requiring careful consideration and inclusion of viewsheds in boundary definition). “The fact that the boundaries of a traditional cultural property may be drawn more narrowly than they would be if they included all significant viewsheds or lands on which noise might be intrusive on the practices that make the property significant does not mean that visual or auditory intrusions occurring outside the boundaries can be ignored. In the context of eligibility determination or nomination, such intrusions if severe enough may compromise the property’s integrity. In planning subsequent to nomination or eligibility determination, the Advisory Council’s regulations define “isolation of the property from or alteration of the character of the property’s setting” as an adverse effect “when that character contributes to the property’s qualification for the National Register” (36 CFR 800.9(b)(2)). Similarly, the Council’s regulations define as adverse effects “introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting” (36 CFR 800.9(b)(3)).”</p>

Code	Issue	Response
244	Cultural Resources	The commenter has taken this statement out of context. The statement is from footnote ‘g’ of Table 4-46 on page 4-144 of the Final Environmental Impact Statement. The table’s title is “NRHP-eligible Historic Sites (non-TCP), Action Alternatives.” Given the title of the table, this statement was not in reference to the South Mountains Traditional Cultural Property (TCP), but to the park itself and its eligibility for the National Register of Historic Places.
245	Cultural Resources	As noted in Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement, the Programmatic Agreement for the project was executed in 2006 by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer. For the Programmatic Agreement to be executed, only the signatories and invited signatories need to sign the Programmatic Agreement. The executed Programmatic Agreement can be found in Appendix 4-6 of the Final Environmental Impact Statement. Other stakeholders were offered several opportunities to sign the Programmatic Agreement as a concurring party, but some elected not to do so. Concurring party signatures are not required for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act.
246	Cultural Resources	<p>The project will not preclude access to the South Mountains by any person from any Native American Tribe. Adverse effects on traditional cultural practices, including religious activities, will be mitigated by the development and implementation of the traditional cultural property mitigation program for the project through ongoing National Historic Preservation Act Section 106 consultations and by mitigation identified in Chapter 4 of the Final Environmental Impact Statement that will avoid, reduce, minimize, or otherwise mitigate air, ground, and water-related impacts. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. This applies equally to any impacts during construction of the freeway.</p> <p>The Final Environmental Impact Statement describes a proposed action that, after consultation and coordination efforts, would accommodate and preserve (to the fullest extent possible from the available alternatives) access to the South Mountains for religious practices. Native Americans would not be kept from practicing their beliefs, access to the mountain would be maintained, and mitigation measures would be implemented based on input from members of the Gila River Indian Community and other Native American Tribes.</p>
247	Cultural Resources	In cases where air, ground, or water attributes were considered important to their eligibility for listing in the National Register of Historic Places, this information would have been addressed during the consultation process. If the Federal Highway Administration had no information suggesting the significance of air, ground, or water attributes, and none of the consulting parties responded to consultation by saying those attributes were important and requesting they be considered, the Federal Highway Administration would have no reason to consider them, and further Section 106 consultation on these attributes would not have been required.

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248	<p>PARC et al Comments on the FEIS RE: Impacts to Cultural Resources November 23, 2014 Page 4 of 6</p> <p>adverse effects on the South Mountain Traditional Cultural Property would not require mitigation. <i>See</i> FEIS at 4-144 which states, “[t]he E1 (Preferred) Alternative would not significantly adversely affect qualities of SMPP [South Mountain Park/Preserve] that qualify it for listing in the NRHP.” Further, the Agencies’ conclusion that the “Native Americans would not be kept from the practicing their beliefs, access to the mountain would be maintained, and mitigation measures would be implemented based on input from members of the Gila River Indian Community” is flawed and speculative at best. <i>See</i> FEIS at B520. The fact remains that no PA has been reached. In other words, consulting parties have yet to come to an agreement about the identification, assessment, evaluation, avoidance and mitigation of adverse impacts to historic properties. The Agencies repeatedly recommend that the project should move forward with mitigation of adverse impacts to the South Mountain Traditional Cultural Property. <i>See</i> FEIS at B42. Despite the input and applicability of impacts to some 22 tribes, the Agencies purport mitigation measures for access to the South Mountain Traditional Cultural Property to be limited to members of only one tribe: the GRIC. <i>See</i> FEIS at B523. Even the GRIC acknowledge that other tribes attach a significant traditional, cultural and religious value upon South Mountain and adjacent areas. To ignore and/or bar other tribes from cultural and religious practice at South Mountain is an unsubstantiated mitigation resolution.</p> <p>We pointed out that the DEIS did not adequately include crucial data to assist the Agencies and consulting parties in the determination of impacts upon cultural sites and resources. The Agencies made statements in the FEIS that are unresponsive as to whether the Agency found that air, ground, or water attributes were important to certain historic properties. <i>See</i> FEIS at B529. In other words, the Agencies were unresponsive to our DEIS comments concerning the adequacy of the identification and evaluation of historic properties. The Agencies should have been able to affirmatively respond if they evaluated air, ground or water attributes and whether such attributes were properly weighed against National Registry criterion. Because of the unresponsiveness by the Agencies, compliance with Bulletin 38 by the National Park Service and the Department of Interior is at issue.⁴</p> <p>For example, the Agencies failed to properly assess the South Mountain Traditional Cultural Property, particularly, the preservation of its viewshed. It is not clear if the Agencies lacked input in the record of the viewscape and/or other attributes, ignored the comments and the record, or misevaluated them. If the viewshed was properly identified as an intrinsic attribute to the South Mountain Traditional Cultural Property, then the Agencies may have concluded the site should be avoided, cannot be mitigated, or at least more accurately reflect the viewscape’s “space” in the record. More specifically, if the Agencies assessed the viewscape in addition to the “less than .03 percent of the total area” of the project’s impact to the mountain, the fractionalized impact would vastly be increased beyond .03 percent. <i>See</i> FEIS at B520. Even if the Agencies attributed the applicable viewscape to Section 106 review, they failed to address the impacts that the large project would have on the viewscape to the integrity of the TCP and more importantly, the adverse</p> <p>⁴ <i>See</i> NATIONAL REGISTER BULLETIN (BULLETIN 38): GUIDELINES FOR EVALUATING AND DOCUMENTING TRADITIONAL CULTURAL PROPERTIES U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE (1998, AS AMENDED) (requiring careful consideration and inclusion of viewsheds in boundary definition). “The fact that the boundaries of a traditional cultural property may be drawn more narrowly than they would be if they included all significant viewsheds or lands on which noise might be intrusive on the practices that make the property significant does not mean that visual or auditory intrusions occurring outside the boundaries can be ignored. In the context of eligibility determination or nomination, such intrusions if severe enough may compromise the property’s integrity. In planning subsequent to nomination or eligibility determination, the Advisory Council’s regulations define “isolation of the property from or alteration of the character of the property’s setting” as an adverse effect “when that character contributes to the property’s qualification for the National Register” (36 CFR 800.9(b)(2)). Similarly, the Council’s regulations define as adverse effects “introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting” (36 CFR 800.9(b)(3)).”</p>

Code	Issue	Response
248	Cultural Resources	<p>The area of impact presented is specific to the boundary of the Phoenix South Mountain Park/Preserve.</p> <p>As stated in the text box on page 4-141 of the Final Environmental Impact Statement, “... the South Mountains are part of a continuum of life and not an individual entity that can be isolated and analyzed. The South Mountains TCP extends beyond SMPP” (Figure 5-8). The Arizona Department of Transportation has committed to funding a National Register of Historic Places eligibility report for the South Mountains Traditional Cultural Property to be prepared by the Gila River Indian Community (see page 4-159 of the Final Environmental Impact Statement).</p>

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	impacts to future religious practices. In other words, the Agencies failed to comply with expectations outlined in Bulletin 38 regarding the South Mountain site and perhaps other sites.
249	Finally, the Agencies suggest that if such attributes were not made known to them, they would not need to consider them (nor further Section 106 consultation would be required). See FEIS at B529. The Agencies are certainly bound to consider all attributes brought to the table during Section 106 review. The Agencies admit that the Section 106 review is ongoing and continues “until any commitments in a record of decisions are completed.” See FEIS at B528. Therefore and as the date of these comments, the Agencies did not properly identify, assess and evaluate the South Mountain Traditional Cultural Property.
250	<u>III. The Agencies ignored critical input by the Gila River Indian Community.</u> The Gila River Indian Community (the “GRIC”), through in large part, its Tribal Historic Preservation Office provided the Agencies with input and consultation feedback on impacts to cultural resources and historic properties that would likely be impacted by the project. See FEIS, ¶¶ B38-B60. The GRIC’s commentary largely focuses on the Community’s longstanding and reaffirmed position for a No-Action Alternative “to avoid impacts to cultural resources...” See Id. The Agencies profess that they “have listened closely to the members of the Gila River Indian Community and their concerns...” yet conclude that “...the proposed action might be perceived as severing the Gila River Indian Community’s spiritual connection to the mountains...” See Id. The Agencies erroneously resolve any “perception” of a severed spiritual connection to the South Mountain Traditional Cultural Property by suggesting that access would be maintained and impacts mitigated to the “small fraction” of the mountains affected. See Id. The GRIC disagrees and reasserted its position that the project should avoid the South Mountain Traditional Property and any proposed mitigation is not a feasible option. The Agencies continue to ignore the GRIC’s clear position to avoid any adverse impacts to the South Mountain Traditional Property. The Agencies commit themselves in the FEIS to yet “conduct a full evaluation of the South Mountains Traditional Property” based on outdated 2010 communications with a sitting Lieutenant Governor of the GRIC that is contrary to the GRIC’s current comments, positions and community input so reflected in two referendums concerning the project. See FEIS at B43. Therefore, the Agencies are on record and commit to further evaluate the TCP at issue for adverse impacts. <u>IV. The FEIS confirms the Section 106 process is incomplete and only affirms partial “proposed” mitigation with no compliant Programmatic Agreement reached.</u> The Agencies confirm that they have not yet secured a PA nor, after 11 years, concluded Section 106 review requirements. Note that the Council on Environmental Quality, Office of the President and the Advisory Council on Historic Preservation state in their March 2013 Handbook Integrating NEPA and Section 106: “[b]y statute, the Section 106 requirements must be met prior to an agency approving the expenditure of funds on an undertaking... or prior to issuance of a license, permit, or approval needed by the undertaking to proceed. Further, an agency must complete the NEPA and Section 106 reviews before signing a decision document... The NEPA review may conclude with... a ROD. Under CEQ regulations... EISs are not decision documents. Agencies should avoid issuing NEPA documents that present a final agency decision before they have completed their Section 106 process because the Section 106 process may result in a finding that requires the NEPA document to be revised or supplemented.... Going forward, the NEPA and Section 106 review processes should never be considered in isolation or as sequential environmental reviews that never intersect and operate under different schedules and requirements. The current paradigm for environmental reviews advanced by CEQ and the ACHP envision these reviews occurring simultaneously, continually exchanging information, and allowing determinations and recommendations in one to inform the
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Code	Issue	Response
249	Cultural Resources	The Section 106 process will continue beyond the Record of Decision to ensure avoidance, minimization, or mitigation of adverse effects to known historic properties and any historic properties identified during design and construction. Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-142 and 5-26. Since the beginning of the environmental impact statement process, the Federal Highway Administration and Arizona Department of Transportation have been carrying out cultural resource studies and engaging in an ongoing, open dialogue with the Gila River Indian Community Tribal Historic Preservation Office and other Tribes regarding the identification and evaluation of places of religious and cultural importance to Native Americans that may be adversely affected by the freeway. Specific to the South Mountains Traditional Cultural Property, the Arizona Department of Transportation and Federal Highway Administration will fund a traditional cultural property evaluation of the South Mountains Traditional Cultural Property to be prepared by the Gila River Indian Community. That and other mitigation are presented in Table 3, beginning on page 38, of the Record of Decision.
250	Cultural Resources	The Final Environmental Impact Statement on page 2-4 acknowledges that the Gila River Indian Community Council passed Resolution GR-64-96 that strongly opposed any future alignment of the South Mountain Freeway on Gila River Indian Community land. In addition, the comments received from Gila River Indian Community Governor Gregory Mendoza (see letter dated July 11, 2013, on page B38 in Appendix 7, Volume III, of the Final Environmental Impact Statement and letter dated December 15, 2014, on page A24 in this Appendix A) confirm the Gila River Indian Community’s position. In a coordinated referendum held in February 2012, and Gila River Indian Community members voted in favor of the no-build option. The environmental impact statement process allows these actions to be taken into account as one of many factors to consider in terms of the National Environmental Policy Act decision making intent to promote a more informed decision with regard to the proposed action. In a letter dated July 3, 2012, the Gila River Indian Community Tribal Historic Preservation Officer concurred with the determinations of eligibility for the traditional cultural properties and archaeological sites that would be affected by the project. While the Tribal Historic Preservation Officer maintained and reinforced the significance of the South Mountains Traditional Cultural Property, the mitigation treatment plan and its recommendations were accepted. In closing, the Gila River Indian Community Tribal Historic Preservation Officer shared appreciation of “the Federal Highway Administration and Arizona Department of Transportation for acknowledging and accepting the GRIC worldview” (see Volume II, page A389, of the Final Environmental Impact Statement).
251	Cultural Resources	The commenter is inaccurate in her statements related to the status of the Programmatic Agreement. As stated in previous responses, the Programmatic Agreement for the project was executed in 2006 (see Appendix 4-6 on page A674 in Volume II of the Final Environmental Impact Statement) by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer (see Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement). For the Programmatic Agreement to be executed, only the signatories and invited signatories need to sign the Programmatic Agreement.

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Code	Issue	Response
251 (cont.)		Other stakeholders were offered several opportunities to sign the Programmatic Agreement as a concurring party, but some elected not to do so. Concurring party signatures are not required for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act.
252	Cultural Resources	<p>The commenter is inaccurate in her statements related to the status of the Programmatic Agreement. As stated in previous responses, the Programmatic Agreement for the project was executed in 2006 (see Appendix 4-6 on page A674 in Volume II of the Final Environmental Impact Statement) by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer (see Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement). For the Programmatic Agreement to be executed, only the signatories and invited signatories need to sign the Programmatic Agreement. Other stakeholders were offered several opportunities to sign the Programmatic Agreement as a concurring party, but some elected not to do so. Concurring party signatures are not required for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act.</p> <p>The response text included a typo. The statement should have said that the Advisory Council on Historic Preservation “concurred” with the development of the Programmatic Agreement. The letter from the Advisory Council on Historic Preservation confirming their support for development of the Programmatic Agreement can be found on page A267 in Appendix 2-1 of Volume II of the Final Environmental Impact Statement. The Advisory Council on Historic Preservation was invited to be a signatory to the Programmatic Agreement, but declined the invitation.</p>
253	Cultural Resources	The Final Environmental Impact Statement on page 2-4 acknowledges that the Gila River Indian Community Council passed Resolution GR-64-96 that strongly opposed any future alignment of the South Mountain Freeway on Gila River Indian Community land. In addition, the comments received from Gila River Indian Community Governor Gregory Mendoza (see letter dated July 11, 2013, on page B38 in Appendix 7, Volume III, of the Final Environmental Impact Statement and letter dated December 15, 2014, on page A24 in this Appendix A) confirm the Gila River Indian Community’s position. In a coordinated referendum held in February 2012, and Gila River Indian Community members voted in favor of the no-build option. The environmental impact statement process allows these actions to be taken into account as one of many factors to consider in terms of the National Environmental Policy Act decision making intent to promote a more informed decision with regard to the proposed action.

Code Comment Document

COMMENT 9

Response to Final Environmental Impact Statement (FEIS) Section 4(F) Resources

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Code	Issue	Response
254		Title page.

Code	Comment Document
	<p>RESPONSE TO FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) SECTION 4(F) RESOURCES</p> <p>In the DEIS, I pointed out that the Section 4(f) recreational trails located on South Mountain were not accurately inventoried and shown. While it is understood that these trails fall outside the half mile area of potential effects, the trails were discounted and not properly evaluated for proximity impacts from the proposed freeway. In a proper Section 4(f) analysis, resources such as parks and trails which can be affected by proximity impacts, such as noise impacts and changes in viewsheds, are typically assessed to determine what the effects will be of the proposed project. This was not conducted in the DEIS nor is it accurately completed in the FEIS.</p> <p>While the FEIS amended the map to show additional trails on South Mountain, it still does not accurately identify and list the trails (specifically the Bursera trail) and it does not correctly evaluate the existing conditions and the use of the Bursera and Pyramid trail. The lack of knowledge and understanding about the trails, the surrounding social and biophysical environment and the user's experience on the trails in the south west portion of South Mountain trail has resulted in a flawed analysis of the proximity impacts of the proposed freeway on the trails.</p> <p>ADOT has failed to conduct a thorough and proper assessment of the Section 4(f) resource in the project area, and has not accurately evaluated the impacts of the freeway on the resource. The following points show where the analysis fails:</p> <ol style="list-style-type: none"> 1. The FEIS does not properly inventory and include trail information that was omitted from the DEIS: the Pyramid and Bursera trails. While the Pyramid trail was added to the map on page 5-8 the Bursera trail is not depicted on the map. Instead the revised map depicts the National Trail (Seg.6 of the Maricopa County Regional and Sun Circle Trail) and the Pyramid trail. There is no alignment on the map to show the Bursera trail. The Bursera trail is a separate trail located south of the Segment 6 trail. It is NOT part of the Maricopa County Regional Trail. In fact it is this trail that will be most significantly impacted due to its sensitivities to noise and view shed activities. 2. The FEIS does not accurately represent and describe the environment at the south and west end of the South Mountain Preserve. The west end of South Mountain Preserve is an area which is secluded, quiet and offers an experience to users that is not seen or experienced on the northern and eastern trails in the preserve. The National trail has a proximity to Phoenix and noise and visual intrusion are commonplace to trail users given the urban environment which surrounds the north side of the mountain. This is not the same for the Bursera trail; which offers a very different experience due to its isolation from the city. The FEIS does not make a distinction between the trail conditions, environment and the users experience with the remainder of the park. Instead it makes a generalized statement about the trail conditions and users groups that represents the north and east side of the trail (the more popular trails in the preserve) but not the Bursera nor the Pyramid trails 3. The ADOT response does not accurately assess the current conditions and use of the trails. The statement made to B964 in the Citizens Comments and Response Appendix (see Fig. 1): "These trails are typically used for high-intensity recreational activities such as running, hiking and biking, not noise or viewshed sensitive activities." is incorrect. If a site visit had been conducted to analyze the existing conditions on the Bursera or Pyramid trails, the FEIS would have noted that passive and reflective activities are the norm on both of these trails. While biking and running do occur (these users also enjoy the quietness and the viewshed), the trails are very steep and difficult and result in most users being hikers who move at a slower pace and stopping to enjoy the peaceful views and the solitude. Trail users come to enjoy the spectacular views of the Estrella's and far reaching views onto the Gila Indian Reservation. The trail places users on a ridgeline promontory where they are able to have an expansive and peaceful view of the open space below. The location of this ridgeline trail protects users from the noise of the urban environment to the north and east while offering users a contemplative setting.

Code	Issue	Response
255		Introductory comments noted. Responses to specific comments are provided in the following rows.
256	Section 4(f) and Section 6(f)	The map and table in Figure 5-5 on pages 5-8 and 5-9 of the Final Environmental Impact Statement include only those trails that would be directly affected by an action alternative. In this case, the Bursera Trail is not included based on its distance from any of the action alternatives. Figure 5-8 on page 5-15 of the Final Environmental Impact Statement presents the prominent resources of the park, including the Bursera Trail in its alignment as shown in the City of Phoenix trail map (see <phoenix.gov/parkssite/Documents/062880.pdf>).
257, 258, 259	Section 4(f) and Section 6(f)	<p>Figure 5-8 on page 5-15 of the Final Environmental Impact Statement presents prominent resources of Phoenix South Mountain Park/Preserve (park), including the Bursera Trail in its alignment as shown on a City of Phoenix trail map (see <phoenix.gov/parkssite/Documents/062880.pdf>).</p> <p>The section, <i>Public Parkland Resources (SMPP) Associated with the South Mountains</i>, beginning on page 5-14 of the Final Environmental Impact Statement, acknowledges:</p> <ul style="list-style-type: none"> · the high Section 4(f) value of the park in its entirety as the centerpiece of the Phoenix Sonoran Preserve System · the important contribution of the park's many attributes, like the Bursera Trail, as contributing to the park's value as a Section 4(f) resource—pointing out that the park offers opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area, with each park user seeking his or her own benefits from visiting the park <p>The discussion of the park as a Section 4(f) resource recognizes that many prominent features of the park contribute to its value. These include its setting as one of the largest urban parks in the country, its function in the Phoenix Sonoran Preserve System, and many prominent features within the park, including its trails.</p> <p>As noted in the response to a comment on page B964 in Volume III of the Final Environmental Impact Statement, "These trails are typically used for high-intensity recreational activities such as running, hiking, and biking, not noise- or viewshed-sensitive activities." To clarify, amenities such as the park's trail system are not the sole contributors to the park's Section 4(f) value, and trails throughout the park are used for both active and passive activities. The Bursera Trail is located in a lesser-used area of the park. Points along the trail allow some trail users to enjoy expansive views to the south and away from the urban setting to the north. Other permitted uses of the trail include more active activities, such as biking. Some trail users seek peaceful solitude while others, perhaps to a lesser extent, seek physical activity. It is important to note that viewsheds are not contributing attributes to a determination of a resource as being afforded protection under Section 4(f).</p> <p>While direct use of the park (the conversion of approximately 31.3 acres of the park for freeway use) is presented, the text also acknowledges the intrusion of the freeway section that would displace parkland, the proximity of other freeway sections that would alter views from certain park locations (see the <i>Visual Resources</i> section beginning on page 4-167 and page 5-14 in the Final Environmental Impact Statement), the introduction of an intensive human-made use into an otherwise passive and natural setting (as evidenced by the remainder of the park to the north and the Gila River Indian Community to the south), and the alteration of biological resources associated with the park's southwestern section.</p>

(Response 257, 258, 259 continues on next page)

Code Comment Document

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4. The ADOT response does not conduct an accurate analysis of the impact of the freeway on the trails which ARE noise and viewshed sensitive. The Bursera trail follows the ridgeline of the Guadalupe Range which is one of the ridges destroyed by a cut into (the ridge is visible in Figure 2 and 3). While the Bursera Trail ends one mile east of the location where the freeway will be constructed, its position above the end of the Guadalupe Range means that the construction of the freeway into the ridge at the end of the trail will forever destroy the quietness and views that are an important part of the trails passive recreational experience. The proposed freeway would introduce and cause a substantial increase in noise and destroy the immediate and distant views currently experienced on the Bursera Trail. Photos below show the views users have on the Bursera Trail while on the ridge. This viewshed would be significantly and negatively impacted by the proposed freeway on the end of the ridge line. The noise from the construction and subsequent traffic would change the quietness and peacefulness of the Bursera and Pyramid trail experience forever.

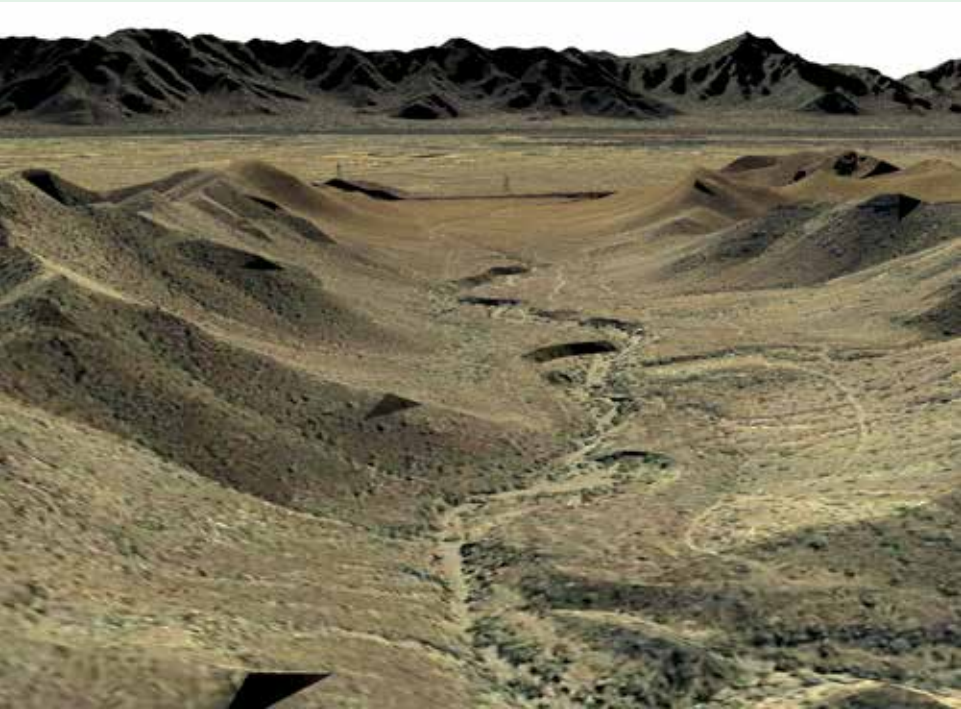
By Section 4(f) guidelines, there are clearly proximity impacts to this Section 4(f) resource, despite the fact that the proposed freeway will not physically use a portion of any of the trails.

The FEIS response demonstrates that a proper and complete assessment of the Section 4(f) resources as well as the impacts of the proposed freeway on the trails has not been conducted. ADOT has not followed Section 4(f) guidance for assessing proximity impacts to a noise and viewshed sensitive resource. ADOT demonstrated that it does not have an understanding of the project area where this 4(f) resource is located nor the ability to accurately assess the real impacts of the freeway on the trails within this public preserve.

The FEIS did not conduct an accurate proximity impacts assessment and therefore it fails in its assessment of the impact to the resource. This needs to be completed.

Code	Issue	Response
1	Section 4(f) and Section 6(f)	South Mountain's newest trails are the Bursera and Pyramid Trails (see Final Environmental Impact Statement page 5-8). The E1 Alternative is approximately 1 mile south of the Pyramid Trail and even farther from the Bursera Trail; thus, it would not affect either trail. The trails have walk-in access from Chandler Boulevard and 19th Avenue, with on-street parking. This walk-in access would be north of and adjacent to the planned extension of Chandler Boulevard and, thus, would not be directly affected. The walk-in access point and the part of the Pyramid Trail at the access point are located adjacent to a residential neighborhood and the City of Phoenix's planned Chandler Boulevard Extension. These trails are typically used for high-intensity recreational activities such as running, hiking, and biking, not noise- or viewshed-sensitive activities. All proposed action alternatives would span existing and proposed trails to avoid impacts. However, during construction (if an action alternative were selected), trails that would be spanned or would be near potential freeway construction would be closed for limited times for safety reasons. Closures would necessitate that trail users detour around construction sites to rejoin the trails farther along their length. According to Phoenix South Mountain Park/Preserve rangers, the Gila Trail—although well-defined—is not a designated trail within the park. That said, the Gila Trail would not be affected by the proposed freeway or by the Chandler Boulevard Extension. The Draft Environmental Impact Statement Appendix A394 contains information directly from the Phoenix General Plan and early coordination with the City of Phoenix Parks Department. The trails in the preserve are exceptions to this statement and were always meant as such. The trails within 1/4 mile of the proposed alternatives were treated separately, as in the case of the Maricopa County Regional Trails System. Should an alternative be selected, the Arizona Department of Transportation and Federal Highway Administration would work closely with the City of Phoenix during final design to ensure the connectivity of trails is maintained, whether they are eligible as Section 4(f) resources or not.

Figure 1. Response from ADOT to citizen comment B964

Code	Issue	Response
257, 258, 259 (cont.)		<p>Sections of the freeway will be visible from certain vantage points along the Bursera Trail. The figure below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:</p> <ul style="list-style-type: none">• reducing the freeway’s footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design• skirting the park as much as possible to avoid bisecting the 16,000-acre park• providing replacement lands to compensate for the use of 31.3 acres of the park• using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible• working with park stakeholders through the City of Phoenix in finalizing these improvements  <p>View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.</p> <p>The comment infers that the expansive views to the south and west are unencumbered open space. Where the Bursera Trail would be closest to the freeway (at a distance of approximately 4,000 feet), a private land developer has submitted plans to the City of Phoenix to construct over 100 homes in the area immediately south of the park limits between two ridgelines. As of February 2015, the developer had begun developing a road across the mountain ridgeline to the east to access the area for home development. This development, along with others such as the recent expansion of the Vee Quiva Casino on Gila River Indian Community land southwest of the park, illustrate the planned growth that is turning undeveloped lands into urbanizing areas in the Study Area. This</p>

Code	Comment Document

Code	Issue	Response
257, 258, 259 (cont.)		<p>urbanization is discussed in the section, <i>Land Use</i>, in Chapter 4 of the Final Environmental Impact Statement.</p> <p>The freeway will also generate noise that will be audible from certain points along the trail as acknowledged in the Final Environmental Impact Statement; however, based on the distance of the freeway to the closest trail points (for example, the National Trail is 2,000 feet away and the Bursera Trail is 4,000 feet away), noise levels are not likely to be above the noise abatement criteria levels for recreational activities. Trail users located 2,000 feet or more away from the freeway will hear an increased hum, but the decibel levels will not be above noise abatement criteria levels for recreational activities. While noise mitigation was evaluated to minimize harm, the use of mitigation, such as noise barriers, would have little effect for receptors 2,000 feet or more away from the freeway (and at elevated positions). Even if it were shown that noise levels are higher on the trail, noise impacts would be temporary because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway. Although noise barriers were not feasible in this case, the Arizona Department of Transportation has decided to use quiet pavement on the South Mountain Freeway to minimize noise along the corridor.</p>

Code Comment Document

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Figure 2. View South from the Bursera trail

Figure 3. View west from the Bursera trail. Ridgeline to the right of center would have freeway cutting through it.

Code	Issue	Response
260		Photos reviewed.

Code	Comment Document
262	<div><p>LAKESWOOD COMMUNITY ASSOCIATION'S CONCERNS & RESPONSE TO FEIS FOR LOOP 202 (SOUTH MOUNTAIN FREEWAY)</p><p>Prepared for</p><p>Protect Arizona's Resources and Children (PARC), et al. Phoenix, Arizona</p><p>by</p><p>Lakewood Community Association Board of Directors November 17, 2014</p></div>

Code	Issue	Response
262		Title page.

Code	Comment Document
263	<p><u>Lakewood HOA's South Mountain Freeway Concerns:</u></p> <p>General</p> <p>The Arizona Department of Transportation (ADOT) responded to the 11 comments and subsections submitted by Lakewood to the Draft Environmental Impact Study (DEIS), but none of the responses by ADOT provided any suggestion of alternate freeway alignments or design changes that would be used to mitigate any of these concerns. There is at least one alternative design that is actually in both the Draft and Final Environmental Impact Studies (FEIS) that will not only mitigate the issues raised in the comments, but will in fact eliminate them completely: the No-Action alternative. This option is only mentioned by ADOT to support the decision to build the freeway along the Pecos Road alignment.</p> <p>It is clear from the responses ADOT provided to Lakewood's serious and valid concerns that ADOT had already made the decision to build the SMF along the Pecos Road alignment, and was only interested in responding in a manner that supported this decision, or dismissed the concerns entirely.</p> <p>The table below provides a review of the FEIS responses to Lakewood comments, which can be found on pages B609 to B615 of the Comment Response Appendix, Special Interest Group Comments and Responses.</p>

Code	Issue	Response
263	No-Action Alternative	<p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the systematic alternatives development and screening process presented in Chapter 3 of the Draft and Final Environmental Impact Statements. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).</p> <p>As discussed on page 5-18 of the Final Environmental Impact Statement, many alternatives were examined to avoid use of the South Mountains; however, none of these alternatives are feasible and prudent.</p> <p>As stated on page 3-40 of the Final Environmental Impact Statement, the No-Action Alternative would not satisfy the purpose and need of the freeway because it would result in further difficulty in gaining access to adjacent land uses, increased difficulty in gaining access to Interstate and regional freeway systems from the local arterial street network, increased levels of congestion-related impacts, continued degradation in performance of regional freeway-dependent transit services, increased trip times, and higher user costs. Further, the No-Action Alternative would be inconsistent with Maricopa Association of Governments' and local jurisdictions' long-range planning and policies. The No-Action Alternative was included in the Draft and Final Environmental Impact Statements for detailed study to compare impacts of the action alternatives with the consequences of doing nothing (as impacts can result from choosing to do nothing). The impacts associated with the No-Action Alternative are discussed in each section of Chapter 4, <i>Affected Environment, Environmental Consequences, and Mitigation</i>, in the Final Environmental Impact Statement. These impacts are also summarized in Table S-3 beginning on page S-10 of the Summary chapter of the Final Environmental Impact Statement.</p> <p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternatives are responsive to the project's purpose and need and will:</p> <ul style="list-style-type: none"> · reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13) · optimize travel on the region's freeway system (see Figure 3-12) · reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14) · reduce the duration of level of service E or F conditions in key areas of the region's freeway system (see Figure 3-15) · improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8) · provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits total approximately \$200 million per year (see Table 4-27).</p> <p>Responses to specific comments follow.</p>

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS						
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	Lakewood Comments on Final EIS	
				<p>As to property values and the effects of proximity of freeway, numerous studies have been done on the subject and in general, results have varied but with an underlying consensus that many variables contribute to property values. A review of the literature reveals few detailed and comprehensive analyses of the relationship between the transportation infrastructure and residential property values (Transportation Research Record: Journal of the Transportation Research Board, No. 2174, Transportation Research Board of the National Academies, Washington, D.C., 2010, pages 138–47; "Impact of Highways on Property Values: Case Study of the Superstition Freeway Corridor"). A recent study by the California Department of Transportation concluded that freeway facilities did not substantially affect sales prices in residential areas adjacent to the facility. The study concluded that it is the visibility of the freeway that may influence selling price and not distance or noise. As a result, the researchers generally concluded that the more the visibility of a new freeway is reduced, the less it would determine the sales price of homes sold in the area.</p>	<p>the same document):</p> <p>1. In the US60 corridor, proximity to the freeway was observed to have an adverse effect on the sales prices of detached single-family residences</p> <p>In Lakewood, a substantial fraction of properties are detached single-family homes.</p> <p>2. The key factor in determining negative impacts of the US60 freeway appeared to be the level of traffic in the corridor.</p> <p>Since the SMF will provide an east-west conduit to bypass the downtown Phoenix area, increased traffic, especially truck traffic, is guaranteed.</p> <p>3. Most residential units in the study area were constructed after the Superstition Freeway alignment had been determined</p> <p>The study talks about increased property values due to heightened developer interest in vacant land, given freeway access. This scenario does not apply to Lakewood.</p> <p>4. An important effect of highway development is the traffic generated in the area. This may have a positive effect on local business, and hence employment levels, but may also have negative effects on residential areas. In addition to the off-cited impacts of noise and pollution, growth in traffic may be associated with increased transience and diminished neighborhood safety (e.g. risk of pedestrian-related crashes) and other declines in neighborhood quality (Langley, 1981). If there is generated traffic, the net impact will be greater. As traffic is concentrated in a developed area, more people may be exposed to its effects (Hibbard, et al, 1974).</p> <p>Lakewood is a predominantly residential area, with no open land available for additional commercial growth. As a practical matter, anticipation of freeway construction has already negatively impacted property values in</p>	

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Code	Issue	Response
266 (cont.)		The results of the air quality and noise analyses are described in the representative sections in the Final Environmental Impact Statement (see page 4-68 for Air Quality and page 4-88 for Noise). Mitigation for noise impacts and construction-related air quality impacts will be provided in accordance with relevant federal and State laws, regulations, and policy. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS					
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	Lakewood Comments on Final EIS
B610 – B611	2	476	Home Valuation B. Substantial reduction in property values if access to water is hindered which could endanger the existence of the Lakes. The whole community is based on the existence and proximity to the Lakes. Current property values are based on a lake community and lifestyle. C. Substantial reduction in property values for lake-front homes if Lakes are compromised by water access.	The procedure identified on page 4-100 of the Draft Environmental Impact Statement, defines the procedure that the Arizona Department of Transportation would use to replace adversely affected wells, and also identifies the general costs the Arizona Department of Transportation would incur to replace the lost water sources. As noted in this discussion, if it were necessary to provide replacement water instead of a new well, the Arizona Department of Transportation would, in negotiations with the well owner, include the difference between the costs of pumping the well and the costs of the new replacement water source. Which of these outcomes would take place would become known during the final design of the Selected Alternative, should an action alternative be selected. Depending on whether an action alternative were to become the Selected Alternative, it may be possible to keep certain wells in their current location, but move the well controls and associated piping to outside of the right-of-way. Such an analysis would be performed later in the design process.	Lakewood. The commenter could not find the California study cited, as it is not referenced by name, and a search on the California Department of Transportation web-site did not locate a document that fit the description in the ADOT response. With no available reference it is impossible to determine if the same type of one-sided analysis of the literature as shown above exists for this document. Under NEPA, ADOT is obligated to make documents/information available to the public. ADOT has failed to meet this obligation. ADOT fails to provide any analysis of the consequences of the loss of Lakewood lakes on property values. Homeowners with properties that border on a lake without water, essentially a concrete bowl, can certainly expect to see their property values reduced substantially. Without any analysis of the probability of loss of a water source to fill the lakes, it is impossible to make any determination of the impact to property values given this outcome. In addition, the cited reference on the Superstition Freeway from ADOT Response Number 475 contains the following (page 12): 1. Not all highway studies show increases in land values. There has been increasing interest in secondary impacts resulting from highway improvements (Spawn, et al, 1997). There is a growing realization that, under certain conditions or in some locations, there are negative effects from highways on land values. A less desirable effect on property values is created by adverse highway influences which may affect certain locations and/or types of land use. Improvements that result in externalities such as the degradation of water quality or increased safety hazards can effectively decrease property values (HBS, Inc., 1999). Even if we assume, arguendo, that the other basic conclusions in this paper are correct, the paper cited calls out explicitly negative secondary

Code	Issue	Response
267	Water Resources	<p>As stated previously, in the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system would need to be protected as they pass under the freeway, but production would not be affected.</p> <p>However, in the extreme situation where avoidance is not possible, page 4-108 of the Final Environmental Impact Statement defines the procedure that the Arizona Department of Transportation will use to replace adversely affected wells, and also identifies the general costs the Arizona Department of Transportation will incur to replace the lost water sources. As noted in this discussion, if it were necessary to provide replacement water instead of a new well, the Arizona Department of Transportation would, in negotiations with the well owner, include the difference between the costs of pumping the well and the costs of the new replacement water source.</p>

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS					
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	Lakewood Responses to Comments on Draft EIS	Lakewood Comments on Final EIS
B611	2	477	Home Valuation D. Ability to resell a Lakewood home would be deleteriously impacted due to air and noise pollution. E. Freeway would disrupt a quiet and clean Lakewood environment which would drive property values lower.	<p>The reader is referred to the text box, "Freeway Awareness," beginning on Draft Environmental Impact Statement page 4-12, and the text box, "If My Property Would Be Affected, Can ADOT Purchase the Land in Advance?", on page 4-43. Property acquisition is governed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This process outlines determination of property values through the acquisition process.</p> <p>Environmental analyses and noise analyses conducted for and documented in the Draft Environmental Impact Statement comply with the Federal Highway Administration's regulations for implementing National Environmental Policy Act at 23 Code of Federal Regulations 771 and for conducting noise analyses at 23 Code of Federal Regulations 772. These issues are addressed in the Draft Environmental Impact Statement. Sensitive receivers for noise and air are already included in the air quality and noise analyses in accordance with State and federal guidance. The air quality assessment for the proposed freeway analyzed impacts from carbon monoxide and particulate matter (PM10) and followed U.S. Environmental Protection Agency guidelines. For mobile source air toxics, the analysis showed that for the Study Area, constructing the freeway would have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions would decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions. The air quality analyses were updated for the Final Environmental Impact Statement, including a quantitative particulate matter (PM10) analysis, and are more fully described beginning on page 4-58 of the Final Environmental Impact Statement.</p> <p>According to the air quality analyses conducted for the proposed freeway, no violations of either the carbon monoxide or particulate matter (PM10) standards were identified, even at worst-case locations along the project corridor. Thus, the carbon monoxide and particulate analyses demonstrated that the proposed freeway would not contribute to any new localized violations, increase the frequency or severity of any</p>	<p>effects on property values. A specific example they give is degradation of water quality, which is exactly the concern of this item. ADOT fails to address this concern.</p> <p>For comments on the section on property values, ADOT provides the same references as given above in Lakewood Item Number 2. ADOT Response Number 475; see Lakewood Comments on Final EIS in that section above.</p> <p>In addition, other sections of the cited reference provide important contrary arguments to the ADOT response; the following is from pages 13 and 14:</p> <p>1. The Washington study also estimated the negative effects of proximity on properties nearest to the highway. Sufficient noise data were available to estimate damages for three locations. Despite comparable levels of ambient noise, the negative impacts varied considerably between neighborhoods, from a reduction in property value of 0.2 percent to 1.2 percent per 2.5 dBA above the ambient noise level. The magnitude of the noise impact was also correlated with income, with the most expensive homes experiencing the most detrimental effects. This occurred despite the lowest noise readings in the most affluent location. Although some property values were damaged by noise, the net regional effect on property values was determined to be positive.</p> <p>Even if there are net positive regional effects on property values, which is not at all clear from any analysis provided by ADOT, especially since the Ahwatukee area is largely built out, the cited reference provides conclusions that support the position that Lakewood property values will decrease with the current Pecos Road alignment of the freeway, especially given the proximity of the freeway to Lakewood.</p> <p>In this section, ADOT provides a summary of air quality and noise assessments, but does not address the concern of this comment, which is the impact of property values due to these issues. This is true despite the fact that data from</p>

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Code	Issue	Response
268	Air Quality, Noise	The Arizona Department of Transportation compensates only for properties that are within the project right-of-way and are acquired (see Final Environmental Impact Statement page 4-52). The results of the air quality and noise analysis and the proposed mitigation measures to minimize harm from these impacts are described in the representative sections in the Final Environmental Impact Statement (see page 4-68 for <i>Air Quality</i> and page 4-88 for <i>Noise</i>). Mitigation for each will be provided in accordance with relevant federal and State laws, regulations, and policy. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.

Code	Issue	Response
269	Acquisitions and Relocations	As stated in the response to the comment on the Draft Environmental Impact Statement, there will be no home displacements in the Lakewood community.

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS					
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	Lakewood Comments on Final EIS
B612	2	479	<p>Home Valuation</p> <p>G. Freeway would have negative lifestyle impacts which would reduce the value of living in Lakewood and thus cause home values to fall. Lifestyle impacts include reduced access to safe recreation like cycling and roller-blading around community roads due to increased and altered traffic. Freeway noise would also impact outdoor leisure and activities such as community picnics, swimming and outdoor dining.</p>	<p>There would be no home displacements in the Lakewood community. For other communities, the compensation to the homeowners' association is dependent on how the subdivision and/or homeowners' association is legally structured.</p> <p>The reader is referred to the section, Social Conditions, beginning on Draft Environmental Impact Statement page 4-20, to learn about criteria applied when considering impacts on social conditions and what mitigation is under consideration. Mitigation measures proposed can be found throughout Chapter 4. These have direct application to the reduction of impacts that could affect certain definitions of quality of life.</p> <p>As to property values and the effects of proximity of freeway, numerous studies have been done on the subject and, in general, results have varied but with an underlying consensus that many variables contribute to property values.</p> <p>A review of the literature reveals few detailed and comprehensive analyses of the relationship between the transportation infrastructure and residential property values (Transportation Research Record: Journal of the Transportation Research Board, No. 2174, Transportation Research Board of the National Academies, Washington, D.C., 2010, pages 138-47; "Impact of Highways on Property Values: Case Study of the Superstition Freeway Corridor"). A recent study by the California Department of Transportation concluded that freeway facilities did not substantially affect sales prices in residential areas adjacent to the facility. The study concluded that it is the visibility of the freeway that may influence selling price and not distance or noise. As a result, the researchers generally concluded that the more the visibility of a new freeway is reduced, the less it would determine the sales price of homes sold in the area.</p>	<p>ADOT provides the same references as given above in Lakewood Item Number 2. ADOT Response Number 475 and 477; see Lakewood Comments on Final EIS in those sections above.</p> <p>ADOT also references the FEIS section on Social Conditions. From that section, Table 4-9 on page 4-27 of the FEIS states the following under the heading "Effect on Characteristics" [of the Community]:</p> <p>[The freeway] "Would visually and audibly intrude on the less-intensive, passive, residential character of the area. The magnitude of impact would be offset by the fact the alternative would replace the existing four-lane Pecos Road. Pecos Road, although to a lesser degree than would occur with the action alternative, now visually and audibly intrudes on the village. Further, the impact would not be "new" to the village, considering that I-10 and the I-10/SR 202L/Pecos Road system traffic interchange border the village on the east and that either or both are used regularly by village residents."</p> <p>ADOT acknowledges that the freeway will have an impact on social conditions of the community. However, ADOT downplays the difference between the current noise due to Pecos Road, and the increased noise due to the freeway. With no east-west access through Ahwatukee, Pecos Road does not currently carry a substantial number of large trucks. This will change dramatically with the new freeway, as long-distance truckers will use the freeway to bypass the downtown Phoenix area. Truck traffic will substantially alter the traffic characteristics along the Pecos Road alignment, which ADOT fails to consider.</p> <p>In addition, the visible intrusion of the freeway will also be substantially more severe than the</p>

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Code	Issue	Response
270	Community Impacts	<p>The Arizona Department of Transportation compensates only for properties that are within the project right-of-way and are acquired (see Final Environmental Impact Statement page 4-52).</p> <p>While the E1 Alternative is adjacent to the largely residential areas of Ahwatukee Foothills Village (to the north), a freeway has been planned in this location for many years (see Final Environmental Impact Statement pages 4-17 and 4-21). Where existing residential uses are adjacent to the freeway, noise mitigation will be implemented according to Arizona Department of Transportation policy (see Final Environmental Impact Statement page 4-91 and Table 3 in the Record of Decision, beginning on page 38).</p> <p>The study has considered concepts for parallel multiuse paths; however, the main line of the freeway will not have a bicycle route as part of the design. While not currently included, enhancements such as pedestrian bridges or multiuse paths may be added as a separate project by the City of Phoenix (see page 3-60 of the Final Environmental Impact Statement). The cost and maintenance of these enhancements would be the responsibility of the City of Phoenix.</p> <p>In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 of the Final Environmental Impact Statement).</p> <p>Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that would likely survive the transplanting and sitting-in period would help in visually sensitive or critical roadway areas. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38.</p>

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS					
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	Lakewood Comments on Final EIS
B612 – B613	2	480	Home Valuation H. Freeway could disrupt the reliable performance of the primary aquifer which supplies Lakewood with its water and thus Lakes. These disruptions could include deviations to surface and ground water flows which feed the aquifer. As this reliable source of water is endangered, the reliability of the Lakes and irrigation of community vegetation would be endangered. This would lead to negative impacts to lake recreation and appearance of the community. Ultimately, the existence of the Lakes themselves could be threatened. This would make Lakewood a much less attractive place to live and substantially decrease home and property valuation.	The procedure identified on page 4-100 of the Draft Environmental Impact Statement, defines the procedure that the Arizona Department of Transportation would use to replace adversely affected wells, and also identifies the general costs the Arizona Department of Transportation would incur to replace the lost water sources. As noted in this discussion, if it were necessary to provide replacement water instead of a new well, the Arizona Department of Transportation would, in negotiations with the well owner, include the difference between the costs of pumping the well and the costs of the new replacement water source. Which of these outcomes would take place would become known during the final design of the Selected Alternative, should an action alternative be selected. Depending on whether an action alternative were to become the Selected Alternative, it may be possible to keep certain wells in their current location, but move the well controls and associated piping to outside of the right-of-way. Such an analysis would be performed later in the design process.	current Pecos Road, due to exit/entrance ramps at 40 th Street, and an overpass at 32 nd Street, both of which will be many feet higher than Pecos Road. ADOT completely fails to respond to our comments regarding lifestyle impacts and recreational opportunities. ADOT provided the same comment in this section as in their response 476 above. In this section, ADOT fails to provide an analysis of disruptions in water flow that feed the aquifers that Lakewood uses to replenish lake water. They also do not provide any rationale for why the absence of analysis is warranted. Given the critical nature of well water to the Lakewood community, a thorough analysis of the possible consequences of the freeway should be undertaken prior to the decision to build, and not after the design process has already started.
B613	3	478	Home Displacement A. Freeway right-of-way could encroach on existing Lakewood homes requiring destruction of several family homes. B. Local community neighborhoods within Lakewood would see a serious negative impact or cease to exist due to destruction of homes and relocation of neighbors. C. Loss of community integrity and relationships, especially for small children separated from friends who would be forced to move away due to home displacement.	Land acquisition and relocation assistance services for the project shall be available to all individuals without discrimination in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act). The Uniform Act provides uniform, fair, and equitable treatment of people whose property is impacted or who are displaced as a result of the project, including those with special needs. Advisory assistance services and compensation practices are described in detail in the Arizona Department of Transportation's Right-of-Way Procedures Manual, located at <azdot.gov/business/RightofWay_Properties/booklets-and-manuals>. For further discussion, see page 4-51 of the Final Environmental Impact Statement and Appendix 4-1. For questions on specific properties, contact the Arizona Department of Transportation Right-of-Way Group at (602) 712-7316.	Not Responsive.

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Code	Issue	Response
271	Water Resources	As stated previously, in the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system would need to be protected as they pass under the freeway, but production would not be affected. The potential cumulative impacts on groundwater and water availability are described on page 4-186 of the Final Environmental Impact Statement.
272	Acquisitions and Relocations	As stated in the response to the comment on the Draft Environmental Impact Statement, there will be no home displacements in the Lakewood community.

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS					
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	Lakewood Comments on Final EIS
B613	4	481	Lost Revenue to HOA A. Direct assessment revenue losses of \$350/home per year for each home displaced. B. Further loss of assessments if vacancy rate increases due to image of Lakewood being a less attractive place to live due to deleterious lifestyle impacts of the freeway. C. Vicious cycle of revenue loss leading to reduction of community services leading to further revenue loss (as vacancy rates increase).	There would be no home displacements in the Lakewood community. For other communities, the compensation to the homeowners' association is dependent on how the subdivision and/or homeowners' association is legally structured. The reader is referred to the section, Social Conditions, beginning on page 4-20 of the Draft Environmental Impact Statement, to learn about criteria applied when considering impacts on social conditions and what mitigation is under consideration. Mitigation measures proposed can be found throughout Chapter 4. These have direct application to the reduction of impacts that could affect certain definitions of quality of life. As to property values and the effects of proximity of freeway, numerous studies have been done on the subject and, in general, results have varied but with an underlying consensus that many variables contribute to property values. A review of the literature reveals few detailed and comprehensive analyses of the relationship between the transportation infrastructure and residential property values (Transportation Research Record: Journal of the Transportation Research Board, No. 2174, Transportation Research Board of the National Academies, Washington, D.C., 2010, pages 138-47, "Impact of Highways on Property Values: Case Study of the Superstition Freeway Corridor"). A recent study by the California Department of Transportation concluded that freeway facilities did not substantially affect sales prices in residential areas adjacent to the facility. The study concluded that it is the visibility of the freeway that may influence selling price and not distance or noise. As a result, the researchers generally concluded that the more the visibility of a new freeway is reduced, the less it would determine the sales price of homes sold in the area.	ADOT provides the same references as given above in Lakewood Item Number 2, ADOT Response Number 475, 477, and 479; see Lakewood Comments on Final EIS in those sections above. ADOT provides no information regarding vacancy rate increases due to freeway construction and proximity. It is not clear if data exists on this point, but with no references cited, and no rationale provided for the absence of a response to the specific comment, there can be no informed discussion on the commenter's concerns.
B614	5	482	Air Quality A. The air quality cause by increased traffic and trucks will decrease the air quality in our community and pose a serious health risk to the residents of the community.	Air Quality analyses conducted for and documented in the Draft and Final Environmental Impact Statements complies with the Federal Highway Administration's regulations for implementing the National Environmental Policy Act at 23 Code of Federal Regulations 771. These issues are addressed in the Draft and Final Environmental Impact Statements. Sensitive receptors for air are already included in the air quality analyses in accordance with State and federal guidance. The air quality assessment for the proposed freeway analyzed impacts from carbon monoxide and particulate matter (PM10) and followed U.S. Environmental Protection Agency guidelines. The air quality analyses were	ADOT refers to the EPA regulations and acceptable levels, as well as the results of their analyses in the FEIS. Although their analyses do not show any violations of health standards, the response to this comment fails to point out that the ADOT predictions show the No-Action alternative has a lower overall Modeled Mobile Source Air Toxics (MSAT) Emissions versus the Preferred alternative for the Eastern Subarea (FEIS page 4-80, Table 4-35): <ul style="list-style-type: none">No-Action Alternative is 10% lower than the

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Code	Issue	Response
273	Acquisitions and Relocations	<p>As stated in the response to the comment on the Draft Environmental Impact Statement, there will be no home displacements in the Lakewood community.</p> <p>The Arizona Department of Transportation compensates only for properties that are within the project right-of-way and are acquired (see Final Environmental Impact Statement page 4-52).</p> <p>The homeowner association has legal authority to collect assessments.</p> <p>The references provided were in response to concerns expressed and reveal few clear conclusions related to the relationship between transportation infrastructure and residential vacancy rates.</p>
274	Air Quality	<p>As explained in the Final Environmental Impact Statement and response to comments, Federal Highway Administration mobile source air toxics emissions assessments in the agency's National Environmental Policy Act documents are designed to evaluate emissions changes within a study area, including roadway segments where traffic volumes change as a result of the project. The U.S. Environmental Protection Agency's risk estimates for mobile source air toxics pollutants are based on 70-year lifetime exposure. As explained in the Final Environmental Impact Statement and response to comments, it is more likely that a person will be within a study area for 70 years than at a fixed location near the proposed corridor for 70 years. Thus, emissions changes in a study area are a more reliable indicator of potential changes in health risk. Emissions from Interstate 10 and other roadway segments affected by the project are included because people will be exposed to changes in emissions from those roadway segments as well as those from the South Mountain Freeway.</p> <p>The Final Environmental Impact Statement mobile source air toxics analysis covers a study area including all roadways affected by the project, which is standard practice for mobile source air toxics analysis for Federal Highway Administration projects. The analysis also presents results for two smaller subareas, given community interest in those areas. The commenter is correct in stating that if the analysis areas were made even smaller, the changes in emissions would become more pronounced. However, as the analysis areas become smaller, they also become less representative of changes in 70-year exposure (because the estimated changes in emissions would be meaningful only if a person stayed in that smaller area 24 hours a day for 70 years).</p> <p>The most important health finding of the mobile source air toxics analysis is that mobile source air toxic emissions will decline by at least 80 percent between 2012 and 2025 and between 2012 and 2035 under both the Preferred and No-Action Alternatives. This is true for the Eastern Subarea as well as for the larger mobile source air toxics study area.</p>

Code	Issue	Response

ADEQUACY OF FEIS RESPONSES TO LAKEWOOD HOA COMMENTS					
FEIS Page(s)	Lakewood Item Number	ADOT Response Number	Lakewood Comment on Draft EIS	ADOT Responses to Comments on Draft EIS	Lakewood Comments on Final EIS
275	B615	483	Traffic Flow and Increased Congestion A. Without access to the freeway at 32 nd Street, there will be an increase in traffic flow and congestion between 24 th Street and 40 th Street within the Lakewood Community boundary.	<p>is declining regardless of alternative.</p> <p>The determination to not include an interchange at 32nd Street was made in coordination with the City of Phoenix (see Figure 3-8 on page 3-15 of the Final Environmental Impact Statement). The interchange would have displaced over 100 homes and would have been located near an existing high school.</p> <p>In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the proposed freeway on the local street system, including the shift of access to Foothills Reserve and Calabrea from Pecos Road to Chandler Boulevard. The City study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).</p>	<p>ADOT does not address this concern at all. The cited City of Phoenix study looks only at traffic along Pecos Road, Chandler Boulevard, and the major north-south streets between them (17th Avenue, Desert Foothills Parkway, 24th Street, 32nd Street, and 40th Street). No analysis was performed on surface streets within the Lakewood community. The analysis contains insufficient detail to understand how traffic within Lakewood will be impacted by the freeway. This concern is still relevant and valid to members of the Lakewood community.</p>
	B615	484	Increase in Noise from Freeway Traffic B. The noise level will dramatically increase due to the proximity of the freeway and the increase in traffic and trucks in and around our community.	<p>Noise analyses conducted for and documented in the Draft and Final Environmental Impact Statements comply with the Federal Highway Administration's regulations for implementing the National Environmental Policy Act at 23 Code of Federal Regulations 771 and for conducting noise analyses at 23 Code of Federal Regulations 772. These issues are addressed in the Draft and Final Environmental Impact Statement. Sensitive receivers for noise are already included in the noise analysis in accordance with State and federal guidance. As stated on page 4-82 of the Draft Environmental Impact Statement, over 220 sensitive receivers were evaluated from a traffic noise perspective. All of the receivers represent noise sensitive land uses in proximity to the proposed project; therefore, these receivers would have higher noise levels than the schools more distant from the proposed action. The noise analysis was also updated for the Final Environmental Impact Statement using most recent Federal Highway Administration and Arizona Department of Transportation policy and traffic projections provided by the Maricopa Association of Governments in August 2013. This updated analysis begins on page 4-88 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental Impact Statements resulted.</p>	<p>On page 4-91 of the FEIS, ADOT states: "Noise impacts from the No-Action Alternative would be caused by vehicle traffic along arterial and other area surface streets. Based on projected growth throughout the region, traffic congestion would increase under this alternative, which would reduce travel speeds and thereby reduce traffic noise levels. As such, the No Action Alternative would generally result in lower noise levels at the selected receivers than would any of the action alternatives, but would result in higher noise levels at other locations, such as along arterial streets. Noise from this alternative would be generated by traffic on neighborhood and arterial streets, as well as by nontraffic noise sources and other general neighborhood activity. Therefore, it is difficult to quantify the projected noise levels from the No-Action Alternative."</p> <p>ADOT acknowledges that the No-Action alternative will result in lower noise than the Preferred Alternative. Their statement that "it is difficult to quantify the projected noise levels from the No-Action Alternative," is ridiculous. This is what exists in the area right now, so it is not only not difficult, it is actually quite feasible to measure the existing noise level.</p> <p>This is yet another instance of ADOT constructing their arguments to support the decision to build the freeway along the Pecos</p>
276					

Code	Issue	Response
275	Traffic	The Arizona Department of Transportation and Federal Highway Administration position has not changed regarding how the analysis was performed and regarding our responses to similar comments made on the Draft Environmental Impact Statement.
276	Noise	The noise analysis conducted for and documented in the Draft and Final Environmental Impact Statements complied with the Federal Highway Administration's regulations for conducting noise analyses in 23 Code of Federal Regulations § 772. The statement made in the Final Environmental Impact Statement related to the No-Action Alternative was generalized for the entire Study Area. The commenter is focused on only the Pecos Road area, which under the No-Action Alternative would continue to experience similar noise levels as today because the area is already relatively built-out.

Code	Issue	Response
277		Comment noted.
278	Design	<p>The original comment did not mention a depressed freeway, only concerns with runoff concerns, which was addressed in the response.</p> <p>As noted beginning on page 3-15 of the Final Environmental Impact Statement, depressing the Pecos Road sections would entail installation of pump stations to drain the main line freeway. A depressed freeway would also need a drainage channel to capture the off-site flows to prevent their entering the freeway. Pump stations were not used because of the high cost of construction and maintenance needed for their operation. The recommended freeway configuration has the E1 Alternative aboveground and the existing culverts extending to pass the drainage under the freeway. Pecos Road currently has numerous existing culvert crossings. Depressing the freeway in this area would eliminate the existing culvert crossings and potentially have adverse flooding impacts on adjacent properties. Extending the existing culverts or upsizing the culverts would maintain or improve drainage flows. This would ensure that there would be no adverse flooding impacts on adjacent properties. To reduce impacts by depressing the freeway in the Eastern Section, the Arizona Department of Transportation would:</p> <ul style="list-style-type: none"> · need to spend an additional \$400 million for right-of-way acquisition and construction · displace an additional 300 residences · maintain additional pump stations and detention basins for the life of the freeway · would still have noise-related impacts requiring mitigation (i.e., noise barriers and their associated costs and visual impacts) <p>Because the below-ground option would result in substantially greater costs and residential displacements, this option was eliminated from further study.</p>
279	Community Impacts	<p>The study has considered concepts for parallel multiuse paths; however, the main line of the freeway will not have a bicycle route as part of the design. While not currently included, enhancements such as pedestrian bridges or multiuse paths may be added as a separate project by the City of Phoenix (see page 3-60 of the Final Environmental Impact Statement). The cost and maintenance of these enhancements would be the responsibility of the City of Phoenix.</p>
280	Traffic	<p>The Arizona Department of Transportation and Federal Highway Administration position has not changed regarding how the analysis was performed and regarding our responses to similar comments made on the Draft Environmental Impact Statement.</p>

Code	Comment Document
281	<p data-bbox="677 842 1034 891"><u>COMMENT 11</u></p> <p data-bbox="453 941 1258 1028">Comments on the FEIS and Specific Responses to Lawlis DEIS comments (FEIS pages B545-B592)</p>

Code	Issue	Response
281		Title page.

Code	Comment Document

Code	Issue	Response
282	Project Costs, Total Cost	<p>The current level of engineering is used to determine the limits of environmental and construction impacts attributable to the freeway. The location and profile of the freeway are evaluated to minimize potential changes to the freeway as the design level would progress. The current level of engineering is an accepted industry standard for determining impacts. (See Final Environmental Impact Statement sidebar on page 3-40 for more discussion.)</p> <p>As noted on page 3-59 and in the text box on page 3-60 of the Final Environmental Impact Statement, planning-level cost estimates are used in the preparation of environmental documents. Figure 3-36 summarizes overall planning-level cost estimates for each action alternative. These estimates include design, right-of-way acquisition, and construction. Costs will be updated during the design phase and will be reflected in the <i>Regional Transportation Plan</i> update process. Updating costs is critical to account for cost fluctuations for materials, land acquisition, and design refinements.</p> <p>From October 28 through October 30, 2014, a formal cost estimate review was conducted in accordance with Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users guidelines. The official review determined a probability and range for the cost of the Selected Alternative in the expected year of expenditure and in current year dollars. The year of expenditure total cost was \$1.9 billion. The costs associated with planned mitigation are included in the total project cost.</p>
283	Trucks, Hazardous Materials	<p>The Maricopa Association of Governments regional travel demand model projects that truck traffic will represent approximately 10 percent of the total traffic on the freeway. As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles. The purpose of the project is not to create a truck bypass and the freeway will not be part of the CANAMEX corridor.</p> <p>Issues related to a severe accident exist for many portions of the Phoenix metropolitan area. A fast and effective response is critical in the emergency response plans prepared by emergency service providers and is discussed on page 4-166 of the Final Environmental Impact Statement.</p>

Code	Comment Document
	<p>area. All of the above are legitimate concerns that are summarily dismissed and not properly discussed in the FEIS.</p> <p>ADOT's failure to address truck traffic concerns leads to several other failures in the FEIS. In light of the incentives (noted above) for an abundance of truck traffic, the FEIS fails to consider that the volume of truck traffic on the SMF would be considerably more than the 10% that is characterized as "typical" of area freeways. The FEIS fails to look at the differences in the South Mountain ecosystem with or without truck traffic traveling through the mountain. Further, the FEIS fails to consider either banning all truck traffic or at least banning hazmat traffic on the SMF. The FEIS also fails to consider hazmat dangers as significant when the possibility of a disaster in Ahwatukee is very real. Although the expectation of a hazmat accident is quite small for any particular instant, the danger of a hazmat disaster occurring at some time in the future is too significant to ignore when so many lives are at stake.</p>
284	<p>If, as ADOT claims, truck traffic concerns can be minimized, then truck traffic can be completely eliminated from the determination of a need for the SMF. Then there is no need for the SMF. The SMF solves no problem except for providing a truck shortcut. Discounting truck traffic, other modes of transportation in the South Mountain corridor become far preferable to a freeway. ADOT has failed to seriously consider the use of different modes of transportation to satisfy any true need for "regional" transportation for individuals.</p>
	<p>The FEIS fails to address properly Ahwatukee specifics that relate to the proposed action. This failure includes the introduction of hazmats and the modeling of potential hazmat spills, air quality modeling, noise, crime, and the cost of replacing well water when wells are destroyed by the proposed action.</p>
285	<p>The FEIS shows a general failure to respect the South Mountain Park Preserve. A preserve should be vigorously preserved without exception. The one exception built into a 1990 Phoenix law that may permit this freeway through the mountain [South Mountain Preserve Act, 1990] is nothing but a political excuse for ignoring the value of the preserve, and the validity of the applicability of that law could be questioned [#420, P. B582]. The preserve's value is still protected by Section 4(f) of the Transportation Act, and the statement that there is no alternative to a freeway through the mountain is absurd. The South Mountain Park Preserve is not only highly valued natural wilderness to most of the residents of the area, it is also sacred land to many Native American tribes in the area. These concerns cannot be minimized by a stroke of the pen. South Mountain is a natural part of the geography of the area that should be accepted and enjoyed for what it is rather than trying to destroy it by manufacturing excuses for having a freeway in the South Mountain corridor and only there.</p> <p>The FEIS shows a general failure to address the many types of costs of the proposed action in realistic terms. Monetary costs are vastly underestimated because so much</p>

Code	Issue	Response
284	Trucks, Hazardous Materials	<p>The Maricopa Association of Governments regional travel demand model projects that truck traffic will represent approximately 10 percent of the total traffic on the freeway. As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles. The analysis of potential freeway impacts, such as noise and air quality, included the influence from truck traffic.</p> <p>The purpose of the project is not to create a truck bypass, and the freeway will not be part of the CANAMEX corridor.</p> <p>Arizona highways, as are most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The South Mountain Freeway will operate under the same rules as other similar facilities in the state; truck traffic will be permissible (see text box on Final Environmental Impact Statement page 4-166).</p> <p>Issues related to a severe accident exist for many portions of the Phoenix metropolitan area. A fast and effective response is critical in the emergency response plans prepared by emergency service providers and is discussed on page 4-166 of the Final Environmental Impact Statement.</p>
285	Purpose and Need	<p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternative would:</p> <ul style="list-style-type: none"> • reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13) • optimize travel on the region's freeway system (see Figure 3-12) • reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14) • reduce the duration of level of service E or F conditions in key areas of the region's freeway system (see Figure 3-15) • improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8) • provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits approximate \$200 million per year (see Table 4-27).</p> <p>The study has considered a variety of transportation modes: transportation system management/transportation demand management, mass transit (commuter rail, light rail, expanded bus service), arterial street improvements, land use controls, new freeways, and a No-Action Alternative. These alternatives alone or in combination would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the region.</p>

Code	Issue	Response
286	Community Impacts	Each of these topics is appropriately analyzed and disclosed in the Final Environmental Impact Statement. The topic of hazardous materials transport can be found on page 4-166, air quality beginning on page 4-68, noise beginning on page 4-88, crime and other community concerns beginning on page 4-20, and wells on page 4-108.
287	Section 4(f) and Section 6(f)	If feasible, avoidance of Section 4(f) resources is always the Federal Highway Administration and Arizona Department of Transportation's first option. As summarized in Figure 5-2 on page 5-4 of the Final Environmental Impact Statement, numerous alignment adjustments were made to avoid use of existing and planned Section 4(f) resources. As discussed on page 5-18 of the Final Environmental Impact Statement, many alternatives were examined to avoid the use of the South Mountains; however, none of these alternatives are prudent and feasible. The Department of the Interior reviewed the Final Environmental Impact Statement and commented, "The Department agrees that the South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project. These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the "Measures to Minimize Harm" on the Section 4(f) Statement pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment." The complete letter can be found in page A5 of this Appendix A.

Code	Comment Document
288	<p>design has been left to be done after project approval. There is no consideration whatsoever for the lives that would be lost by the creation of a new freeway rather than by using a different mode of transportation for “regional” mobility. There is no serious consideration for the health issues that would be generated by the creation of a new freeway rather than by using a different mode of transportation for “regional” mobility. There is no serious consideration for the property damage inherent in the creation of a new freeway (freeway right-of-way issues as well as property damage caused by freeway traffic) that would not occur if using a different mode of transportation for “regional” mobility.</p> <p>All these failures discussed above point to one conclusion. The FEIS is an excuse for justifying the completion of a predetermined plan for a freeway.</p> <p>A freeway is not needed in the South Mountain corridor. Further, a freeway would be detrimental to the corridor in a number of ways.</p> <p>Specific Issues</p> <p>The FEIS provides no compelling case for a freeway to go through the South Mountain corridor.</p> <p>1. ADOT must consider that the “region” does not just include Maricopa County and that the region is much larger now than it was 30 years ago when this freeway plan was conceived, so travel needs in the southern part of the region are well served by a highway far to the south of the South Mountain Corridor.</p> <p>2. The part of the region surrounding South Mountain is much in need of alternative forms of transportation to get around the area – such as light rail and more and better bus service. If VMT is still increasing in the study area while decreasing elsewhere across the country [#360, P. B550], that is a good indication that ADOT is not doing its job of making adequate alternative forms of transportation available in the study area.</p> <p>3. Intended or not, the South Mountain Freeway as currently proposed in the FEIS would be a major truck bypass, and the region does not need a new truck bypass, especially not one in the Phoenix metropolitan area.</p> <p>The FEIS claims that the South Mountain Freeway would ease traffic congestion. Yet Table 3-8 on Page 3-34 shows that improvement in travel times on existing freeways would be no more than a couple of minutes! The claim of improving traffic congestion is misleading at best! Even if one believes that the small travel time improvements shown in Table 3-8 would really occur, they do not justify the expense of building a new freeway!</p> <p>The air quality calculations in the FEIS are woefully inadequate [Pp. 4-68 – 4-74]. ADOT has still not completed the calculations as specified by the EPA in their</p>
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Code	Issue	Response
288	Alternatives	<p>The study has considered a variety of transportation modes: transportation system management/transportation demand management, mass transit (commuter rail, light rail, expanded bus service), arterial street improvements, land use controls, new freeways, and a No-Action Alternative. These alternatives alone or in combination would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the region.</p> <p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the systematic alternatives development and screening process presented in Chapter 3 of the Draft and Final Environmental Impact Statements. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).</p> <p>As discussed on page 5-18 of the Final Environmental Impact Statement, many alternatives were examined to avoid the use of the South Mountains; however, none of these alternatives are prudent and feasible.</p> <p>The Federal Highway Administration has not identified any adverse health impacts associated with the project. For a detailed discussion, refer to the information on air quality impacts on pages 4-75 through 4-85 of the Final Environmental Impact Statement, along with related summary information in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A of the Record of Decision.</p> <p>Land acquisition and relocation assistance services for the project shall be available to all individuals without discrimination in accordance with Title VI of the Civil Rights Act of 1964 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, which provides uniform, fair, and equitable treatment of people whose property is affected or who are displaced as a result of the project, including those with special needs. Advisory assistance services and compensation practices are described in detail in the Arizona Department of Transportation’s <i>Right-of-way Procedures Manual</i>, located at <azdot.gov/business/RightofWay_Properties/booklets-and-manuals>. For further discussion, see page 4-51 of the Final Environmental Impact Statement and Appendix 4-1. For questions on specific properties, contact the Arizona Department of Transportation Right-of-Way Group at (602) 712-7316.</p>
289	Purpose and Need	<p>The analysis of the purpose and need is based on today’s conditions, not the conditions of 1985. In June 2013, the Maricopa Association of Governments approved new socioeconomic projections for Maricopa County. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. The conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 3, <i>Alternatives</i>).</p> <p>The road network for the Maricopa Association of Governments regional travel demand model includes all of Maricopa and Pinal counties as well as small portions of Yavapai and Gila counties. While a road may not be within the Study</p>

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	<p>design has been left to be done after project approval. There is no consideration whatsoever for the lives that would be lost by the creation of a new freeway rather than by using a different mode of transportation for “regional” mobility. There is no serious consideration for the health issues that would be generated by the creation of a new freeway rather than by using a different mode of transportation for “regional” mobility. There is no serious consideration for the property damage inherent in the creation of a new freeway (freeway right-of-way issues as well as property damage caused by freeway traffic) that would not occur if using a different mode of transportation for “regional” mobility.</p> <p>All these failures discussed above point to one conclusion. The FEIS is an excuse for justifying the completion of a predetermined plan for a freeway.</p> <p>A freeway is not needed in the South Mountain corridor. Further, a freeway would be detrimental to the corridor in a number of ways.</p> <p>Specific Issues</p> <p>The FEIS provides no compelling case for a freeway to go through the South Mountain corridor.</p> <ol style="list-style-type: none">1. ADOT must consider that the “region” does not just include Maricopa County and that the region is much larger now than it was 30 years ago when this freeway plan was conceived, so travel needs in the southern part of the region are well served by a highway far to the south of the South Mountain Corridor.2. The part of the region surrounding South Mountain is much in need of alternative forms of transportation to get around the area – such as light rail and more and better bus service. If VMT is still increasing in the study area while decreasing elsewhere across the country [#360, P. B550], that is a good indication that ADOT is not doing its job of making adequate alternative forms of transportation available in the study area.3. Intended or not, the South Mountain Freeway as currently proposed in the FEIS would be a major truck bypass, and the region does not need a new truck bypass, especially not one in the Phoenix metropolitan area. <p>The FEIS claims that the South Mountain Freeway would ease traffic congestion. Yet Table 3-8 on Page 3-34 shows that improvement in travel times on existing freeways would be no more than a couple of minutes! The claim of improving traffic congestion is misleading at best! Even if one believes that the small travel time improvements shown in Table 3-8 would really occur, they do not justify the expense of building a new freeway!</p> <p>The air quality calculations in the FEIS are woefully inadequate [Pp. 4-68 – 4-74]. ADOT has still not completed the calculations as specified by the EPA in their</p>

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289 (cont.)		<p>Area for the proposed action, because it is included in the Maricopa Association of Governments travel demand model road network, its influence is considered in the traffic analysis for the proposed action.</p> <p>The South Mountain Freeway will be a commuter corridor, helping to move local traffic. As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles.</p> <p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternatives are responsive to the project's purpose and need and will:</p> <ul style="list-style-type: none">• reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13)• optimize travel on the region’s freeway system (see Figure 3-12)• reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14)• reduce the duration of level of service E or F conditions in key areas of the region’s freeway system (see Figure 3-15)• improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8)• provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits approximate \$200 million per year (see Table 4-27).</p>
290	Air Quality	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.</p>

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291	<p>comments on the DEIS. No consideration has been given to the effects of the South Mountain air shed on air quality. Claims in the FEIS that the South Mountain Freeway would not degrade air quality are outrageous!</p> <p>PARC has found scientific proof that over 13,000 students in schools within ½ mile of the South Mountain Freeway would be at significant risk for increased respiratory ailments and retarded lung development. PARC has also found that seniors who live within ½ mile of the proposed freeway would be at significantly higher risk of heart attack or death. [#13-#15, Pp. B325-B339] Yet the FEIS does not seriously consider these issues.</p> <p>The FEIS does not consider the true cost of the South Mountain Freeway. To start with, the FEIS has left so many design questions unanswered [#391, P. B570; #395, P. B571; #409, P. B579; #410-#415, Pp. B580-2; #421-#430, Pp. 583-5] that the monetary cost of the freeway is likely to be closer to \$4 billion rather than the \$2 billion ADOT has estimated. Further, the FEIS has no discussion of the annual injuries, deaths, and property destruction that could be expected from the freeway, nor the health implications for school children and seniors. The small discussion in the FEIS about potential cancer deaths from elevated levels of certain air pollutants is dismissive, indicating that those particular air pollutants don't count, and the number of increased deaths would be insignificant [#432-#434, Pp. B585-7]. The FEIS approach to human suffering is unacceptable and outrageous!</p> <p>In building the South Mountain Freeway, wells that feed the lakes in Lakewood and the Foothills and Club West golf courses would be destroyed. The FEIS claims that ADOT will replace these water sources, but at what cost? [#413-#415, Pp. B580-1]</p> <p>The FEIS does not mention the danger of trucks transporting hazardous materials (hazmats) over the South Mountain Freeway. While the chances that a hazmat spill would occur at any particular time may be small, the chance that a spill would happen SOMETIME is significant, and the public has a need to know about the potential effects of such a spill [#397-#408, Pp. B574-9]. Within the "world's largest cul de sac" of Ahwatukee, evacuation in a timely manner without using the freeway would be difficult if not impossible. And the effects of the South Mountain air shed are likely to trap air borne toxins in the village for a much longer period of time than would be expected in an open area where air blows freely. One of the hazmats expected to be transported on the freeway would be chlorine, a particularly deadly gas that seeps into buildings and cars. So immediate escape would be necessary, for chlorine turns human membranes into hydrochloric acid and makes it difficult, if not impossible, for one to see or breathe. The transport of hazmats through Ahwatukee is unacceptable, so they must be banned from the freeway.</p> <p>The FEIS proposes blasting through 3 ridges of South Mountain in building the South Mountain Freeway. This land in South Mountain is a part of the South Mountain Park Preserve. As the name suggests, this land is to be preserved! It is also a part of the largest municipal park in the country – a crown jewel of Phoenix!</p> <p>4</p>

Code	Issue	Response
291	Children's and Seniors' Health	<p>As noted throughout the Final Environmental Impact Statement, potential impacts on and subsequent mitigation for human health are disclosed and identified, as inherent in the environmental impact statement process. The Final Environmental Impact Statement incorporates an assessment of the potential impacts of the project on all populations, including children, in the Chapter 4 environmental consequences analyses. A discussion addressing children's health was added to page 4-83 of the Final Environmental Impact Statement.</p> <p>The Final Environmental Impact Statement evaluates Clean Air Act criteria air pollutant concentrations in Maricopa County and the Phoenix area (see pages 4-75 to 4-77). With regard to air quality impacts, the Final Environmental Impact Statement addresses children's and seniors' health impacts within the broader discussion regarding health impacts under the National Ambient Air Quality Standards. Clean Air Act Section 109(b)(1) requires the U.S. Environmental Protection Agency to promulgate primary National Ambient Air Quality Standards at levels that allow an adequate margin of safety and that are requisite to protect the public health. As noted by the U.S. Environmental Protection Agency in its 2013 rulemaking for particulate matter, Clean Air Act Section 109's legislative history demonstrates that the primary standards are "to be set at the maximum permissible ambient air level ... which will protect the health of any [sensitive] group of the population" (78 <i>Federal Register</i> 3086 and 3090) (quoting S. Rep. No. 91-1196, 91st Cong., 2 Sess. 10 [1970]) (alterations in original). Accordingly, the Final Environmental Impact Statement's National Ambient Air Quality Standards-based evaluation of criteria air pollutants includes a health-based review of sensitive populations, including children and seniors, given the National Ambient Air Quality Standards inherent consideration of those factors. Furthermore, the National Ambient Air Quality Standards-based assessment ensures adequate consideration of health-based issues as "[t]he requirement that primary standards provide an adequate margin of safety was intended to address uncertainties associated with inconclusive scientific and technical information ... and to protect against hazards that research has not yet identified" (78 <i>Federal Register</i> 3090).</p>

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292	Water Resources	Page 4-108 of the Final Environmental Impact Statement provides details on the well acquisition, condition assessment, and replacement process used by the Arizona Department of Transportation. Costs at this point are unknown because an analysis will be performed later in the design process to determine whether it is possible to keep certain wells in their current location while moving the well controls and associated piping to outside of the right-of-way.
293	Hazardous Materials	According to 46 <i>Federal Register</i> 18026 (March 23, 1981), the environmental impact statement must discuss reasonably foreseeable actions. These are actions that are likely to occur or probable, rather than those that are merely possible. There are no requirements in 23 Code of Federal Regulations Part 771, Environmental Impact and Related Procedures, or in the Federal Highway Administration's Technical Advisory T 6640.8A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents, to address releases of hazardous chemicals resulting from a transportation incident in National Environmental Policy Act documents for transportation projects such as the South Mountain Freeway. Reasonably foreseeable actions are those that are likely to occur or probable, rather than those that are merely possible. Planning for emergency situations will be initiated as the project moves into design.
294	Section 4(f) and Section 6(f)	The context and attributes of the South Mountains are described in the Final Environmental Impact Statement. Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-141 and 5-26. As discussed on page 5-18 of the Final Environmental Impact Statement, many alternatives were examined to avoid the use of the South Mountains; however, none of these alternatives are prudent and feasible.

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295	<p>[#420-#430, Pp. B582-5]Further, South Mountain is sacred land to several of the Native American tribes in Arizona [#437-#439, Pp. B588-9]. No freeway has a need or a right to desecrate this land!</p> <p>Uncertainties in Traffic Modeling</p> <p>The FEIS only addresses uncertainties when they provide an excuse for not addressing a concern. Far more attention should be addressed to the uncertainties inherent in the analyses and modeling ADOT is using to justify this action, yet these uncertainties are not addressed at all, even though they were pointed out in the PARC comments to the DEIS (#19-#30, Pp B363-B389). ADOT was non-responsive to these comments by providing some information on how calculations were done in the DEIS and FEIS, yet never discussing the uncertainties involved.</p> <p>ADOT relies on a number of models to create the forecasts in the FEIS. For example, the TransCAD software is used to model travel demand. According to the sidebar on P 1-5 of the FEIS, inputs to this travel model come from socioeconomic data, population and economic forecasts, anticipated average number of vehicle trips within the region, distribution of transportation modes, capacity of the transportation infrastructure, and future transportation infrastructure. Each of the inputs for</p> <ul style="list-style-type: none">• socioeconomic data,• population and economic forecasts,• anticipated average number of vehicle trips within the region, and• future transportation infrastructure <p>is an estimate that is subject to uncertainties. Each of these estimates alone has a prediction interval within which the actual value is assumed to lie with a high degree of confidence. Such an interval contains error bounds on the value, yet ADOT assumes that the one given value is correct. This assumption is not only incorrect, but the use of several inputs which each have error bounds compounds the effect of the error inherent in each value used.</p> <p>Furthermore, as pointed out by Kane in PARC’s comments on the DEIS [#20, P. B364], models are extremely sensitive to input data, so even a small error can produce a significantly erroneous result. The compounding of errors in the input data can easily result in very large errors in the outputs, invalidating the modeling results.</p> <p>MAG’s analysis of models and how they are used looks very scientific – until one considers the parts of the science that are omitted. And it is remarkable that ADOT can use completely different census data in the FEIS than it used in the DEIS, yet come up with essentially the exact same results/conclusions.</p> <p>MAG talks about validating their models and how they use them, but all validation is done with data that is about 2 years old [FEIS, Table 2, P. A587]. It is necessary to</p>

Code	Issue	Response
295	Traffic	<p>The Maricopa Association of Governments is the local government agency responsible for traffic forecasting. The Maricopa Association of Government’s travel demand model is a state-of-the-practice model that predicts traffic movement and is used by the Maricopa Association of Governments and Arizona Department of Transportation to determine the need for transportation projects. The model is calibrated to actual, observed traffic conditions and meets an advanced practice guideline by the Federal Highway Administration for similarly sized areas. The Federal Highway Administration and the U.S. Environmental Protection Agency approved the air quality conformity determination that includes the Maricopa Association of Governments regional travel demand model that produced the traffic projections used in the traffic analysis for the project (see page 3-27 of the Draft Environmental Impact Statement).</p> <p>The Final Environmental Impact Statement notes matters of uncertainty throughout the entire document. Examples include study findings in the sections <i>Air Quality</i>, <i>Noise</i>, <i>Visual Resources</i>, <i>Land Use</i>, <i>Displacements and Relocations</i>, and <i>Cultural Resources</i> in Chapter 4. In Chapter 3, <i>Alternatives</i>, reference is made to continued monitoring of design and cost to account for needed updates. On page 4-1, in the text box, “<i>Can the Impacts Change and, If So, How?</i>”, text is presented on how such dynamics are tracked.</p>

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296	<p>validate models often and do adjustments based on deviations from expected results. However, MAG uses these models to project as far as 25 years into the future. Yet MAG does not discuss the performance of their models in long-range projections, nor do they indicate that they use long-range deviations to adjust their models or modeling methods. Has MAG learned anything since making projections related to the fiasco of the Broadway Curve, for example?</p> <p>Consider the example of population modeling. The DEIS used 2005 census data. Given this 2005 value of 3,681,025 for the population of Maricopa County, the modeled projection for the population of Maricopa County in 2010 was 4,216,499. Yet the actual population in 2010 was 3,817,117 [#19, Pp. B363, B365]. This is an error of 10.46% in five years, and it is clear that ADOT and MAG are motivated to ensure that any error will be in favor of a higher population because doing so better supports their desire for the proposed action. If this 5-year population error were projected ahead 25 more years, using a simple calculation of 5 times the 10.46% error, the error in a 2035 projection could be as large as 52.3%. That means the FEIS projection for the population of Maricopa County of 5.8 million could actually be off (i.e., too high) by as much as 3 million! This error is similar to error ranges found in other long-range model projections used for traffic modeling.</p> <p>“Austin-calibrated DRAM-EMPAL predictions of residence and work locations are used as inputs to a UTPP-type four-step travel demand model (TDM), and the resulting travel times are fed forward into the future period’s land use models. Covariance in inputs (including model parameters and demographic variables) was accommodated through multivariate Monte Carlo sampling of 200 scenarios. Variances in land use and travel predictions were then analyzed, over time, and as a function of input values. Results indicate that output variations were most sensitive to the exponent of the link performance function, the split of trips between peak and off-peak and several trip generation & attraction rates. 20 years in the future, final uncertainty levels (as measured by coefficients of variation) due solely to input and parameter estimation errors are on the order of 38% for total regional peak-period VMT, 45% for peak-period flows, and 50% and 37% for residential and employment densities, respectively. This means that central point estimates of key model outputs are very likely (more than 30%) to fall 38% to 50% below or above the mean value.” [“Propagation of Uncertainty in Transportation-Land Use Models: An Investigation of DRAM-EMPAL and UTPP Predictions in Austin, Texas,” Sriram Krishnamurthy and Kara Maria Kockelman, <i>Transportation Research Record No. 1831</i>, December 2003]</p> <p>Further, many of the MAG models use outputs from other models as inputs. Since the data input from other models contains a substantial range of error, the outputs from the derived models would have even larger error ranges – at some point, the</p>

Code	Issue	Response
296	Socioeconomic Projections	<p>The comment suggests that the projected population of 5.8 million for Maricopa County in 2035 could be off by as much as 3 million, or as low as 2.8 million. This conclusion is not rational, because as noted previously in the comment, the 2010 population was over 3.8 million.</p> <p>While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).</p> <p>The commenter is focused on the change in values from the Draft Environmental Impact Statement to the Final Environmental Impact Statement instead of the more relevant comparison between 2010 and the new 2035 values presented in the Final Environmental Impact Statement. This comparison still shows an increase of almost 2 million people and over 1 million jobs in the next 25 years. The project is needed to serve that growth.</p>

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	<p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>() error ranges would be so large that the projections would be effectively useless. This appears to be the case for the long-range projections in the FEIS.</p> <p>()</p> <p>()</p> <p>() It would be instructive for MAG to produce its own modeling projections for Maricopa County population from 1985. The expected population for 2010 from that 1985 model could be compared with the actual population of 3,817,117. It is likely that the error between what was projected 25 years earlier and the actual population is substantial. Although models have improved in 25 years, the 25-year projections from models has improved very little.</p> <p>()</p> <p>()</p> <p>() “According to the experiences gained with the accuracy of demand forecasting in the transportation sector, covering traffic volumes, spatial traffic distribution, and distribution between transportation modes, there is evidence that demand forecasting – like cost forecasting, and despite all scientific progress in modeling – is a major source of uncertainty and risk in the appraisal of transportation infrastructure projects.” [How (In)accurate Are Demand Forecasts in Public Works Projects?: The Case of Transportation,” Bent Flyvbjerg, Mette K. Skamris Holm, and Soren L. Buhl, <i>Journal of the American Planning Association</i>, Spring 2005]</p> <p>()</p> <p>()</p> <p>() The reasons for the poor accuracy and consequently the high risk associated with transportation projections are the uncertainties in the inputs to the models.</p> <p>()</p> <p>()</p> <p>() Additionally, for an informed citizen to explore the actual possible purpose and need of the proposed action, s/he would need to know the specific parameters used in the models (although models are usually proprietary, the use of the models is not), including descriptions of the parameters, where the data came from, and assumptions made. Based on descriptions in the FEIS, the models also do not consider the geography of South Mountain, as most inputs are taken from other parts of the Valley rather than Ahwatukee. Only after the use of these models can be scrutinized in much more detail is it possible to establish if there is a purpose and need for the proposed action.</p> <p>()</p> <p>()</p> <p>() What is certain is that the FEIS does not produce convincing modeled values to support its purpose and need for the proposed action. Effectively, there is no justified purpose and need for this action.</p> <p>()</p> <p>()</p> <p>() Uncertainties in Air Quality Modeling</p> <p>()</p> <p>() In the first place, the air quality models used by ADOT take some of their inputs from the traffic models [FEIS, Pp. A598-600]. Since we have made clear above that the traffic models produce outputs in which errors are inherent, and it is also clear that long-range projections from these outputs may contain very large errors, any use of this data as inputs to the air quality models makes the air quality models also</p>
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Code	Issue	Response
297	Socioeconomic Projections	The new socioeconomic projections approved by the Maricopa Association of Governments in June 2013 were developed in close coordination with the local jurisdictions of Maricopa County. The assumptions related to land use, occupancy levels, residential and commercial development plans, job centers, and other factors are updated regularly and form the basis for the model inputs.
298	Purpose and Need	<p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternative would:</p> <ul style="list-style-type: none">• reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13)• optimize travel on the region’s freeway system (see Figure 3-12)• reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14)• reduce the duration of level of service E or F conditions in key areas of the region’s freeway system (see Figure 3-15)• improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8)• provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits approximate \$200 million per year (see Table 4-27).</p>
299	Air Quality	<p>The Maricopa Association of Governments is the local government agency responsible for traffic forecasting. The Maricopa Association of Government’s travel demand model is a state-of-the-practice model that predicts traffic movement and is used by the Maricopa Association of Governments and Arizona Department of Transportation to determine the need for transportation projects. The model is calibrated to actual, observed traffic conditions and meets an advanced practice guideline by the Federal Highway Administration for similarly sized areas. The Federal Highway Administration and the U.S. Environmental Protection Agency approved the air quality conformity determination that includes the Maricopa Association of Governments regional travel demand model that produced the traffic projections used in the traffic analysis for the project (see page 3-27 of the Draft Environmental Impact Statement).</p> <p>The Federal Highway Administration and Arizona Department of Transportation agrees that there are uncertainties associated with air quality modeling, and many of these are discussed in the context of health risk assessment in the Draft and Final Environmental Impact Statements. The uncertainties are reduced somewhat in the context of National Ambient Air Quality Standards modeling, because of the shorter time-frames involved (8 hours for carbon monoxide, and 24 hours for particulate matter [PM₁₀], as compared to 70 years for mobile source air toxic health risk assessments). Nevertheless, the U.S. Environmental Protection Agency’s regulations and guidance require use of air quality models to predict carbon monoxide and particulate matter (PM₁₀) concentrations, and to demonstrate compliance with the National Ambient Air Quality Standards. The project’s modeling complied with the applicable regulations and guidance.</p>

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	<p>produce outputs with inherent errors in proportion with the errors produced by the traffic models. It comes down to the old adage, “garbage in, garbage out”!</p> <p>Furthermore, the air quality models use a number of assumptions, each of which contains an error component. The accumulation of all the errors inherent in the traffic model outputs and the errors inherent in the assumptions of the air quality model provides a very large and fairly useless prediction interval for the air quality model outputs.</p> <p>To further compound the questionability of the usefulness of the air quality results, ADOT has failed to monitor the air quality characteristics of a major part of the Study Area. The South Mountain air shed provides different air quality behaviors than other areas of the Phoenix metropolitan area. These behaviors need to be understood in order to make proper inferences concerning the air quality of the portion of the South Mountain Freeway that is affected by the South Mountain air shed, which is a very large portion of the SMF.</p> <p>The FEIS also does not provide sufficient data to show the actual air quality calculations used to “prove” the air quality characteristics projected. Lack of sufficient transparency renders any FEIS results null and void for the purposes of an informed review.</p> <p>Using Models to “Prove” Desired Results</p> <p>Modeling can be a very effective way for people to be able to “see” what is happening in a particular activity as well as a way to project future expectations. However, as with many useful and effective scientific processes, modeling can be used for good purposes or it can be abused. In the FEIS, ADOT has given the reader no reason to believe the modeling was used for anything other than an attempt to justify predetermined conclusions. ADOT has failed to be transparent about the specific input and output values used in the modeling described in the FEIS as the “proof” of the need for the proposed action, the “proof” of an improvement in air quality in the Study Area resulting from the proposed action, etc. Traffic modeling uses many parameters (inputs), and the outputs are very sensitive to small changes in the parameters. Given the errors inherent in the parameter values used, as well as ADOT and MAG’s obvious bias in wanting to “justify” the building of the proposed action, ADOT and MAG were able to choose parameter values that produced the desired results. It is likely that these values were “tweaked” until they produced exactly the outputs that ADOT and MAG were looking for. The failure on ADOT’s part to be transparent about the modeling processes negates any value they may have had in the FEIS.</p> <p>Conclusion</p> <p>The analyses contained within the FEIS were performed by organizations with a shown bias or stake in building the South Mountain Freeway. These agencies are</p>
300	
301	
302	
303	

Code	Issue	Response
300	Air Quality	<p>The modeling for the project complied with specific recommendations from the U.S. Environmental Protection Agency for sources of monitored background data and meteorological data.</p> <p>Data from various Maricopa County Air Quality Department monitoring sites were used in the air quality analyses. Siting, operation, and recording information from monitoring sites are the responsibility of the Maricopa County Air Quality Department. See <maricopa.gov/eq/>. The monitoring information used in the air quality analyses is discussed in greater detail in the air quality technical report prepared for the project, which is available on the project Web site at <azdot.gov/southmountainfreeway>. The results of the analyses are summarized in the Final Environmental Impact Statement.</p>
301	Air Quality	<p>As indicated in the Final Environmental Impact Statement, the project complies with the transportation conformity regulations at 40 Code of Federal Regulations Part 93 and with the conformity provisions of Section 176(c) of the Clean Air Act. The U.S. Environmental Protection Agency was consulted on the conformity methodology presented in the Final Environmental Impact Statement.</p> <p>Additional details of the air quality analysis can be found in the air quality technical report, which is available to the public (see <azdot.gov/southmountainfreeway>). The actual model files are also publicly available and have been provided to at least one reviewer upon request. Technical reports are designed to support the environmental impact statement, not to be reproduced in the environmental impact statement.</p>
302	Traffic and Air Quality Modeling	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The modeling has been reviewed by national experts in air quality modeling and was found to be consistent with the national state of the practice.</p>
303	Traffic and Air Quality Modeling	<p>As noted previously, the models being criticized throughout this comment are the same models that the U.S. Environmental Protection Agency reviewed and subsequently has accepted in regional air quality conformity determinations. Also, the actual traffic model and air quality model files are publicly available and have been provided to at least one reviewer upon request. Based on the U.S. Environmental Protection Agency’s previous comments on the Draft and Final Environmental Impact Statements, it is clear this is not an agency with a bias or stake in building the South Mountain Freeway.</p>

[illegible]

Code	Issue	Response
303 (cont.)		<p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternative would:</p> <ul style="list-style-type: none"> • reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13) • optimize travel on the region's freeway system (see Figure 3-12) • reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14) • reduce the duration of level of service E or F conditions in key areas of the region's freeway system (see Figure 3-15) • improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8) • provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits approximate \$200 million per year (see Table 4-27).</p>

Code	Issue	Response
304		Résumé.

Code	Comment Document
	<p>1982 – 1986, Air Force Institute of Technology, Graduate School of Engineering, Department of Mathematics and Computer Science, Instructor in Computer Science Responsible for teaching, student advising, course development, and research development in the area of computer science at the graduate level.</p> <p>1977 – 1980, United States Air Forces in Europe (USAFE), Heinrich Hertz Kaserne, Programming Center Birkenfeld, Software Maintainer Responsible for maintaining the mathematical portions of the software for a North Atlantic Treaty Organization (NATO) air defense radar system in central Europe. Found and corrected errors in the radar registration program for aligning system radar inputs, as well as in the latitude-longitude conversion program. Cut the time required for a sine/cosine calculation to an average of one-third of the original computer time, significantly speeding up critical programs that used on the order of thousands of sine/cosine calls in one calculation.</p> <p>1974 – 1977, Aerospace Defense Command (ADCOM), NORAD Cheyenne Mountain Complex, Software Requirements Engineer and Database Administrator Responsible for reviewing system requirements for the satellite tracking portion of the developing NORAD command and control computer system. Maintained the satellite database and developed the procedures for transferring the database of the old satellite tracking system to the new one in near real time.</p> <p><u>Education</u></p> <p>Ph.D., Software Engineering, Arizona State University – 1989 M.S., Computer Systems, Air Force Institute of Technology – 1982 B.S., Mathematics, East Carolina University – 1967</p> <p><u>Awards</u></p> <ul style="list-style-type: none"> • Professor Ezra Kotcher Award for outstanding faculty achievement, Air Force Institute of Technology, 1984 • Mervin E. Gross Award for outstanding scholarship, Air Force Institute of Technology, 1982 • Meritorious Service Medal with 2 oak leaf clusters • Joint Service Commendation Medal • Air Force Commendation Medal <p><u>Professional Affiliations</u></p> <ul style="list-style-type: none"> • Computer Society of the Institute for Electrical and Electronics Engineers (IEEE) • Tau Beta Pi

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	<p><u>Publications</u></p> <ul style="list-style-type: none"> • <i>Battle Control Systems (BCS) Information Assurance (IA) Knowledge Transfer for the Engineering and Technology Acquisition Support Services (ETASS) Contract</i>, Jacobs, 2008. • <i>TMS SDS Integration Requirements Analysis</i>, Boeing Contract VW311, 2007. • <i>Vision and Strategy Document for the SDS Training Management System (TMS)</i>, Boeing Contract 0315 IRAD, 2005. • <i>Flying and Maintenance Training Management System (FMTMS) Capabilities/Requirements and Trade Study</i>, Boeing Contract 03A113, 2004. • <i>Sustainment Data System (SDS) Training Management System (TMS) Services</i>, Boeing Contract 03A113, 2004. • <i>Sustainment Data System (SDS) Training Management System (TMS) Capabilities/Requirements and Scenarios</i>, Boeing Contract 03A113, 2003. • "A Formal Process for Evaluating COTS Products," <i>IEEE Computer</i>, May 2001. • <i>Evaluating Training Management Software Products: A Case Study</i>, Interservice and Industry Training and Education Conference (I/ITSEC), 2000. • <i>Product Evaluations Report for the Technical Training Management System (TTMS) Training and Graduate Evaluation</i>, Contract GSA GS-35F-4885G, 1999. • <i>Trade Study Report for the Technical Training Management System (TTMS) Training and Graduate Evaluation</i>, Contract GSA GS-35F-4885G, 1999. • <i>Education Management System Preliminary Implementation Roadmap</i>, Contract GSA-10K95-ECD-0001, 1998. • <i>AETMS Capstone Requirements Document, and AETMS Mission Need Statement</i>, Contract GSA GS-35F-4885G, 1998. • <i>Life-cycle Cost Estimate for the Education Management System</i>, Contract GSA-10K95-ECD-0001, 1998. • <i>Operational Requirements Document for the Education Management System</i>, Contract GSA-10K95-ECD-0001, 1998. • <i>Single Acquisition Management Plan for the Education Management System</i>, Contract GSA-10K95-ECD-0001, 1998.

Code	Issue	Response

[illegible]

Code	Issue	Response

Code Comment Document

COMMENT 12

**Don't Waste Arizona, Inc. Response to South
Mountain Freeway FEIS
by
President Stephen M. Brittle**

305

Code	Issue	Response
305		Title page.

Code Comment Document

6205 South 12th Street - Phoenix, Arizona 85040
(602) 268-6110 Fax (602) 268-0915

Re: Don't Waste Arizona, Inc.'s Response to South Mountain Freeway FEIS

Don't Waste Arizona, Inc. (DWAZ) is a non-profit environmental organization dedicated to the protection and preservation of the environment in Arizona. DWAZ is especially concerned about environmental justice, civil rights protections, risks from hazardous materials and toxics, and air pollution. DWAZ is headquartered at 6205 South 12th Street, Phoenix, AZ 85042, and may be reached at (602) 268-6110. DWAZ has members in the affected areas. DWAZ is allied with PARC, et al for the purposes of preparing comments in opposition to the freeway, and the use of these comments by these allies is allowed and unrestricted. DWAZ joins with PARC et al in these comments, and any and all co-parties are allowed to use these in litigation. Stephen Brittle, President of Don't Waste Arizona, is also a member of PARC.

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ADOT completely and consistently failed to address the issues Don't Waste Arizona (DWAZ) submitted in response to the DEIS regarding the risks and issues associated with the transportation of hazardous materials. DWAZ believes this is an act of criminal negligence. The FEIS largely ignores all of the comments DWAZ made regarding the special and unique problems and additional risks associated with a hazardous materials incident along the Pecos Road alignment, or any part of the proposed South Mountain Freeway (SMF). It is irrefutable that without this SMF, there would not be the types and quantities of hazardous materials transport along the route, and the addition of these chemical traffic and their associated risks and hazards are a direct and proximate result of the construction of the SMF. ADOT merely responds with a boiler-plate piece that talks about how all federal highways are subject to hazardous materials transport. This is, in its own way, an admission that the SMF would cause these issues.

ADOT seems content to systematically fail to address the issues related to hazardous materials transportation, and did not respond to the substance of the comments provided by DWAZ..

The EIS process as carried out by ADOT is a complete sham. In the "responses" ADOT has made, it talks past the specifics with information that is generic and not relevant to the comments made by DWAZ.

There was no analyses or supporting data provided by ADOT in the FEIS' "responses" and there were no conclusions. There is nothing to refute in what has been provided in the FEIS, as it is completely inadequate, a complete sham document.

Code	Issue	Response
306	Hazardous Materials	According to 46 <i>Federal Register</i> 18026 (March 23, 1981), the environmental impact statement must discuss reasonably foreseeable actions. These are actions that are likely to occur or probable, rather than those that are merely possible. There are no requirements in 23 Code of Federal Regulations Part 771, Environmental Impact and Related Procedures, or in the Federal Highway Administration's Technical Advisory T 6640.8A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents, to address releases of hazardous chemicals resulting from a transportation incident in National Environmental Policy Act documents for transportation projects such as the South Mountain Freeway. Reasonably foreseeable actions are those that are likely to occur or probable, rather than those that are merely possible. Planning for emergency situations will be initiated as the project moves into design.

[illegible]

Code	Issue	Response

Code	Comment Document
	<div><div></div><div>16833 S. 24th Place Phoenix, AZ 85048 November 19, 2014</div><div>TO: South Mountain Freeway Project Arizona Department of Transportation (ADOT) 1655 West Jackson Street, MD 126F□ Phoenix, Arizona 85007 projects@azdot.gov</div><div>I write to rebut your responses to my comments regarding the draft environmental impact study (DEIS) for the South Mountain freeway (SMF), contained in the document "smfeis_vol-3_comment-response_05_citizen-h-to-q.pdf". You have not adequately addressed my concerns, as elaborated in the points below.</div><div><div>308</div><div>1. <u>Air Quality (Response 1)</u>. Your "Responses to Frequently Submitted Public Comments" stated that the EPA had approved the 2012 Five Percent Plan and found the area in attainment of the 24-hour particulate matter (PM10) standard based on monitoring data for 2010–2012. While you state that the EPA would concur with an exceptional event, the pollution produced by blasting South Mountain does not qualify as an exceptional event, and your response does not assure me that Phoenix will meet those standards for 2014–2016. The construction will pose significant hazards that are not at all adequately discussed here in the FEIS.</div><div>309</div><div>2. <u>Air Quality (Response 5)</u>. Your response describing airflow patterns based on limited monitoring did not address the effects on air quality. The assertion that winds were typically from the west during the warmer hours of the day is cause for concern, since traffic on the proposed route would generate substantial particulate air pollution to the west that would adversely impact the Ahwatukee area.</div><div>310</div><div>3. <u>Health Effects (Response 6)</u>. Your "Responses to Frequently Submitted Public Comments" cites the Health Effects Institute (HEI) Special Report #16 in an unreasonably selective manner, for example, inconclusive data due to "occupational cohorts with high concentration exposures" and the erroneous assertion that animal studies cannot be used to establish the health effects of carcinogens. More accurately, HEI suggested that extrapolation from animal studies to humans is "premature." Nonetheless, animal models are widely used for experiments in which the use of human subjects would be unethical. The National Institutes of Health supports hundreds of animal studies every year, because they can be highly predictive of toxicity in humans. Moreover, your observation that highways are not the only source of air toxics is an evasive technique that refuses to address the problem.</div></div></div>

Code	Issue	Response
308	Air Quality	The U.S. Environmental Protection Agency agreed with the Federal Highway Administration, Arizona Department of Transportation, and the other interagency consultation partners that construction-related emissions did not need to be analyzed as part of the particulate matter analysis. The section, <i>Temporary Construction Impacts</i> , on page 4-173 of the Final Environmental Impact Statement, discusses potential air quality impacts during construction as well as mitigation measures that will be followed during construction. These commitments are confirmed in the Record of Decision in Table 3, beginning on page 38. The air pollution produced during any potential blasting activities would be covered in these mitigation measures.
309	Air Quality	The Federal Highway Administration and Arizona Department of Transportation specifically consulted with the U.S. Environmental Protection Agency regarding the meteorological data to use to represent air flow in the project area, and followed the U.S. Environmental Protection Agency’s recommendation. As indicated in the Final Environmental Impact Statement, the project complies with the transportation conformity regulations at 40 Code of Federal Regulations Part 93 and with the conformity provisions of Section 176(c) of the Clean Air Act.
310	Health Effects	<p>The Federal Highway Administration and Arizona Department of Transportation acknowledge that there is disagreement about the conclusions of Health Effects Institute Special Report #16; however, the summary of this report is presented in the nature of background information, and does not have a bearing on the actual analysis of the project, or the other information provided in the Final Environmental Impact Statement regarding likely mobile source air toxic health impacts. The mobile source air toxics emissions analysis for the project indicates that emissions will decline by over 80 percent in the mobile source air toxics study area irrespective of whether the project is constructed or not, and that the project only makes a very small difference in this decline; the summary of prior health risk assessments for other highway projects indicate that these projects were estimated to have a very small incremental health risk.</p> <p>The information on other sources of exposure to mobile source air toxics pollutants was not provided to diminish the impact of mobile source emissions, but to help illustrate the complexity of meaningfully quantifying the health risk attributable to just one source of these pollutants, a source that most people are likely to be exposed to for only a small portion of their nominal 70-year lifetime at a fixed location adjacent to the roadway.</p>

Code	Comment Document
311	<p>4. <i>Air Quality (Response 12)</i>. Your response to my concern about greenhouse gases was trivial. MAG is a regional organization that should be assessing area contributions to regional contaminants like ozone and greenhouse gas emissions. As a practical matter, the impact (whether direct, indirect, and/or cumulative) that the proposed SMF would have on regional air quality should have been analyzed under the National Environmental Policy act (NEPA), and was not. Notwithstanding the foregoing, my earlier point was to also address the larger issue of the need to modify our modes of transportation such that we can minimize automobile traffic, thus limiting greenhouse gas emissions. U.S. Public Interest Research Group (PIRG), in their report issued September 18, 2014, on <i>Highway Boondoggles</i> (USPIRG. 2014. <i>Highway Boondoggles: Wasted Money and America's Transportation Future</i>) notes that "Americans drive no more now than we did in 2005, and no more on average than we did at the end of Bill Clinton's first term as president. The recent stagnation in driving comes on the heels of a six decade-long Driving Boom that saw steady, rapid increases in driving and congestion ... along with the investment of more than \$1 trillion of public money in highways." (USPIRG 2014, p. 1). They note that the number of cars and licensed drivers have declined since peaking in the 2000s, with the use of non-driving modes of transportation on the rise. The Arizona PIRG similarly states in their Summer 2014 publication, <i>Transportation Trends in Arizona 2014</i> that there has been a 10.5% decline in annual driving miles per capita in Arizona from 2005–2012. The number of registered vehicles in AZ dropped by 0.5% between 2007 and 2012. The ADOT growth projections are inconsistent with these more recent data (AZ PIRG 2014, p.3), and therefore are inaccurate.</p> <p>I strongly reiterate my opposition and urge the ADOT to abandon the SMF plan and intensify studies of other transportation options that are more environmentally friendly.</p> <p>Sincerely yours, Hugh S. Mason, Ph.D. Associate Professor, Arizona State University</p>
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Code	Issue	Response
311	Climate Change	Table 4-37 on page 4-86 of the Final Environmental Impact Statement presents the statewide and project greenhouse gas emissions potential, relative to global totals. The climate change/greenhouse gas discussion in the Final Environmental Impact Statement was an attempt to place the likely emissions burden from the project into context with the scope of the global problem. The Federal Highway Administration agrees that climate change is a serious problem, and has many activities underway to address this issue, as described in the Final Environmental Impact Statement and on the Federal Highway Administration's Web site. The energy analysis for the project (see page 4-172 of the Final Environmental Impact Statement) showed that the project would slightly reduce energy consumption, which also implies a slight reduction in greenhouse gas emissions compared to No-Action Alternative.
312	Traffic Projections	Two of the key model inputs used to forecast travel demand (see Final Environmental Impact Statement page 3-27) account for the trends identified in the comment and in the Arizona PIRG findings: 1) the anticipated average number of vehicle trips within the region (including those to and from the region's households) on a daily basis (this number is tracked regularly by the Maricopa Association of Governments), and 2) the distribution of transportation modes used by travelers in the Maricopa Association of Governments region (also tracked regularly by the Maricopa Association of Governments). While per capita travel is decreasing or stagnant, total travel is still increasing as the population increases.

Code Comment Document

COMMENT 14

**Reply Comments on FEIS from
Nicolai V. Kuminoff**

313

Code	Issue	Response
313		Title page.

Code	Comment Document
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November 23, 2014

South Mountain Study Team
Arizona Department of Transportation
1655 West Jackson Street, MD 126F
Phoenix, Arizona 85007

RE: Reply Comments on FEIS

Dear South Mountain Study Team,

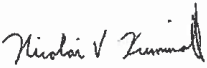
Your responses to my comments on the DEIS were completely inadequate. The FEIS fails to address the concerns I raised. In some cases, you dismissed my comments by referring me to sections of the DEIS that addressed related issues, but did not address my specific concerns. In other cases, you provided boilerplate responses that either completely missed the point of my comment or failed to address my comment in any substantive way.

I am also concerned by the continued inconsistency in your treatment of livability benefits and costs of the Pecos Road alignment. Your responses to my comments on the DEIS assert that significant negative livability impacts can be ignored because they are difficult to model. In contrast, you have gone to great lengths to develop models that predict difficult-to-model benefits. Further, the air quality and transportation models that you use systematically omit key details that could undermine your conclusions, and you claim that any serious effort to address uncertainty in your analysis would be “needless detail”.

The EIS process now appears to have been a sham. Your support of the Pecos Road alignment is not supported by credible scientific evidence. You failed to demonstrate that the social benefits of the Pecos Road Alignment outweigh the social costs. Your approach to conducting the EIS made a finding in favor of the Pecos Road alignment a foregone conclusion. I strongly urge you and FHWA to re-start the planning process under new leadership.

I have attached a point-by-point reply to pages B2175-B2183 of the FEIS with the hope of calling attention to the inadequacies in your responses to my comments.

Sincerely,



Nicolai V. Kuminoff
kuminoff@gmail.com

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Code	Issue	Response
314		Comment noted. Responses to specific comments are provided in the following pages.

Code	Comment Document
315	<p>What follows are my original 12 comments on the DEIS and a summary [in bold text] of the inadequacies in your responses found on pages B2175-B2183 of the FEIS.</p> <p><u>Comment #1:</u> The DEIS implies that a majority of Maricopa County residents support building the proposed South Mountain Freeway without having any factual basis to support this implication. There are numerous examples of this, especially in the early chapters of the DEIS. One example is the “What do the results of Propositions 300 and 400 tell us” sidebar on page 1-9. The problem is that the proposed South Mountain Freeway was a fairly minor detail in the information provided to voters on the broader regional transportation plan. Voters have never had an opportunity to express their opinions on the South Mountain Freeway separately from other regional transportation projects that were bundled as part of these propositions and were in more immediate need of funding at the time the propositions were presented to voters. Furthermore, neither proposition provided voters with basic details on the South Mountain Freeway such as the expected construction cost and the number of lanes. Furthermore, at the time people voted on proposition 300 the town of Ahwatukee was largely undeveloped. Likewise, the regional transportation plan provided to voters as part of the Proposition 400 election of 2004 failed to anticipate the location, size, use, financial cost and social costs of building the freeway. It is also noteworthy that both votes occurred before the onset of the great recession. The bottom line is that there is no reason to expect that Maricopa county voters would support building the South Mountain Freeway, if they were given the opportunity to vote today. In addition, the question of whether or not voters liked the idea of a new freeway extension 30 years ago or 10 years ago is entirely irrelevant to the question of whether or not it makes sense to build the freeway today.</p> <p><u>Inadequacies in AZ DOT’s response:</u> The response fails to address the substance of my comment. For example, it ignores my comments about the outdated nature of the claimed support for the SMF and the fact that the SMF was bundled as part of the broader transportation plan.</p>

Code	Issue	Response
315	Public Involvement	<p>No public vote was held as part of the Draft Environmental Impact Statement review process. Members of the public were encouraged to participate and submit their comments on the Draft Environmental Impact Statement during the 90-day comment period. Based on the number of supportive comments received during the public comment period for the Draft Environmental Impact Statement, the Arizona Department of Transportation and Federal Highway Administration believe there is still broad regional support for the project.</p> <p>The South Mountain Freeway has been a critical part of the Maricopa Association of Governments’ Regional Freeway and Highway System since it was first included in funding approved by Maricopa County voters in 1985. It was also part of the <i>Regional Transportation Plan</i> funding passed by Maricopa County voters in 2004 through Proposition 400.</p>

Code	Comment Document
316	<p><u>Comment #2:</u> The effort to model the effect of the freeway on ambient concentrations of criteria air pollutants is inadequate and misleading. For example, the discussion of carbon monoxide (CO) in section 4-65 of the DEIS points out that impacts were modeled using information from Maricopa County’s current network of air quality monitoring sites in the region. Yet the discussion fails to mention that Maricopa County does not have any air quality monitoring sites in the Ahwatukee foothills (http://alert.fcd.maricopa.gov/alert/Google/v3/air.html). This is a serious flaw in the modeling assessment because the prevailing wind patterns and foothills topography will likely cause most of the emissions of pollutants to be blown into pockets of localized air pollution above residential neighborhoods in Ahwatukee in between the freeway and South Mountain Park.</p> <p>Inadequacies in AZ DOT’s response: The response fails to address my main point about there being no air quality monitoring sites in the Ahwatukee foothills.</p> <p><u>Comment #3:</u> Failure to model the impact of the freeway on ground level ozone concentrations above residential neighborhoods in Ahwatukee is a serious problem as emissions generated by the freeway may very well exceed national standards for 8-hour ambient ozone concentrations. As noted earlier, the prevailing wind patterns and topography of the region are likely to cause most of the emissions to sit in air pockets above residential neighborhoods in Ahwatukee. Furthermore, these neighborhoods are highly populated by families with young children who are identified by the Environmental Protection Agency as being a “sensitive group” with respect to ozone (Federal Registrar, Vol. 64, No. 149, Wednesday, August 4, 1999, Rules and Regulations).</p> <p>Inadequacies in AZ DOT’s response: AZ DOT chose not to perform a credible analysis of health impacts for the FEIS that would take into account interactions between wind patterns, topography, locations of specific parks and schools, and the historical lack of air quality monitors in Ahwatukee.</p> <p><u>Comment #4:</u> The lack of air quality monitors in the Ahwatukee foothills area undermines the credibility of the entire air quality assessment provided in the DEIS. Air quality monitors are</p>
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Code	Issue	Response
316	Air Quality	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement, including the locations of monitors to be used in the analysis. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. While there are no air quality monitors in the Ahwatukee Foothills Village, the Federal Highway Administration followed the U.S. Environmental Protection Agency’s recommendations for other monitors to use for purposes of background concentrations and meteorological data.</p> <p>As indicated in the Final Environmental Impact Statement, the project complies with the transportation conformity regulations at 40 Code of Federal Regulations Part 93 and with the conformity provisions of Section 176(c) of the Clean Air Act. The U.S. Environmental Protection Agency was consulted on the conformity methodology presented in the Final Environmental Impact Statement.</p>
317	Health Effects	<p>Ozone is a regional pollutant, and under the Clean Air Act conformity requirements, ozone precursor emissions are addressed at the regional level through emissions analysis of the Maricopa Association of Government’s long range transportation plan. As long as projects are included in a conforming plan, as is the case for the South Mountain Freeway, then they are considered to have complied with the Clean Air Act requirements applicable to ozone. Analysis of the alternatives for National Environmental Policy Act purposes is not necessary, because any alternative would have to meet this same conformity test in order to proceed (the Arizona Department of Transportation and Federal Highway Administration could not approve any alternative that did not meet regional conformity requirements for demonstrating compliance with the ozone National Ambient Air Quality Standards). The question of whether one alternative is “better” than another from an ozone standpoint is moot, because all alternatives are required to be consistent with attainment of the ozone standard.</p>
318	Air Quality	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement, including the locations of monitors to be used in the analysis. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. While there are no air quality monitors in the Ahwatukee Foothills Village, the Federal Highway Administration followed the U.S. Environmental Protection Agency’s recommendations for other monitors to use for purposes of background concentrations and meteorological data.</p> <p>As indicated in the Final Environmental Impact Statement, the project complies with the transportation conformity regulations at 40 Code of Federal Regulations Part 93 and with the conformity provisions of Section 176(c) of the Clean Air Act. The U.S. Environmental Protection Agency was consulted on the conformity methodology presented in the Final Environmental Impact Statement.</p>

Code	Comment Document
318	<p>needed to inform the assessment of potential effects of the freeway on air quality. The current assessment does not make a serious attempt to model air quality impacts in Ahwatukee, which contains the neighborhoods that will experience the largest negative effects of increased air pollution generated by the freeway.</p> <p>Inadequacies in AZ DOT’s response: My comment was ignored. AZ DOT basically says that the lack of air quality monitors and credible data on air quality in the Ahwatukee area that will be most negatively affected by the freeway is not their problem. This type of response undermines the credibility of AZ DOT’s analysis.</p>
319	<p><u>Comment #5:</u> The DEIS’s overall conclusion that building the freeway will not cause an increase in violations of federal ambient air quality standards is misleading. This conclusion simply exploits the current placement of air quality monitors. By providing an incentive for truckers and non-local drivers to avoid traveling through central Phoneix, the South Mountain freeway will divert air pollution away from the areas that have air quality monitors and into areas that do not have air quality monitors, such as the Ahwatukee foothills. Ambient air quality will surely worsen in Ahwatukee and may very well violate federal standards for the criteria pollutants. Of course this will not cause any violations if there are no air quality monitors to measure the violations. This highlights the need for a more serious assessment of air pollution impacts from the proposed freeway, and it also highlights the need to place air quality monitors at several locations in the Ahwatukee foothills.</p> <p>Inadequacies in AZ DOT’s response: The response fails to provide any specific description of the projected spatial changes in ambient air pollution levels or how violations would occur if monitors were located in the Ahwatukee foothills area.</p>
320	<p><u>Comment #6:</u> Pages 4-69 and 4-70 provide a deeply flawed rationale for ignoring the impact of the freeway on human health outcomes. The DEIS claims that decision makers should not be</p>

Code	Issue	Response
319	Air Quality	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods described in the Final Environmental Impact Statement, including the locations of monitors to be used in the analysis. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses.</p> <p>As shown in Table 4-33 on page 4-77 of the Final Environmental Impact Statement, the contribution of particulate matter (PM₁₀) emissions from the project to the overall total is less than 3 percent at the 40th Street traffic interchange. The project contribution would not change even if the background monitors were located in Ahwatukee Foothills Village. The air quality analysis for particulate matter (PM₁₀) assessed the worst-case conditions (locations immediately adjacent to the freeway) and did not result in any violations of the National Ambient Air Quality Standards. The receptor diagrams in the air quality technical report demonstrate that concentrations drop to zero or near zero within a few hundred meters of the project.</p>
320	Health Effects	<p>The U.S. Office of Management and Budget’s Circular A-4 covers analysis of regulatory actions, while the U.S. Environmental Protection Agency’s Guidelines for Preparing Economic Analyses covers policies and environmental regulations. While each is informative, neither represents requirements to fulfill the National Environmental Policy Act process. Treatment of uncertainty in the National Environmental Policy Act is governed by the Council of Environmental Quality regulation 40 Code of Federal Regulations 1502.22.</p> <p>The Final Environmental Impact Statement notes matters of uncertainty throughout the entire document. Examples include study findings in the sections <i>Air Quality</i>, <i>Noise</i>, <i>Visual Resources</i>, <i>Land Use</i>, <i>Displacements and Relocations</i>, and <i>Cultural Resources</i> in Chapter 4. In Chapter 3, <i>Alternatives</i>, reference is made to continued monitoring of design and cost to account for needed updates. On page 4-1, in the text box, “<i>Can the Impacts Change and, If So, How?</i>”, text is presented on how such dynamics are tracked.</p>

Code	Comment Document
	<p>provided with information on health outcomes of building the freeway because the magnitudes of those outcomes are judged by DOT to be highly uncertain. I will explain three problems with this logic:</p> <p>A. Ignoring uncertainty violates federal standards for evaluating public projects, as outlined by the United States Office of Management and Budget’s Circular A-4 (http://www.whitehouse.gov/omb/circulars_a004_a-4) and the United States Environmental Protection Agency’s <i>Guidelines for Preparing Economic Analysis</i>. For example, OMB Circular A-4 has a special section devoted to the appropriate treatment of uncertainty in the evaluation of public projects. It clearly states that uncertainty outcomes should be quantified and this information should be provided for public review and to decision makers. For example, it instructs analysts involved in the preparation of impact statements that “<i>the important uncertainties connected with your regulatory decisions need to be analyzed and presented as part of the overall regulatory analysis</i>” and that “<i>by assessing the sources of uncertainty and the way in which benefit and cost estimates may be affected under plausible assumptions, you can shape your analysis to inform decision makers and the public about the effects and the uncertainties of alternative regulatory actions</i>” and that “<i>wherever possible, you should use appropriate statistical techniques to determine a probability distribution of the relevant outcome.</i>” It also states that “<i>when uncertainty has significant effects on the final conclusion about net benefits, your agency should consider additional research prior to rulemaking. The cost of being wrong may outweigh the benefits of a faster decision. This is true especially for cases with irreversible or large upfront investments.</i>”</p> <p><u>Inadequacies in AZ DOT’s response:</u> The response notes my comment and then ignores it. AZ DOT refers me to sections of the DEIS that do not address my comment.</p>

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321	<p>B. The South Mountain Freeway is likely to have large negative health effects. The large impacts of air pollution on morbidity and mortality are well documented as is the fact that these impacts are largest for sensitive groups such as children and seniors. This is of special concern due to the large proportion of families with young children and communities of seniors in Ahwatukee. See the EPA's (2011) <i>Second Prospective Study 1990-2020 of the Clean Air Act</i> and the associated appendices for the epidemiological consensus on health impacts and calibrated dose-response functions. The range of potential health impacts should be quantified and monetized using standard measures of the "value of a statistical life" consistent with best practices in regulatory evaluation established in the OMB and EPA guidelines. Even the lower bound on number of lives lost is likely to be sufficiently high to raise serious concerns for policy makers.</p> <p><u>Inadequacies in AZ DOT's response:</u> AZ DOT provides a boilerplate response that fails to address the substance of my comment of monetizing effects using the value of a statistical life.</p> <p>C. The effects of the freeway on health outcomes are no more uncertain than the effects of the freeway on commute times. Yet, there is no mention of uncertainty in commute times. Throughout the DEIS, the economic benefits of building the freeway are conveyed with a false sense of precision whereas the environmental costs are dismissed altogether because they are uncertain. This asymmetric treatment of uncertainty has the effect of biasing the DEIS in favor of building the freeway with the Pecos road alignment.</p> <p><u>Inadequacies in AZ DOT's response:</u> AZ DOT provides a boilerplate response that ignores the substance of my comment on the inconsistent treatment of uncertainty surrounding benefits and costs.</p>

Code	Issue	Response
321	Health Effects	<p>The U.S. Office of Management and Budget's Circular A-4 covers analysis of regulatory actions, while the U.S. Environmental Protection Agency's Guidelines for Preparing Economic Analyses covers policies and environmental regulations. The environmental impact statement process followed the National Environmental Policy Act and Federal Highway Administration's implementing regulations for conducting social and economic evaluations. The proposed action is not a regulatory action or policy action and is not governed by the noted guidelines. The Final Environmental Impact Statement provides a summary of health risk assessments for past highway projects, all of which show very low risk (see page 4-79), not "large negative health effects."</p> <p>Treatment of uncertainty in the National Environmental Policy Act is governed by the Council of Environmental Quality regulation 40 Code of Federal Regulations 1502.22. The Final Environmental Impact Statement notes matters of uncertainty throughout the entire document. Examples include study findings in the sections <i>Air Quality, Noise, Visual Resources, Land Use, Displacements and Relocations</i>, and <i>Cultural Resources</i> in Chapter 4. In Chapter 3, <i>Alternatives</i>, reference is made to continued monitoring of design and cost to account for needed updates. On page 4-1, in the text box, "<i>Can the Impacts Change and, If So, How?</i>", text is presented on how such dynamics are tracked.</p>

Code	Comment Document
322	<p><u>Comment #7:</u> The DEIS fails to adequately address the uncertainty of benefits from building the freeway. For example, the actual reduction in commute time that would be realized if the freeway were to be build will depend on several sources of uncertainty, including but not limited to: (i) future patterns of residential development; (ii) future location choices made by firms; (iii) future residential and job location choices made by workers; (iv) future trends in telecommuting; (v) future trends in “flex-time” and the ability of workers to commute during off-peak hours; (vi) future trends in the national economy; (vii) future trends in in the international economy and trade that influence the rate of trucking through Phoenix; (viii) future trends in automobile design; (ix) the impact of building the freeway on the desirability of living in Ahwatukee; and (x) future trends in the price of gasoline, electricity, and other factors affecting commuting costs. These sources of uncertainty should be carefully analyzed and policy makers should be informed about the statistical distribution of possible outcomes for commute times. More broadly, sources of uncertainty should be addressed throughout the discussion of benefits of building the freeway.</p>
322	<p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT dismisses a serious analysis of the uncertainty surrounding their claimed benefits of the SMF as “needless detail” and “speculative consideration”. This attitude exemplifies why support for the Pecos Road alignment in the FEIS was a foregone conclusion. Of course the Pecos Road alignment will seem like a good idea if substantial livability costs are ignored and substantial uncertainty in the claimed livability benefits is ignored.</p>
322	<p><u>Comment #8:</u> The DEIS systematically overstates the likely benefits of building the freeway to Phoenix commuters. The estimated benefits are based on statistics for projected future traffic patterns provided by the Maricopa Association of Governments. However, these statistics are primarily extrapolations of past trends. In other words, they are “made up”. They are not derived from a consistent model of residential location choice or a realistic model of commuting choices. It is difficult to believe that many workers would make residential and job location choices that would induce them to use the new freeway. Projections for future traffic congestion also fail to incorporate future growth in the share of workers who work from home or are allowed the flexibility to commute during off-peak hours. Furthermore, estimates for the</p>

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Code	Issue	Response
322	Traffic	<p>The Maricopa Association of Governments is constantly studying and monitoring trends in travel demand and incorporating this information into the regional travel demand (see page 3-27 of the Final Environmental Impact Statement).</p> <p>The models, methods, and assumptions used throughout the Final Environmental Impact Statement account for reasonably foreseeable future conditions and dismiss speculative considerations.</p>
323	Traffic	<p>The models, methods, and assumptions used throughout the Final Environmental Impact Statement account for reasonably foreseeable future conditions and rightfully dismiss speculative considerations. As an example, the Maricopa Association of Governments, as the federally designated regional transportation planning agency, is nationally recognized as a leader in air quality modeling and traffic modeling and forecasting. The models used account for the assumptions made in the comment.</p>

Code	Comment Document
	<p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>() opportunity cost of time used to quantify the value of reduced commute times are not</p> <p>() consistently linked to the actual commuters who use the freeway during peak hours, but are</p> <p>() likely driven by high-income commuters living in places such as Scottsdale who will not use the</p> <p>() new freeway if it is build. In addition, the models of traffic congestion in the DEIS are</p> <p>() inadequate for estimating the impact of the freeway on commute times. The DEIS fails to</p> <p>() provide even the most basic facts about commuting. For example, what fraction of today’s metro</p> <p>() area commuters would experience a shorter commute (in terms of physical distance) if the South</p> <p>() Mountain Freeway were built? This information can easily be obtained from the U.S. Census</p> <p>() Bureau’s annual Public Use Microdata Sample of respondents to the <i>American Community</i></p> <p>() <i>Survey</i>, which provides information on workers’ house locations, job locations, time leaving</p> <p>() home to go to work, and travel times.</p> <p>()</p> <p>() <u>Inadequacies in AZ DOT’s response:</u> AZ DOT fails to address any of my specific</p> <p>323 () comments. Their boilerplate reply is completely lacking in substance. It basically says</p> <p>() “trust us”.</p> <p>()</p> <p>()</p> <p>() <u>Comment #9:</u> Throughout the DEIS, the analysis of benefits of building the freeway is based on</p> <p>324 () a false premise that the demand for transportation will be the same whether or not the freeway is</p> <p>() built. This results in overstatement of the benefits of building the freeway. In reality, building</p> <p>() the freeway is likely to change residential development patterns which, in turn, will increase the</p> <p>() demand for using the freeway relative to the demand if the freeway had not been built. In other</p> <p>() words, building the freeway will increase the demand for using the freeway due to increases in</p> <p>() driving by current residents, increases in commercial traffic, and increased migration to areas</p> <p>() near the freeway. These “feedback effects” will increase congestion on the freeway, diminishing</p> <p>() its benefits, especially for existing residents of Phoenix. This effect is well known to</p> <p>() transportation economists as “The Fundamental Law of Road Congestion”. Yet recognition of</p> <p>() this effect is completely missing from the transportation models throughout the DEIS. In</p> <p>() perhaps the most comprehensive empirical study of the causal relationship between road projects</p> <p>() and traffic congestion, Duranton and Turner (2011) concluded that adding a new road with the</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p>

Code	Issue	Response
324	Traffic	<p>The Maricopa Association of Governments is constantly studying and monitoring trends in travel demand and incorporating this information into the regional travel demand (see page 3-27 of the Final Environmental Impact Statement).</p> <p>The models, methods, and assumptions used throughout the Final Environmental Impact Statement account for reasonably foreseeable future conditions and dismiss speculative considerations.</p>

Code	Comment Document
324	<p>characteristics of the South Mountain Freeway is unlikely to relieve congestion. See: Duranton, Gilles, and Matthew A. Turner. “The Fundamental Law of Road Congestion: Evidence from US Cities.” <i>American Economic Review</i>. 101 (October 2011): 2616-2652.</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT has chosen to ignore overwhelming evidence from the best available peer reviewed scientific evidence on the fundamental law of road congestion.</p>
325	<p><u>Comment #10:</u> There is overwhelming evidence in economics journals and federal regulatory evaluations that freeways produce negative externalities that substantially diminish the quality of life for those living nearby. Some of these effects will likely be reflected in reductions (or slower growth) in property values for residential neighborhoods experiencing diminished quality of life. It is standard practice to use hedonic property value methods and contingent valuation methods to quantify these costs as part of regulatory evaluations. However, no such effort is undertaken in the draft EIS. The following impacts should be quantified and included in the EIS using best practices in methods for economic valuation of environmental impacts of public projects as outlined in EPA’s Guidelines for Preparing Economic Analysis: (1) effect of air pollution on property values; (2) effect of noise pollution on property values; (3) cost of water pollution produced from freeway runoff; (4) value of lost recreation benefits to joggers and bicyclists who currently use Pecos road for recreation; (5) value of diminished recreation benefits for people using South Mountain Park due to visual disamenities, noise, dust, odors, and non-visible air pollution created by the freeway; and (6) the impact of building the freeway on crime in Ahwatukee and, in turn, the effect of increased crime on property values. This last point deserves some explanation. At present, weekly statistics from the police blotter indicate that there is virtually no violent crime or property crime in western Ahwatukee. The vast majority of Ahwatukee crimes occur in the eastern part of the town close to the I-10. The lack of crime in western Ahwatukee is likely due to the fact that, as the end of a big cul-de-sac, criminals have no escape route. Building the freeway will provide such an escape route and increase the attractiveness of the area to criminals as a result. Those who argue in favor of building the</p>

Code	Issue	Response
325	Community Impacts	<p>The California Department of Transportation study referred to in the original comment was the <i>Standard Environmental Reference Handbook, Volume 4, Appendix D, Transportation Effects on Property Value</i>, which concludes that while a majority of studies found that properties abutting the freeway do not appreciate as rapidly as other properties a little farther away from the freeway, there is a net gain in value in the general vicinity of the freeway attributable to increased accessibility to the regional freeway system. In other words, houses in both the abutting and the nearby zones appreciated more than comparable properties a few miles away from the freeway.</p> <p>The references provided were in response to concerns expressed and reveal few clear conclusions related to the relationship between the transportation infrastructure and residential property values.</p> <p>The environmental impact statement process followed the National Environmental Policy Act and Federal Highway Administration’s implementing regulations for conducting social and economic evaluations. The proposed action is not a regulatory action or policy action and is not governed by the noted guidelines.</p>

Code	Comment Document
327	<p><u>Inadequacies in AZ DOT's response:</u> AZ DOT provides a boilerplate response that ignores the substance of my comment on the inconsistent treatment of uncertainty surrounding benefits and costs.</p>

Code	Issue	Response
327	Children's Health	<p>While the U.S. Environmental Protection Agency has provided ample evidence that air pollution has the potential for greater adverse impacts on children compared with the population at large, this does not imply that the project will have disproportionate impacts on children. The project itself will affect all near-road populations equally; it does not include elements that would lead to higher air pollutant concentrations near children compared with other receptors. For example, a review of the project maps at <smfonlinehearing.com/maps/> indicates that while some schools are near the project corridor, the proposed freeway is not located closer to schools than it is to other nearby receptors.</p> <p>The U.S. Environmental Protection Agency's comment focuses entirely on children's health impacts related to air pollution. The project study area is designated as attainment for the sulfur dioxide, nitrogen dioxide, lead, and particulate matter (PM_{2.5}) National Ambient Air Quality Standards. The carbon monoxide and particulate matter (PM₁₀) hot-spot analyses (developed in consultation with the U.S. Environmental Protection Agency) demonstrate that no violations of those National Ambient Air Quality Standards will occur, and the project is included in the regional emissions analysis of a conforming plan and transportation improvement program, meeting the conformity requirements related to the ozone National Ambient Air Quality Standards. The U.S. Environmental Protection Agency and Federal Highway Administration agree that the project has met all applicable Clean Air Act and regulatory requirements related to compliance with the National Ambient Air Quality Standards.</p> <p>Clean Air Act Section 109(b)(1) requires the U.S. Environmental Protection Agency to promulgate primary National Ambient Air Quality Standards at levels that allow an adequate margin of safety and that are requisite to protect the public health. As noted by the U.S. Environmental Protection Agency in its 2013 rulemaking for particulate matter, Clean Air Act Section 109's legislative history demonstrates that the primary standards are "to be set at the maximum permissible ambient air level ... which will protect the health of any [sensitive] group of the population" (78 <i>Federal Register</i> 3086 and 3090) (quoting S. Rep. No. 91-1196, 91st Cong., 2 Sess. 10 [1970]) (alterations in original). Accordingly, the Final Environmental Impact Statement's National Ambient Air Quality Standards-based evaluation of criteria air pollutants includes a health-based review of sensitive populations, including children and seniors, given the National Ambient Air Quality Standards' inherent consideration of those factors. Furthermore, the National Ambient Air Quality Standards-based assessment ensures adequate consideration of health-based issues as "[t]he requirement that primary standards provide an adequate margin of safety was intended to address uncertainties associated with inconclusive scientific and technical information ... and to protect against hazards that research has not yet identified" (78 <i>Federal Register</i> 3090). By definition, if a project demonstrates that all National Ambient Air Quality Standards are met, as this project has done, then there cannot be any adverse National Ambient Air Quality Standards-related effects on the health of children or any other segment of the population.</p> <p>For mobile source air toxics, the net emissions impacts of the project affect children in the same manner that they affect the remainder of the population. Emissions will likely be higher along the project corridor and lower elsewhere in the Study Area. Regardless of the alternative selected, emissions are expected to decline by over 80 percent in the project study area over the life of the project. In addition, the summary of health risk assessments for past highway projects presented in the Final Environmental Impact Statement suggests that the mobile</p>

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327 (cont.)		<p>source air toxics health risks for this project are negligible, especially for the very short exposure time frames (as a fraction of a 70-year lifetime) occurring at schools and day care centers.</p> <p>The Federal Highway Administration also reviewed a recent sampling of the U.S. Environmental Protection Agency's own National Environmental Policy Act documents to gain a better understanding of the U.S. Environmental Protection Agency's preferred approach for addressing children's health under the National Environmental Policy Act.</p> <p>The South Mountain Freeway Final Environmental Impact Statement includes a full page of discussion of impacts on children's health. An example document from the U.S. Environmental Protection Agency with a more extensive discussion of children's health than what is provided in the South Mountain Freeway Final Environmental Impact Statement was not found. After a review of the approach the U.S. Environmental Protection Agency uses to address Executive Order 13045 in its own National Environmental Policy Act documents, the Federal Highway Administration considers the Final Environmental Impact Statement discussion sufficient.</p>

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COMMENT 15

Comments on FEIS from Scott Herman

Code	Issue	Response
328		Title page.

Code	Comment Document
	<p>Howard Shanker</p> <hr/> <p>From: Scott Herrmann <sherrmann@goprocure.com> Sent: Friday, November 14, 2014 3:27 PM To: projects@azdot.gov Cc: Pat Lawlis; Howard Shanker Subject: South Mountain Freeway FEIS</p> <p>Importance: High</p> <p>Hello AZDOT – Wake up and stop the madness, the south mountain freeway helps NO ONE and will only harm many elements of the South Mountain Municipal Park.</p> <p>I am not sure you know what you are building and how it will ruin one of Arizona great communities here in Phoenix. Ahwatukee, the Foothills and the Club West communities and many others will all suffer from this Loop 202 South Mountain Freeway.</p> <p>Let’s begin with Noise, it will grow exponentially versus what we have today, a quiet community virtually void of traffic noise.</p> <p>Pollution, trucks and cars running circles around a mountain top, cause the air to stagnate and eventually cover the top of the mountain with permanent pollution.</p> <p><u>What part of Mountain Preserve do you not understand?</u> A preserve is a PROTECTED environment that is not supposed to be used for a freeway. Why not move the freeway west along the highway 19 path and your connection west is built? Or just leave well enough alone, your facts are wrong and traffic, pollution and haz mat models are based upon wrong information too.</p> <ul style="list-style-type: none"> We do not want to have access to the west side of Phoenix, via a freeway which will only cause additional crime in our great communities. We have an almost secure cul-de-sac effect today that will be ruined with this freeway as you will open up a crime corridor to the west side. <p>Many animals who will get crushed, plus extremely fragile and diverse plant life that will never recover from your freeway. Sacred grounds of tribal nations will also be effected</p> <p>Did you know Section 4(f) of the Transportation Act mandates “the rejection of any project that requires the use of preserves and park land” unless: there is no feasible or prudent alternative... or such a project includes all possible planning to <u>minimize harm to a park and preserve</u>. You have done neither.</p> <p>Just because private entities think that this path is a good idea it’s not. Your <i>paving paradise for the profits of Swift Transportation and Union Pacific Railroad</i>. I hope you all choke on the pollution this will cause.</p> <p>I, as a member of PARC Protecting Arizona’s Resources and Children, realize you will vote and pass your own record of decision and leave us all with a ruined community> I want to point out, you will be legally challenged by PARC and Others. I have copied some PARC members and Mayor Greg Stanton and representative Sal DiGiccio so they realize what is happening to our community, before the first bulldozer moves <u>the precious earth of South Mountain</u>. Although they won’t say they oppose the freeway, I still wish they would as their supporters in this area are keeping tabs on their lack of a opinion. Maybe now they will generate one because it must be soon.</p>
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Code	Issue	Response
329	Noise	<p>The noise analysis conducted for and documented in the Draft and Final Environmental Impact Statements complied with the Federal Highway Administration's regulations for conducting noise analyses in 23 Code of Federal Regulations 0772. The noise analysis was updated for the Final Environmental Impact Statement using the most recent Federal Highway Administration and Arizona Department of Transportation policy and traffic projections provided by the Maricopa Association of Governments. Discussion of this updated analysis begins on page 4-88 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental Impact Statements resulted. The noise report may also be found on the project Web site at <azdot.gov/southmountainfreeway>.</p> <p>Without noise mitigation, noise levels from the freeway are predicted to range from 61 A-weighted decibels to 78 A-weighted decibels at the nearest homes, depending on the distance from the freeway. Noise mitigation was estimated to reduce those noise levels to a range of 55 A-weighted decibels to 64 A-weighted decibels for most of the areas (see Final Environmental Impact Statement page 4-93). Because of topography, local street traffic, or other engineering constraints in a few areas, estimated noise levels will not be reduced as much and will be as high as 64 A-weighted decibels to 70 A-weighted decibels (see Final Environmental Impact Statement page 4-93).</p>
330	Air Quality	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.</p> <p>For mobile source air toxics, the updated analysis showed that for the Study Area, constructing the freeway will have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions would decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement). Congestion relief resulting from the freeway will provide localized air quality emissions reductions on area freeways, arterial streets, and at interchanges, benefiting users of area highways and those living near or using congested roads.</p>

Howard Shanker

From: Scott Herrmann <sherrmann@goprocure.com>
Sent: Friday, November 14, 2014 3:27 PM
To: projects@azdot.gov
Cc: Pat Lawlis; Howard Shanker
Subject: South Mountain Freeway FEIS

Importance: High

Hello AZDOT – Wake up and stop the madness, the south mountain freeway helps NO ONE and will only harm many elements of the South Mountain Municipal Park.

I am not sure you know what you are building and how it will ruin one of Arizona great communities here in Phoenix. Ahwatukee, the Foothills and the Club West communities and many others will all suffer from this Loop 202 South Mountain Freeway.

Let's begin with Noise, it will grow exponentially versus what we have today, a quiet community virtually void of traffic noise.

Pollution, trucks and cars running circles around a mountain top, cause the air to stagnate and eventually cover the top of the mountain with permanent pollution.

What part of Mountain Preserve do you not understand? A preserve is a PROTECTED environment that is not supposed to be used for a freeway. Why not move the freeway west along the highway 19 path and your connection west is built? Or just leave well enough alone, your facts are wrong and traffic, pollution and haz mat models are based upon wrong information too.

- We do not want to have access to the west side of Phoenix, via a freeway which will only cause additional crime in our great communities. We have an almost secure cul-de-sac effect today that will be ruined with this freeway as you will open up a crime corridor to the west side.

Many animals who will get crushed, plus extremely fragile and diverse plant life that will never recover from your freeway. Sacred grounds of tribal nations will also be effected

Did you know Section 4(f) of the Transportation Act **mandates "the rejection of any project that requires the use of preserves and park land"** unless: there is no feasible or prudent alternative... or such a project includes all possible planning to minimize harm to a park and preserve. **You have done neither.**

Just because private entities think that this path is a good idea it's not. Your *paving paradise for the profits of Swift Transportation and Union Pacific Railroad*. I hope you all choke on the pollution this will cause.

I, as a member of PARC Protecting Arizona's Resources and Children, realize you will vote and pass your own record of decision and leave us all with a ruined community> I want to point out, you will be legally challenged by PARC and Others. I have copied some PARC members and Mayor Greg Stanton and representative Sal DiGicchio so they realize what is happening to our community, before the first bulldozer moves the precious earth of South Mountain. Although they won't say they oppose the freeway, I still wish they would as their supporters in this area are keeping tabs on their lack of an opinion. Maybe now they will generate one because it must be soon.

Code	Issue	Response
331 (cont.)		<p>dependent transit services, increased trip times, and higher user costs. Further, the No-Action Alternative would be inconsistent with Maricopa Association of Governments' and local jurisdictions' long-range planning and policies. The No-Action Alternative was included in the Draft and Final Environmental Impact Statements for detailed study to compare impacts of the action alternatives with the consequences of doing nothing (as impacts can result from choosing to do nothing). The impacts associated with the No-Action Alternative are discussed in each section of Chapter 4, <i>Affected Environment, Environmental Consequences, and Mitigation</i>, in the Final Environmental Impact Statement. These impacts are also summarized in Table S-3 on page S-10 of the Summary chapter of the Final Environmental Impact Statement.</p> <p>The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternative would:</p> <ul style="list-style-type: none"> • reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13) • optimize travel on the region's freeway system (see Figure 3-12) • reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14) • reduce the duration of level of service E or F conditions in key areas of the region's freeway system (see Figure 3-15) • improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8) • provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18) <p>When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits total approximately \$200 million per year (see Table 4-27).</p>
332	Crime	<p>While the City of Phoenix Police Department reported in 2005 that it did not have any statistics specific to crime adjacent to freeways, it did note that based on its experience there does not appear to be a correlation between crime rates and freeways.</p>

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I hope that you realize your building something no community member wants. Do the right thing and stop the madness and the South Mountain freeway Loop 202.

Thank you for your time.

Scott Herrmann
Director Mobile Solutions

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Code	Issue	Response
334 (cont.)		<p>construction of the freeway. The religious, spiritual, and cultural importance of the South Mountains is acknowledged in the Draft and Final Environmental Impact Statements in several locations, notably on page 5-26. The project will accommodate and preserve (to the fullest extent possible from the available alternatives) access to the South Mountains for religious practices. For more discussion of traditional cultural properties, see the section, <i>Cultural Resources</i>, beginning on page 4-140 of the Final Environmental Impact Statement and pages 5-26 through 5-28.</p> <p>Section 106 of the National Historic Preservation Act requires a government-to-government relationship between the federal government and Native American Tribes as described beginning on page 4-140 of the Final Environmental Impact Statement. Section 106 requires that federal agencies take into account the effects of their undertakings on historic properties. This process requires consultation with State Historic Preservation Officers and tribal authorities. Consultation has occurred with Gila River Indian Community government officials, the Tribal Historic Preservation Officer, the Cultural Resource Management Program, many different tribal authorities, and the State Historic Preservation Office. The consultation regarding all historic properties in the area of potential effects has resulted in concurrence from the Gila River Indian Community Tribal Historic Preservation Office, other tribal authorities, and the State Historic Preservation Office on National Register of Historic Places eligibility recommendations (including traditional cultural properties), project effects, and proposed mitigation and measures to minimize harm. This consultation has been ongoing and will continue until commitments made in the Record of Decision are completed.</p>

Code Comment Document

Howard Shanker

From: Scott Herrmann <sherrmann@goprocure.com>
Sent: Thursday, October 16, 2014 11:50 AM
To: projects@azdot.gov
Cc: Pat Lawlis; mayor.stanton@phoenix.gov; council.district.6@phoenix.gov; herrmann8r@msn.com; Howard Shanker
Subject: a PARC member Comment on Final Environmental Impact Statement for the Loop 202 South Mountain Freeway

I am not sure you know what you are building and how it will ruin one of Arizona great communities here in Phoenix. Ahwatukee, the Foothills and the Club West communities and many others will all suffer from this Loop 202 South Mountain Freeway.

- Let's begin with Noise, it will grow exponentially versus what we have today, a quiet community virtually void of traffic noise.
- Pollution, trucks and cars running circles around a mountain top, cause the air to stagnate and eventually cover the top of the mountain with permanent pollution.
- *What part of Mountain Preserve do you not understand?* A preserve is PROTECTED environment that is not supposed to be used for a freeway. Why not move the freeway west along the highway 19 path and your connection west is built? Or just leave well enough alone, your facts are wrong and traffic, pollution and haz mat models are based upon wrong information too.
- We do not want to have access to the west side of Phoenix, via a freeway which will only cause additional crime in our great communities. We have an almost secure cul-de-sac effect today that will be ruined with this freeway as you will open up a crime corridor to the west side.
- Many animals who will get crushed, plus extremely fragile and diverse plant life that will never recover from your freeway.
- Sacred grounds of tribal nations will also be effected

Did you know Section 4(f) of the Transportation Act **mandates "the rejection of any project that requires the use of preserves and park land"** unless: there is no feasible or prudent alternative... or such a project includes all possible planning to minimize harm to a park and preserve. **You have done neither.**

Just because private entities think that this path is a good idea it's not. Your *paving paradise for the profits of Swift Transportation and Union Pacific Railroad*. I hope you all choke on the pollution this will cause.

I, as a member of PARC Protecting Arizona's Resources and Children, realize you will vote and pass your own record of decision and leave us all with a ruined community> I want to point out, you will be legally challenged by PARC and Others. I have copied some PARC members and Mayor Greg Stanton and representative Sal DiCiccio so they realize what is happening to our community, before the first bulldozer moves the precious earth of South Mountain. Although they won't say they oppose the freeway, I still wish they would as their supporters in this area are keeping tabs on their lack of a opinion. Maybe now they will generate one because it must be soon.

I hope that you realize your building something no community member wants.
 Thank you for your time.

Scott Herrmann
 Director Mobile Solutions
 20+ years living in Ahwatukee
 Direct: 480.706.7030
sherrmann@goprocure.com

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Code	Issue	Response
335		Repeat of previous comment. See responses to previous document beginning on page A300.

Code	Issue	Response
337	Alternatives	The purpose and need identified in Chapter 1 of the Final Environmental Impact Statement is based on socioeconomic factors and regional transportation demand and existing and projected transportation system capacity deficiencies. The Interstate 8/State Route 85 Alternative is in place today and will be in place in the future as an alternative route for motorists to use to bypass the entire Phoenix metropolitan area. The alternative serves that purpose, but does not address the need related to transportation demand and existing and projected transportation system capacity deficiencies in the Phoenix metropolitan area. For this reason, it was eliminated from further study.
338	Alternatives	<p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the systematic alternatives development and screening process presented in Chapter 3 of the Draft and Final Environmental Impact Statements. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).</p> <p>The alternatives development and screening process considered the ability of an alternative to minimize impacts on the human and natural environments (see page 3-3 of the Final Environmental Impact Statement). Throughout the process described beginning on page 3-3, environmental impacts are used to eliminate alternatives. In the evaluation of action alternatives (see text beginning on page 3-62 of the Final Environmental Impact Statement), environmental and societal impacts play a substantial role in the identification of the W59 and E1 Alternatives as the Preferred Alternative. In comparison with the other action alternatives studied in detail, the Preferred Alternative is the least harmful alternative.</p>

Code	Comment Document
	<p>() Pecos Road. The final conclusion on p. 3-69 that the “ADOT sought to balance its responsibilities to address regional mobility needs while being fiscally responsible and sensitive [my emphasis] to local communities is insulting to the residents of Ahwatukee Foothills.</p>
339	<p>() I still do not understand why the traffic needs of the area are not addressed from the standpoint of 2014, rather than 1985. As I noted in my earlier letter, Pecos Road is no longer a southern extreme of the region, but one of three major avenues through Ahwatukee, with schools, homes, and churches bordering it. ADOT’s conclusion that there is no other alternative simply demonstrates a refusal to think beyond this old plan, a resistance to creative rethinking of the perceived problem.</p>
340	<p>() My previous letter stated, that: “The transportation needs of Phoenix, given the rising pollution levels in this city with increased EPA warnings and rising costs of fuel, would be better served by the implementation of a north-south light rail.” I would further note that the U.S. Public Interest Research Group (PIRG), in their report issued September 18, 2014, on Highway Boondoggles (USPIRG. 2014. Highway Boondoggles: Wasted Money and America’s Transportation Future. U.S. PIRG Education Fund and Frontier Group) notes that, “Americans drive no more now than we did in 2005, and no more on average than we did at the end of Bill Clinton’s first term as president. The recent stagnation in driving comes on the heels of a six decade-long Driving Boom that saw steady, rapid increases in driving and congestion ... along with the investment of more than \$1 trillion of public money in highways.” (USPIRG 2014, p. 1). They note that the number of cars and licensed drivers have declined since peaking in the 2000s, with the use of non-driving modes of transportation on the rise, with transportation behaviors changing fastest among members of the Millennial generation. The Arizona PIRG similarly states in their Summer 2014 publication, Transportation Trends in Arizona 2014 that there has been a 10.5% decline in annual driving miles per capita in Arizona from 2005–2012. The number of registered vehicles in AZ dropped by 0.5% between 2007 and 2012. The ADOT growth projections seem to be rather inconsistent with this more recent data (AZ PIRG 2014, p.3).</p> <p>() The US PIRG’s comment about state response could very well be a description of the South Mountain Freeway project:</p> <p>() States continue to spend tens of billions of dollars on new or expanded highways that are often not justified in terms of their benefits to the transportation system, or pose serious harm to surrounding communities. In some cases, officials are proposing to tack expensive highway expansions onto necessary repair and reconstruction projects, while other projects represent entirely new construction. Many of these projects began years or decades ago and have continued moving forward with no newer evaluation of whether their existence is justified. (USPIRG 2014, p. 4).</p> <p>() The ADOT assertion that this freeway must be built because it is “a major component” (FEIS, 3-37) of the Regional Freeway and Highway System is not an argument of why it must be built, but just further demonstration that the entire regional transportation system needs to be reconsidered, rather than trying to impose planning done in the 1980s on the community as it exists today. The “historical identification” (FEIS, 3-37) doesn’t make it more relevant; this only points to the fact that it is outdated.</p> <p>() The assertions of future demand do not consider changes in driving behavior occurring even as this freeway is being debated or adequately address how these traffic estimates would be changed by provision of more environmentally sound modes of transportation. The cursory rejection of the light rail alternative described on p. B735 based on “substantial community impact” does not begin to compare to the impacts identified in the South Mountain Freeway project. The “gains” in travel time in</p>

Code	Issue	Response
339	Purpose and Need	<p>The analysis of the purpose and need is based on today’s conditions, not the conditions of 1985. In June 2013, the Maricopa Association of Governments approved new socioeconomic projections for Maricopa County. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. The conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 3, <i>Alternatives</i>).</p> <p>The road network for the Maricopa Association of Governments regional travel demand model includes all of Maricopa and Pinal counties as well as small portions of Yavapai and Gila counties. While a road may not be within the Study Area for the proposed action, because it is included in the Maricopa Association of Governments travel demand model road network, its influence is considered in the traffic analysis for the proposed action.</p> <p>The South Mountain Freeway will be a commuter corridor, helping to move local traffic. As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles.</p>
340	Traffic Projections	<p>The study has considered a variety of transportation modes: transportation system management/transportation demand management, mass transit (commuter rail, light rail, expanded bus service), arterial street improvements, land use controls, new freeways, and a No-Action Alternative. These alternatives alone or in combination would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the region. Mass transit modes such as light rail and an expanded bus system were reexamined in the Final Environmental Impact Statement and were eliminated from further study because even better-than-planned performance of transit would not adequately address the projected 2035 travel demand (see Final Environmental Impact Statement page 3-4). For example, the average daily ridership for the light rail system connecting downtown Phoenix and the Arizona State University campus was approximately 44,000 in 2014. This is only approximately 25 percent of the total daily vehicles projected to use the freeway in 2035. Two high-capacity transit corridors are being considered near the western and eastern extents of the Study Area, but such extensions would not adequately address the projected 2035 travel demand. A freeway/light rail combination would integrate a freeway and light rail system into a single transportation corridor (see Final Environmental Impact Statement page 3-6). Such a freeway/light rail system is planned at two locations: along Interstate 10 (Papago Freeway) and along State Route 51 (Piestewa Freeway). These two segments would connect to the light rail system currently in operation. With these two freeway/light rail segments already in planning stages, members of the public identified a similar opportunity along the freeway. Most freeway/light rail combinations, however, radiate from a central travel demand generator such as a business district or airport. No such systems are known to follow a circumferential route, as the freeway would. Furthermore, the additional right-of-way needed for light rail (generally, a 50-foot-wide corridor) would have substantial community impacts such as displaced residences and businesses and parkland impacts. Therefore, the light rail alternative and light rail and freeway combination would</p>

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	<p>)</p> <p>)</p> <p>) Pecos Road. The final conclusion on p. 3-69 that the “ADOT sought to balance its responsibilities to address regional mobility needs while being fiscally responsible and sensitive [my emphasis] to local communities is insulting to the residents of Ahwatukee Foothills.</p> <p>)</p> <p>) I still do not understand why the traffic needs of the area are not addressed from the standpoint of 2014, rather than 1985. As I noted in my earlier letter, Pecos Road is no longer a southern extreme of the region, but one of three major avenues through Ahwatukee, with schools, homes, and churches bordering it. ADOT’s conclusion that there is no other alternative simply demonstrates a refusal to think beyond this old plan, a resistance to creative rethinking of the perceived problem.</p> <p>)</p> <p>) My previous letter stated, that: “The transportation needs of Phoenix, given the rising pollution levels in this city with increased EPA warnings and rising costs of fuel, would be better served by the implementation of a north-south light rail.” I would further note that the U.S. Public Interest Research Group (PIRG), in their report issued September 18, 2014, on Highway Boondoggles (USPIRG. 2014. Highway Boondoggles: Wasted Money and America’s Transportation Future. U.S. PIRG Education Fund and Frontier Group) notes that, “Americans drive no more now than we did in 2005, and no more on average than we did at the end of Bill Clinton’s first term as president. The recent stagnation in driving comes on the heels of a six decade-long Driving Boom that saw steady, rapid increases in driving and congestion ... along with the investment of more than \$1 trillion of public money in highways.” (USPIRG 2014, p. 1). They note that the number of cars and licensed drivers have declined since peaking in the 2000s, with the use of non-driving modes of transportation on the rise, with transportation behaviors changing fastest among members of the Millennial generation. The Arizona PIRG similarly states in their Summer 2014 publication, Transportation Trends in Arizona 2014 that there has been a 10.5% decline in annual driving miles per capita in Arizona from 2005–2012. The number of registered vehicles in AZ dropped by 0.5% between 2007 and 2012. The ADOT growth projections seem to be rather inconsistent with this more recent data (AZ PIRG 2014, p.3).</p> <p>)</p> <p>) The US PIRG’s comment about state response could very well be a description of the South Mountain Freeway project:</p> <p>)</p> <p>) States continue to spend tens of billions of dollars on new or expanded highways that are often not justified in terms of their benefits to the transportation system, or pose serious harm to surrounding communities. In some cases, officials are proposing to tack expensive highway expansions onto necessary repair and reconstruction projects, while other projects represent entirely new construction. Many of these projects began years or decades ago and have continued moving forward with no newer evaluation of whether their existence is justified. (USPIRG 2014, p. 4).</p> <p>)</p> <p>) The ADOT assertion that this freeway must be built because it is “a major component” (FEIS, 3-37) of the Regional Freeway and Highway System is not an argument of why it must be built, but just further demonstration that the entire regional transportation system needs to be reconsidered, rather than trying to impose planning done in the 1980s on the community as it exists today. The “historical identification” (FEIS, 3-37) doesn’t make it more relevant; this only points to the fact that it is outdated.</p> <p>)</p> <p>) The assertions of future demand do not consider changes in driving behavior occurring even as this freeway is being debated or adequately address how these traffic estimates would be changed by provision of more environmentally sound modes of transportation. The cursory rejection of the light rail alternative described on p. B735 based on “substantial community impact” does not begin to compare to the impacts identified in the South Mountain Freeway project. The “gains” in travel time in</p>
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Code	Issue	Response
340 (cont.)		<p>not be prudent and were eliminated from further study. The freeway mode was determined to be an appropriate response to the project’s purpose and need.</p> <p>The freeway is part of the <i>Regional Transportation Plan</i> for the Maricopa Association of Governments region. The <i>Regional Transportation Plan</i>, as described on pages 1-5 and 1-10 of the Final Environmental Impact Statement, addresses freeways, streets, transit, airports, bicycle and pedestrian facilities, freight, demand management, system management, and safety. The freeway is only one part of the overall multimodal transportation system planned to meet the travel demand needs of the Maricopa Association of Governments region. As noted on page 3-4 of the Final Environmental Impact Statement, however, even better-than-planned performance of transit and other modes would not adequately address the projected 2035 travel demand.</p> <p>Two of the key model inputs used to forecast travel demand (see Final Environmental Impact Statement page 3-27) account for the trends identified in the comment and in the Arizona PIRG findings: 1) the anticipated average number of vehicle trips within the region (including those to and from the region’s households) on a daily basis (this number is tracked regularly by the Maricopa Association of Governments), and 2) the distribution of transportation modes used by travelers in the Maricopa Association of Governments region (also tracked regularly by the Maricopa Association of Governments).</p> <p>While per capita travel is decreasing or stagnant, the total travel is still increasing as the population increases.</p>
341	Purpose and Need	<p>The Maricopa Association of Governments approved new population, employment, and housing projections in June 2013, and the project team obtained new traffic projections based on the approved socioeconomic projections. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).</p> <p>The Maricopa Association of Governments regularly updates its regional transportation planning studies that evaluate the travel demand across all modes of travel. The most recent study, the <i>2035 Regional Transportation Plan</i>, supports the need for the freeway along with other multimodal (freeway, light rail, bus, etc.) improvements to meet the region’s future travel needs.</p>

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	<p>()</p> <p>()</p> <p>() Table 3-8 (FEIS 3-34) are so negligible, as to be doubtful as to their accuracy or significance. The statement (beneath Fig. 3-17 on p. 3-34) that “Taken individually, savings [time] may not appear to be substantial, but when considered in the context of the hundreds of thousands of drivers, each day, over the course of numerous years...” might be alternatively finished as: “the cumulative exposures to pollution and noise will very negatively affect the health of the residents whose community is being destroyed for these small individual savings.” And, considering others’ declining estimates of vehicular use noted above (PIRG), with increased use of alternative modes of transportation, and changes in driving behaviors of younger Millennials, these small differences may actually be completely without significance to the drivers, only the residents left to suffer the presence of the freeway.</p> <p>()</p> <p>() The conclusions in Table 3-9 (FEIS, p. 3-34) make the assumptions that without the proposed freeway, that is no provisions for street widening, intersection improvements, alternative engineering solutions for the Broadway Curve, or in general, no efforts to readdress the needs of Phoenix in 2035. And what seems to the key conclusion, it would not “complete” the planned improvements in the Regional Transportation Plan. That is, the plan would need to be updated to reflect the failure in 1985 to anticipate the growth of Ahwatukee. So, once again, the conclusion rests on the attempt to impose 1985’s mistake on us in 2015-2035.</p> <p>()</p> <p>() I also expressed concerns about the current air pollution problems in Phoenix (Code 2, Air Quality), and how this proposed freeway would only exacerbate our problems. In my original letter, I quoted a 2010 assessment that:</p> <p>()</p> <p>() Arizona currently is not meeting the national standard for particulate matter, PM-10 (one-seventh the width of a human hair). Major concerns for human health from exposure to PM-10 include: effects on breathing and respiratory systems, damage to lung tissue, cancer, and premature death. The elderly, children, and people with chronic lung disease, influenza, or asthma, are especially sensitive.</p> <p>()</p> <p>() (Phoenix Business Journal, May 25, 2010).</p> <p>()</p> <p>() Your response stated that the EPA had approved the 2012 Five Percent Plan (FEIS, B733, B2392) and found the area in attainment of the 24-hour particulate matter (PM10) standard based on monitoring data for 2010–2012. And while you note that the EPA would concur with an exceptional event such as a haboob, I do not believe that you could cite the pollution generated from drilling South Mountain to be an “exceptional” event, and your response does not assure me that Phoenix will meet those standards for 2014–2016, and into the future. I am not reassured by your statement that a contractor will submit a written blasting plan prior to the blasting. Your response, #5 (Air Quality) suggests the concern would be whether blasting would cause property damage. Does that include such property as the lungs of the area residents? This is just the beginning of the increased health risks due to air pollution from the too near proximity of a freeway to houses, schools, and churches, but the construction period itself will pose significant hazards that are not at all adequately discussed here in the FEIS.</p> <p>()</p> <p>() In terms of the effects of air pollution hazards generated, your response cherry picks the Health Effects Institute (HEI) Special Report #16 (FEIS, p.4-84; B737, Code 5 Air Quality Health Effects) to point out difficulties in reaching conclusions because of “occupational cohorts-with high-concentration exposures” and the outrageous claim that animal studies cannot be relied upon to establish conclusions about carcinogens. Actually, HEI found extrapolation to humans to be “premature.” Animal models, however, are used in science in all manner of experiments, in which the use of human subjects would be unethical. I note that the HEI receives half of its funding from the worldwide</p> <p>()</p> <p>()</p>
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Code	Issue	Response
342	Purpose and Need	<p>The Maricopa Association of Governments approved new population, employment, and housing projections in June 2013, and the project team obtained new traffic projections based on the approved socioeconomic projections. The new data are presented in the Final Environmental Impact Statement beginning on page 1-11. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. While new projections based on the 2010 Census showed a lower projected population and vehicle miles traveled in 2035 than the previous projections, the conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 1, <i>Purpose and Need</i>, and Chapter 3, <i>Alternatives</i>). The traffic analysis demonstrated that the project is needed today and will continue to be needed into the future (see Final Environmental Impact Statement beginning on page 1-13).</p> <p>The Maricopa Association of Governments regularly updates its regional transportation planning studies that evaluate the travel demand across all modes of travel. The most recent study, the <i>2035 Regional Transportation Plan</i>, supports the need for the freeway along with other multimodal (freeway, light rail, bus, etc.) improvements to meet the region’s future travel needs.</p>
343	Air Quality	<p>The U.S. Environmental Protection Agency agreed with the Federal Highway Administration, Arizona Department of Transportation, and the other interagency consultation partners that construction-related emissions did not need to be analyzed as part of the particulate matter analysis.</p> <p>The section, <i>Temporary Construction Impacts</i>, on page 4-173 of the Final Environmental Impact Statement, discusses potential air quality impacts during construction as well as mitigation measures that will be followed during construction, including pollution produced during blasting activities. These measures are confirmed in the Record of Decision in Table 3, beginning on page 38.</p>
344	Health Effects	<p>The Federal Highway Administration and Arizona Department of Transportation acknowledge that there is disagreement about the conclusions of Health Effects Institute Special Report #16; however, the summary of this report is presented in the nature of background information, and does not have a bearing on the actual analysis of the project, or the other information provided in the Final Environmental Impact Statement regarding likely mobile source air toxic health impacts. The mobile source air toxics emissions analysis for the project indicates that emissions will decline by over 80 percent in the mobile source air toxics study area irrespective of whether the project is constructed or not, and that the project only makes a very small difference in this decline; the summary of prior health risk assessments for other highway projects indicate that these projects were estimated to have a very small incremental health risk.</p> <p>The information on other sources of exposure to mobile source air toxics pollutants was not provided to diminish the impact of mobile source emissions, but to help illustrate the complexity of meaningfully quantifying the health risk attributable to just one source of these pollutants, a source that most people are likely to be exposed to for only a small portion of their nominal 70-year lifetime at a fixed location adjacent to the roadway.</p>

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	<p>()</p> <p>()</p> <p>() motor vehicle industry as well as the additional funding from the FHWA and EPA, noted by your report. The idea you posit that highways are not the only source of air toxics, is hardly comforting, or a reason to vastly increment their levels in our environment.</p> <p>()</p> <p>() In fact, the entire discussion of health effects seems to be a rather large obfuscation. It reminds me of those who still deny the link between tobacco and lung cancer. Continuing studies raise serious concerns about the effects of near proximal exposures to air toxics, and attempting to minimize these by pointing to other sources of toxics than vehicular exhaust, for instance, is just being evasive. The ongoing studies are serious enough that should not be so cavalierly set aside as not being definitive enough for the ADOT.</p> <p>()</p> <p>() The County of Los Angeles in a 2013 report, entitled "Air Quality Recommendations for Local Jurisdictions also notes that studies indicate that residing near sources of traffic pollution can exacerbate asthmas, increase cardiovascular morbidity, and serious respiratory problems. California's Air Resources Board has recommended that freeways be sited at least 500 feet from residences and schools, and notes that the HEI suggests that unhealthy exposures occur up to 300-500 m. (http://publichealth.lacounty.gov/eh/docs/AQinFreeways.pdf). Does the ADOT plan for land acquisition and compensation for the SMF go even this far to protect we unfortunate whose homes do not lie in the path of the freeway but just beyond that path? At least three schools are within 500 meters of the proposed freeway route on Pecos Road.</p> <p>()</p> <p>() Further, environmental health science researchers at UCLA found that air pollutants from I-10 extended as far as 1.5 miles in early morning hours, ten times greater than previously measured daytime measurements at higher traffic volumes, in a study conducted by the UCLA researchers, the University of Southern California and the California Air Resources Board. (Hu, S., S. Fruin, K. Kozawa, S. Mara, S. E. Paulson, and A. M. Winer. 2009. "A wide area of air pollutant impact downwind of a freeway during pre-sunrise hours." <i>Atmospheric Environment</i> 43(16):2541–2549.) There is so much evidence of negative health effects that the FEIS simply does not address, ignoring current research or attempting to dismiss it as inconclusive.</p> <p>()</p> <p>() Additionally, the topic of hazardous cargo is given short shrift in the FEIS responses, citing a 1986 study of the two most frequently shipped hazardous materials. Is this the latest data you have available? (FEIS p. 4-166, B736, Code 15 no response offered B2393). There is not an adequate discussion of the particular risks to the community of Ahwatukee, given the concentration of housing in what has been referred to as the "nation's largest cul-de-sac." Emergency evacuation routes, in the event of an accident involving hazardous cargo, are not adequately addressed here. Yes, there are emergency response teams, municipal police and fire departments tasked with saving the lives of the residents endangered thusly, but the special configuration of the community, the proximity of the freeway to the houses and schools, the likelihood of increased truck traffic, including less regulated Mexican trucking all pose special dangers. While the FEIS avers that creating a truck bypass was not a goal of the freeway, the very fact that through truck traffic would not be restricted in this residential area shows a blatant disregard for the health and safety of the citizens, that the ADOT blithely expects 'true' through truck-traffic to continue to use I-8/SR 85 – and not be required to use a bypass – again speaks to the lack of concern for the residents whose homes would now front this proposed freeway. Can the ADOT cite any evidence from the City of Phoenix or Maricopa County to support the fact that the emergency responders can ensure the safety of residents in any number of possibly emergencies that might arise from an accident involving a truck—whether it be 10 percent of the traffic or more—carrying any of the many kinds of hazardous cargoes allowed to be transported?</p> <p>() Have there been emergency simulation tests for response times, for mass evacuations?</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p>
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Code	Issue	Response
345	Hazardous Materials	<p>According to 46 <i>Federal Register</i> 18026 (March 23, 1981), the environmental impact statement must discuss reasonably foreseeable actions. These are actions that are likely to occur or probable, rather than those that are merely possible. There are no requirements in 23 Code of Federal Regulations Part 771, Environmental Impact and Related Procedures, or in the Federal Highway Administration's Technical Advisory T 6640.8A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents, to address releases of hazardous chemicals resulting from a transportation incident in National Environmental Policy Act documents for transportation projects such as the South Mountain Freeway. Reasonably foreseeable actions are those that are likely to occur or probable, rather than those that are merely possible. Planning for emergency situations will be initiated as the project moves into design. Issues related to a severe accident exist for many portions of the Phoenix metropolitan area. A fast and effective response is critical in the emergency response plans prepared by emergency service providers and is discussed on page 4-166 of the Final Environmental Impact Statement.</p> <p>Arizona highways, as with most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The Arizona Department of Transportation has a few locations in the state with hazardous cargo restrictions, but these restrictions are based on emergency response issues or roadway design limitations specific to that location. For example, the Interstate 10 Deck Park Tunnel has certain hazardous cargo transport restrictions because of the limited ability for emergency responders to address a hazardous materials incident in the tunnel. The South Mountain Freeway is expected to operate under the same rules as other similar facilities in the state; transport of hazardous cargo would be expected to be allowed (see text box on page 4-166 of the Final Environmental Impact Statement).</p>
346	Trucks	<p>Trucks crossing from Mexico to Arizona are restricted to the commercial zones within 25 miles of the border. The Federal Motor Carrier Safety Administration is administering a United States-Mexico cross-border, long-haul trucking pilot program. The program tests and demonstrates the ability of Mexico-based motor carriers to operate safely in the United States beyond the municipalities and commercial zones along the United States-Mexico border (see <fmcsa.dot.gov/intl-programs/trucking/trucking-program.aspx>).</p> <p>Petróleos Mexicanos (better known as Pemex), the Mexican state-owned petroleum company that serves all of Mexico, provides 15 parts per million in its sulfur diesel fuel in the border region, which is consistent with the U.S. Environmental Protection Agency requirements for American diesel fuel (see <transportpolicy.net/index.php?title=Mexico:_Fuels:_Diesel_and_Gasoline>).</p> <p>Arizona highways, as are most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The South Mountain Freeway will operate under the same rules as other similar facilities in the state; truck traffic will be permissible (see text box on Final Environmental Impact Statement page 4-166).</p> <p>The CANAMEX and Phoenix truck bypass (Interstate 8/State Route 85) routes are not mandatory for truck traffic; they are recommended. The Arizona Department of Transportation does not enforce these routes. It is not anticipated that these routes would be enforced as mandatory in the future.</p>

Code	Comment Document
347	<p>Your response that prospective home buyers should have been informed of the proposed freeway after it had been conceived (FEIS, p. 4-13; B2394, Code 21 neighborhoods/communities) hardly addresses the fact that I was actually misled by a representative of the ADOT itself when I was purchased my home in 2002. I phoned the ADOT after being informed that this freeway “conception” from the 1980s had stalled. Unfortunately, I was rather naïve about Arizona highway politics, and I didn’t realize that I needed to record the call, identify the authority (I recall being transferred by the person who answered to the phone to some “authority” within the office) with whom I spoke. I was told in 2002 by this ADOT representative that the proposed freeway project from 1985 would have to be re-envisioned if funding became available again, given the growth of the community, and that he anticipated it would be relocated further south on land belonging to the GRIC. Only later, did I learn that at the time of my phone call, GRIC had not even allowed their land to be surveyed or studied for this purpose. The FEIS, on p. 4-17, states that, “While a freeway has been planned in this location for many years [but only now being evaluated for environmental impact], it is recognized that the intensive transportation use would generally be incompatible with residential uses.” How then are the residents with homes left to front this freeway supposed to live with this incompatibility? Further, on p. 4-28, there is a very questionable assertion that the E1 Alternative “would not substantially alter the character of nearly built-out Ahwatukee Foothills Village ... because the freeway would be on the village ‘outskirts.’ Those ‘outskirts’ are presently populated, so that those 121 houses would be destroyed, and the houses just north of Pecos Road would then become the new boundary, with the freeway fronting their property. How does this not change the character and maintain the serenity of the neighborhood?</p>
348	<p>I understand, too, the opposition now of the GRIC (p. B2393, Code 9, Alternatives), reflecting both their own concerns about their community’s health and well-being, but also concerns about the destruction of ancestral and sacred lands of the O’odham, specifically, South Mountain. It is not only our Native neighbors, but many of Phoenix’s residents, who do not desire to see South Mountain drilled for this freeway project. I cannot disagree more with the ADOT statement that there is no “prudent” alternative to avoid use of the mountains. If the ADOT has determined that this freeway must be built, without regard to changing driving behaviors, then why would placing an alternative south of the GRIC not satisfy the purpose of the freeway, in its circumferential route? The FEIS rejects the light rail alternative, because it claims is cannot meet this desired circumferential route, but why is the circle so circumscribed? If Phoenix is growing, and the transportation plan allegedly accounting for project growth, why shouldn’t the circle route be enlarged? Certainly, traffic patterns and studies of community growth point to increased development to the south of Phoenix, with increased demand on I-10 for north-south commutes into the city. What was not long vast open space between here and Tucson, is not dotted with businesses, communities, and residential development. When first conceived, Pecos Road was the “edge of town.” It is no more, so why not admit that the southern limits to the region are moving, and re-envision the planning to reflect that?</p>
349	<p>The preservation of South Mountain should supercede the imposition of this outdated plan to protect this environmental resource. The rape of this natural landmark for the construction of yet another freeway cannot be easily mitigated. There is no such thing as a small rape.</p> <p>My initial letter also expressed concern that the design of a depressed freeway instead of an at-grade rolling profile was being dismissed on the basis of cost – that is that the desirability of mitigating noise and visual blight to the neighborhood was simply dismissed in a cost-saving effort to push the plan through, acknowledging that an additional \$400 million would be needed for right-of-way-acquisition. Certainly saving a few more residences is not the goal of the ADOT (except to obtain the cost savings of leaving them to front the freeway). The FEIS does little to respond to my concerns for a better design (FEIS, p. 3-18), but instead just repeats the DEIS. The fact that the value of the property has risen in the years since the this freeway was first conceived, increasing ADOT’s cost of acquisition, is</p>

Code	Issue	Response
346 (cont.)		Because Mexican trucks are currently restricted to the border region, they are not operating in the Study Area and were not included in the air quality analyses, but the analyses included projected truck traffic. The carbon monoxide and particulate matter (PM ₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones (see discussions beginning on pages 4-75 and 4-76 of the Final Environmental Impact Statement, respectively). Mobile source air toxics can also have adverse health impacts, but the U.S. Environmental Protection Agency has not established National Ambient Air Quality Standards for these pollutants. As a result, the Federal Highway Administration analyzes these pollutants using emissions analyses. The mobile source air toxics emissions analysis for the Study Area found little difference in total annual emissions of mobile source air toxics emissions between the Preferred and No-Action Alternatives (less than a 1 percent difference) in 2025 and 2035. With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement).
347	Community Impacts	Mitigation measures to minimize the impact of the freeway on the remaining residents are presented throughout Chapter 4 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The impacts on community character and cohesion are presented in Table 4-9 beginning on page 4-27 of the Final Environmental Impact Statement.
348	Alternatives	Alternatives located south of the Gila River Indian Community, such as the Interstate 8/State Route 85 Alternative, were considered in the study. These alternatives would not meet the proposed action purpose and need as part of a regional transportation network and, therefore, was eliminated from further consideration (see page 3-9 of the Final Environmental Impact Statement). These far south alignments that would pass through Pinal County and western Maricopa County are similar to freeway alignments proposed for State Route 303L south of Interstate 10 and the Hassayampa Freeway (as described in the Maricopa Association of Governments <i>Interstate 10/Hassayampa Valley Roadway Framework Study</i> and the <i>I-8/I-10 Hidden Valley Transportation Framework Study</i>). These alternatives serve a different purpose than the proposed freeway.
349	Section 4(f) and Section 6(f)	The context and attributes of the South Mountains are described in the Final Environmental Impact Statement. The acreage of parkland to be converted to a transportation use is reported on page 5-14 in the section, <i>Direct Use</i> . It is reported that 31.3 acres—or just less than 0.2 percent of the parkland—will be converted to a transportation use (this is a reduction in the amount of use planned for in 1988). The text goes on to point out other concerns associated with the direct use reported, and text on page 5-14, in the sidebar, “ <i>The South Mountains in Phoenix’s Sonoran Preserve System</i> ,” describes the importance of Phoenix South Mountain Park/ Preserve in the region. Beginning on page 5-23 in the section, <i>Measures to Minimize Harm</i> , measures are presented to be undertaken to address the use impacts, including land replacement, on properties adjacent to the park. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

Code	Comment Document
	<p>))) Your response that prospective home buyers should have been informed of the proposed freeway after it had been conceived (FEIS, p. 4-13; B2394, Code 21 neighborhoods/communities) hardly addresses the fact that I was actually misled by a representative of the ADOT itself when I was purchased my home in 2002. I phoned the ADOT after being informed that this freeway “conception” from the 1980s had stalled. Unfortunately, I was rather naïve about Arizona highway politics, and I didn’t realize that I needed to record the call, identify the authority (I recall being transferred by the person who answered to the phone to some “authority” within the office) with whom I spoke. I was told in 2002 by this ADOT representative that the proposed freeway project from 1985 would have to be re-envisioned if funding became available again, given the growth of the community, and that he anticipated it would be relocated further south on land belonging to the GRIC. Only later, did I learn that at the time of my phone call, GRIC had not even allowed their land to be surveyed or studied for this purpose. The FEIS, on p. 4-17, states that, “While a freeway has been planned in this location for many years [but only now being evaluated for environmental impact], it is recognized that the intensive transportation use would generally be incompatible with residential uses.” How then are the residents with homes left to front this freeway supposed to live with this incompatibility? Further, on p. 4-28, there is a very questionable assertion that the E1 Alternative “would not substantially alter the character of nearly built-out Ahwatukee Foothills Village ... because the freeway would be on the village ‘outskirts.’ Those ‘outskirts’ are presently populated, so that those 121 houses would be destroyed, and the houses just north of Pecos Road would then become the new boundary, with the freeway fronting their property. How does this not change the character and maintain the serenity of the neighborhood?</p> <p>)) I understand, too, the opposition now of the GRIC (p. B2393, Code 9, Alternatives), reflecting both their own concerns about their community’s health and well-being, but also concerns about the destruction of ancestral and sacred lands of the O’odham, specifically, South Mountain. It is not only our Native neighbors, but many of Phoenix’s residents, who do not desire to see South Mountain drilled for this freeway project. I cannot disagree more with the ADOT statement that there is no “prudent” alternative to avoid use of the mountains. If the ADOT has determined that this freeway must be built, without regard to changing driving behaviors, then why would placing an alternative south of the GRIC not satisfy the purpose of the freeway, in its circumferential route? The FEIS rejects the light rail alternative, because it claims is cannot meet this desired circumferential route, but why is the circle so circumscribed? If Phoenix is growing, and the transportation plan allegedly accounting for project growth, why shouldn’t the circle route be enlarged? Certainly, traffic patterns and studies of community growth point to increased development to the south of Phoenix, with increased demand on I-10 for north-south commutes into the city. What was not long vast open space between here and Tucson, is not dotted with businesses, communities, and residential development. When first conceived, Pecos Road was the “edge of town.” It is no more, so why not admit that the southern limits to the region are moving, and re-envision the planning to reflect that?</p> <p>)) The preservation of South Mountain should supercede the imposition of this outdated plan to protect this environmental resource. The rape of this natural landmark for the construction of yet another freeway cannot be easily mitigated. There is no such thing as a small rape.</p> <p>)) My initial letter also expressed concern that the design of a depressed freeway instead of an at-grade rolling profile was being dismissed on the basis of cost – that is that the desirability of mitigating noise and visual blight to the neighborhood was simply dismissed in a cost-saving effort to push the plan through, acknowledging that an additional \$400 million would be needed for right-of-way-acquisition. Certainly saving a few more residences is not the goal of the ADOT (except to obtain the cost savings of leaving them to front the freeway). The FEIS does little to respond to my concerns for a better design (FEIS, p. 3-18), but instead just repeats the DEIS. The fact that the value of the property has risen in the years since the this freeway was first conceived, increasing ADOT’s cost of acquisition, is</p> <p>)))</p>

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Code	Issue	Response
349 (cont.)		<p>City of Phoenix planning efforts since the mid-1980s illustrate an awareness of the potential for the proposed freeway to affect Phoenix South Mountain Park/ Preserve. In 1989, the South Mountain Park Master Plan was adopted by the Phoenix City Council. The master plan shows the freeway alignment as adopted by the State Transportation Board in 1988. In 1990, the Phoenix Mountain Preserve Act was ratified by the Arizona Legislature. The Act did not apply to roadways through a designated mountain preserve if the roadway was in the State Highway System prior to August 15, 1990. The proposed freeway was in the State Highway System prior to 1990.</p> <p>Records prior to the Act suggest a primary reason for the exception was to allow the proposed freeway to go through Phoenix South Mountain Park/Preserve (see page 5-14 of the Final Environmental Impact Statement). The project team examined alternatives to avoid the park, but did not identify any feasible and prudent alternatives to avoid impacts. The Arizona Department of Transportation continues to work with park stakeholders to minimize impacts and address concerns. Measures to minimize harm to the park were developed (see Final Environmental Impact Statement, starting on page 5-23).</p> <p>The U.S. Department of the Interior reviewed the Final Environmental Impact Statement and commented, “The Department agrees that the South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the “Measures to Minimize Harm” on the Section 4(f) Statement pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment.”</p>
350	Design	<p>As noted beginning on page 3-15 of the Final Environmental Impact Statement, depressing the Pecos Road sections would entail installation of pump stations to drain the main line freeway. A depressed freeway would also need a drainage channel to capture the off-site flows to prevent their entering the freeway. Pump stations were not used because of the high cost of construction and maintenance needed for their operation. The recommended freeway configuration has the E1 Alternative aboveground and the existing culverts extending to pass the drainage under the freeway. Pecos Road currently has numerous existing culvert crossings. Depressing the freeway in this area would eliminate the existing culvert crossings and potentially have adverse flooding impacts on adjacent properties. Extending the existing culverts or upsizing the culverts would maintain or improve drainage flows. This would ensure that there would be no adverse flooding impacts on adjacent properties. To reduce impacts by depressing the freeway in the Eastern Section, the Arizona Department of Transportation would:</p> <ul style="list-style-type: none">• need to spend an additional \$400 million for right-of-way acquisition and construction• displace an additional 300 residences• maintain additional pump stations and detention basins for the life of the freeway• still have noise-related impacts requiring mitigation (i.e., noise barriers and their associated costs and visual impacts) <p>Because the belowground option would result in substantially greater costs and residential displacements, this option was eliminated from further study.</p>

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	<p>()</p> <p>()</p> <p>() not an excuse to plan it on the cheap at the expense of the neighborhoods, to punish the residents for the poor planning of the ADOT. The FEIS, again, minimizes the importance of a depressed freeway but saying, "It cannot be assumed, however, that a depressed freeway would reduce all noise and visual impacts." No, we do not think the depressed freeway will magically eliminate all the negative impacts of a freeway next to our homes, but we would like to reduce the impact as much as possible. The rolling profile was "carried forward" to save money apparently, without regard to the residents who are being impacted.</p> <p>()</p> <p>()</p> <p>(351) () The FEIS's response was also inadequate to my point that the proposed rolling profile would limit the access necessarily, and one proposed elimination would be at 32nd Street, which would only serve to increase traffic on Liberty Lane, already congested in school opening and closing hours, to enable transportation to schools. A traffic study completed by the City of Phoenix in 2006 was cited by the FEIS (B2395)—an eight-year-old study (!) in this neighborhood is hardly reliable data to judge the impact on the local street system. I would invite anyone from that study group or ADOT to drive down Liberty Lane between 24th and 32nd Streets at the beginning and ending of school days (with three schools on this short section of street) and truly judge the impact of closing access to 32nd Street.</p> <p>()</p> <p>(352) () The FEIS response on noise pollution also largely referred back to the DEIS (FEIS, B739). Chronic exposure to noise is associated with hypertension and heart disease, as well as hearing impairment. We live in a noisy world, but the peace of our homes will most definitely be disturbed by having this freeway front it, and the FEIS response here does little to reassure that real efforts will be made to protect exposures to excessive noise. Rather, the FEIS notes (p. 4-99) that 20 new barriers will be needed along the E1 Alternative to reduce noise levels to ADOT NAP standards, and that "four of the receivers ... would not be reduced in full accordance even with a 20-foot high noise barrier. How can this be justified? Given the underestimation of truck traffic, one might expect there would be a consequent underestimation of the noise generated, as well.</p> <p>()</p> <p>(353) () The FEIS suggests the loss in tax revenue would be 'nearly inconsequential' (B2394, Code 19, Economics, socioeconomics) to the state. That does not address the loss of value that homeowners residing next to the freeway will experience. We bought our home for our family in good faith, chose a neighborhood with a low crime rate, and good schools, but that will change, despite the very limited and glossed over assumptions put forth in the FEIS. Our loss will be far more consequential.</p> <p>()</p> <p>() Sincerely,</p> <p>()</p> <p>() Patricia Mason</p> <p>() 16833 S. 24th Place</p> <p>()</p> <p>() Phoenix, AZ 85048</p> <p>()</p> <p>()</p> <p>()</p> <p>() On Jul 20, 2013, at 5:51 PM, Patti Mason wrote:</p> <p>()</p> <p>()</p> <p>() July 20, 2013</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p>

Code	Issue	Response
351	Design	<p>The determination to not include an interchange at 32nd Street was not dictated by the use of the rolling profile or the depressed profile. The interchange would have required the displacement of over 100 homes and would have been located near an existing high school. The City of Phoenix recommended that, based on these impacts, the interchange be removed from the study. The recommendation was made regardless of the freeway profile.</p> <p>There is no reason to assume that traffic conditions would have changed substantially since 2006 because no additional developments have been approved in the area.</p>
352	Noise	<p>The noise analysis conducted for and documented in the Draft and Final Environmental Impact Statements complied with the Federal Highway Administration's regulations for conducting noise analyses in 23 Code of Federal Regulations § 772. The noise analysis was updated for the Final Environmental Impact Statement using the most recent Federal Highway Administration and Arizona Department of Transportation policy and traffic projections provided by the Maricopa Association of Governments. Discussion of this updated analysis begins on page 4-88 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental Impact Statements resulted. The noise report may be found on the study Web site at <azdot.gov/southmountainfreeway>.</p> <p>Without noise mitigation, noise levels from the freeway are predicted to range from 61 A-weighted decibels to 78 A-weighted decibels at the nearest homes, depending on the distance from the freeway. Noise mitigation was estimated to reduce those noise levels to a range of 55 A-weighted decibels to 64 A-weighted decibels for most of the areas (see Final Environmental Impact Statement page 4-93). Because of topography, local street traffic, or other engineering constraints in a few areas, estimated noise levels will not be reduced as much and will be as high as 64 A-weighted decibels to 70 A-weighted decibels (see Final Environmental Impact Statement page 4-93).</p> <p>Although not recognized by the Federal Highway Administration as mitigation, rubberized asphalt will be used as the top level of paving; it is discussed beginning on Final Environmental Impact Statement page 4-99.</p>
353	Community Impacts	<p>As noted on page 4-13 of the Final Environmental Impact Statement, the City of Phoenix first documented a future major transportation facility to serve the southwestern part of Phoenix in a 1980 planning report, <i>Annexation Implications in the Area South of South Mountain Park</i>. The City of Phoenix recommended constructing a six-lane freeway interchange on Pecos Road and a six-lane street from Interstate 10 (Maricopa Freeway) west on Pecos Road and continuing northwest to 51st Avenue (City of Phoenix 1980). In 1985, the Maricopa Association of Governments modified the proposal by proposing a future six-lane freeway on a similar alignment (instead of the six-lane street). The Maricopa Association of Governments proposal was included in the 1985 <i>Long-Range Transportation Plan</i>, and the evolved South Mountain Freeway has been included in adopted long-range plans ever since.</p> <p>With the Study Area subject to continued land development projects, the proposed action will require acquisition of developed properties and relocation of property owners for right-of-way where there was once mostly vacant land. Public comments received from potentially affected property owners as part of the environmental impact statement process suggest the City of Phoenix, land</p>

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Code	Issue	Response
353 (cont.)		<p>developers, and Arizona Department of Transportation did not disclose the future freeway project. Review of previously published Arizona Department of Transportation, City of Phoenix, Maricopa Association of Governments, and developer documents confirms freeway project and alignment disclosure has occurred since 1980, when the Study Area was still primarily vacant land.</p> <p>Since original adoption of the South Mountain Freeway alignment (an alignment similar to the W59 and E1 Alternatives) in 1984, the Arizona Department of Transportation has purchased some right-of-way in the Western and Eastern Sections (the original alignment and locations of property owned by the Arizona Department of Transportation in 2000 are shown in maps on pages 4-12 and 4-13 of the Final Environmental Impact Statement). In the same time period, the City of Phoenix has approved six planned community districts adjacent to the proposed eastern alignment. These developments are Lakewood, Foothills, Pecos Road, Goldman Ranch, Foothills Reserve, and South Mountain 620. Approvals for these require developers to inform potential buyers of conflicts with planned transportation projects such as the proposed action. These mechanisms include:</p> <p>City of Phoenix responsibility - Stipulations referring to the freeway alignment were included in the zoning cases for each of the developments, except for the Lakewood Planned Community District. The Circulation Master Plan for the Lakewood Planned Community District identifies the clean take line (the line where subdivisions are severed for the freeway and the remaining properties continue to function as intended) for the future freeway. The City of Phoenix makes available a published media guide disclosing the freeway awareness stipulations or plan reference for each planned community district.</p> <p>Developer responsibility - Arizona real estate law requires developers to disclose adverse conditions such as construction of a future freeway in a public document [5 Arizona Administrative Code 650, R4-28-A1203]. Additionally, Arizona State Law states that subsequent purchasers have the right to “receive a copy of the public report” and “any contract, agreement or lease which fails to make disclosures . . . shall not be enforceable against the purchaser” (5 Arizona Revised Statutes 32-2185.06). Developers typically disclose adverse conditions in the covenants, conditions, and restrictions document, which is provided to potential buyers who in turn are required to acknowledge they have received and read the covenants, conditions, and restrictions by signing documents provided during the closing period of the sale.</p> <p>Arizona Department of Transportation responsibility - The Arizona Department of Transportation uses the “Red Letter” process to coordinate planned transportation projects with proposed developments within local jurisdictions. Local jurisdictions are requested to notify the Arizona Department of Transportation of potential development plans within ¼ mile of established or proposed project corridors. The Arizona Department of Transportation assigns a Red Letter Coordinator to review the proposed development projects and to provide a written response explaining the transportation project’s potential effects on the proposed developments.</p>

Code Comment Document

Arizona Department of Transportation (ADOT)

1655 West Jackson Street, MD 126F

Phoenix, Arizona 85007

projects@azdot.gov

As a citizen of Phoenix, a resident of Ahwatukee, a voter, and a member of Protecting Arizona Resources and Children (PARC), I am writing to state my opposition to the proposed expansion of Loop 202/South Mountain Freeway (SMF), and urge the ADOT to NOT BUILD on Pecos Road.

In the intervening years since the project was first approved in 1985, the community of Ahwatukee was allowed to grow and expand to become a thriving neighborhood in Phoenix, with excellent schools that attracts new residents, and a good place to raise families.

When the original funding and support for this project dissipated, the project should have been scrapped, and a new plan should have considered the growth of Maricopa County since 1985, with developments to the south such as Queen Creek. Pecos Road is no longer the southern extreme of the region, but rather one of three major avenues through Ahwatukee with schools, homes, and churches bordering it.

The transportation needs of Phoenix, given the rising pollution levels in this city with increased EPA warnings and rising costs of fuel, would be better served by the implementation of a north-south light rail. The EPA has previously said that federal transportation funds could be withheld if Arizona cannot meet acceptable air quality standards, determining that pollution spikes cannot be attributed to simply dust storms: "Arizona currently is not meeting the national standard for particulate matter, PM-10 (one-seventh the width of a human hair). Major concerns for human health from exposure to PM-10 include: effects on breathing and respiratory systems, damage to lung tissue, cancer, and premature death. The elderly, children, and people with chronic lung disease, influenza, or asthma, are especially sensitive." (*Phoenix Business Journal*, May 25, 2010). Add the blasting of South Mountain, the bedrock blasting on the E-1 "alternative" identified by the ADOT, in the construction of the freeway itself, and the subsequent vehicular pollution, and you have a recipe for increased health risks, health costs, decreased federal funding, and overall decrease in quality of life itself.

Moreover, "a 2008 study of Maricopa County by the Arizona Department of Environmental Quality and Arizona State University found a correlation between elevated amounts of particle pollution and asthma-related absences at nearby schools." (*Ahwatukee Foothill News*, February 18, 2010.) At least three schools are within 500 meters of the proposed freeway route on Pecos Road. Not only does the proximity of the proposed freeway to homes and schools create a health risk for schoolchildren and residents, but the nature of the topography in the community itself could affect how the air pollution generated from the freeway stagnates between South Mountain and the Estrellas.

The passage of Proposition 400 in 2004 for a Regional Transportation Plan was not a mandate to continue this ill-fated project. At the time of the vote, the advertising and messaging to the voters was largely about the light rail system. Voters approved the funding for new transit systems, improvements to existing roads, and construction of new freeways. But the Loop 202 extension was presented as under study with various alternative routes, and with alleged discussions with the Gila River Indian Community (GRIC).

This citizen was informed, upon phoning the ADOT, when contemplating moving to Ahwatukee in 2002 that the proposed freeway project from 1985 would have to be re-envisioned if funding became available, given the growth of the community, and it was anticipated it would be relocated further south on land belonging to the GRIC. Only later, did I learn that at that time GRIC would not even allow their land to be surveyed or studied for this purpose. In retrospect, this seems to have been ADOT wishful thinking spoken as fact. As we are all aware, various negotiations did begin and stop with GRIC, and they have voted for a no-build option, an option not offered to the citizens of Phoenix in their advisory groups. Their opposition, like ours, reflect concerns not only about pollution but also destruction of ancestral and sacred land.

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Code	Issue	Response
354		Comment submitted on the Draft Environmental Impact Statement reviewed (see response on page B2392 of Volume III of the Final Environmental Impact Statement).

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	<p>() While then Phoenix Mayor Gordon was on record (at the ADOT website) as lauding the infrastructure ensured by Prop 400’s passage, he is also on record as saying that he did not support the Pecos Road alignment. (Ahwatukee Foothill News, March 9, 2007). There has never been a mandate for the construction of Loop 202 on Pecos Road, and yet, it continually is presented as the only possible route.</p> <p>() Other alternatives such as the SR 85/I-8 truck bypass are dismissed in the Draft Environmental Impact Statement (DEIS) as not meeting “the proposed action purpose and need as a regional transportation network.” This is a wanting explanation of its elimination from consideration; empty words to fill the pages. While the DEIS discounts the idea that the proposed South Mountain Freeway will be a truck bypass, or alternative to the Canamex route, there are no proposed restrictions to prevent trucks from Mexico, with high-sulfur diesel from choosing this route past schools and homes. There is also no serious discussion in the DEIS about hazardous waste accidents resulting from an accident on the proposed freeway. The layout of Ahwatukee itself – “the world’s largest cul-de-sac” – means that any evacuation necessary would be difficult to execute. Will trucks carrying hazardous cargo be rerouted? There is certainly no discussion or plan for this contingency.</p> <p>() This freeway will be destructive to the Ahwatukee community, to the sacred South Mountain (of the O’odham tribes) and the generally beloved South Mountain in the largest urban park nationally. It will be a financial disaster as well as an environmental one. MAG’s insistence on building this boondoggle will result in the allocation of regional funds to purchase expensive homes in Ahwatukee for destruction and in costs to blast the mountain, with other projects going unfunded. The DEIS notes, in response to feedback for more light rail, that “no funds are available or anticipated to support a combined system through the Study Area.” Despite the public’s approval of a regional transit plan, the “plan” cannot consider light rail because it has allocated all of its funding toward implementing the outdated freeway. Not only alternative alignments, but alternative uses of transportation monies to meet the region’s infrastructure needs have all been eliminated here in order to present this project as something that is inevitable. It is not.</p> <p>() The impact will not only be this community—in terms of increased noise and air pollution, risks of greater environmental disasters with unregulated truck traffic, and loss of tax revenues with home, church, and business destruction, lowered property values of remaining homes, and increased crime—but have effects on the entire region.</p> <p>() Those who voted for a regional transportation plan may have believed that other areas of the region would also be well served, as opposed to one area being ill-served. Solutions to the traffic congestion, for instance, in the Broadway Curve area, would be better found in engineering projects wisely addressed by civic planners than in a truck bypass in Ahwatukee. Not only would the community of Ahwatukee be blighted by the extension of 202, the entire region would suffer the consequences of this ill-spent allocation of the transportation funds. Taxpayer funding will be wasted, as ADOT and MAG continue to push for 25-year old plans to be implemented, with no forward-looking planning.</p> <p>() Suggestion for a depressed freeway instead of an at-grade rolling profile to possibly reduce some of the noise and visual impacts were quickly dismissed, primarily due to cost factors. In other words, there is not sufficient funds to protect the neighborhood through improved engineering plans, to do the job right. The suggestion that there would be more residential displacements is not contrasted against whether the residents whose homes are saved to front an at-grade rolling freeway would perhaps have rather been spared this atrocity. And, the final piece of “logic” offered by the DEIS that even with a depressed freeway, there would still be visual and noise impacts that would require mitigation is not an argument for the rolling profile, but for a no build option!</p> <p>() The proposed rolling profile would limit the access necessarily, and one proposed elimination would be at 32nd Street. This would serve to increase traffic on Liberty Lane, already congested in school opening and closing hours, to enable transportation to these schools. The schools and houses “saved” by the cost-cutting measures for freeway construction would suffer greatly.</p> <p>() Conclusions drawn concerning “2035 traffic conditions” in the DEIS are based on faulty reasoning as well. To suggest that nonfreeway alternatives would “capture only a small percentage of the capacity deficiency” does not consider that the alternative could be the wiser use of scarce resources to fund light rail and other forms of transportation that do not rely upon the one person-one car formula now that congests our regions and ensures more and more air pollution advisories. Rather this argument can only envision a future that is exactly like the present, and the Loop 202 would just be another congested area to further depress the living quality for Phoenix. Surely, the creators and perpetrators of the 1985 plan will have moved on by 2035, and we can only hope that the civic planners in 2035 are not left with a terrible mess to try to rectify.</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p> <p>()</p>

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COMMENT 17

**Comments on the South Mountain Freeway (Loop
202) Final Environmental Impact Statement and
Section 4 (f) Evaluation ("FEIS")**

**By
James E. Jochim**


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355		Title page.

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Code	Comment Document
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From: [Projects](#)
To: [ADOT](#)
Cc: [Spargo, Benjamin](#); [Robert Samour](#); [Carmelo Acevedo](#); [Gruver, Terry](#)
Subject: FW: Comments of the Phoenix Mountain Preservation Council Inc., to South Mountain Freeway
Date: Tuesday, November 25, 2014 12:36:33 PM
Attachments: [PMPC 2011_11_25 Comments SR 202L.pdf](#)

Adding some additional names to this forward as this looks to be a special interest group.

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
[azdot.gov](#)


From: Susan Montgomery [mailto:smontgomery@milawaz.com]
Sent: Tuesday, November 25, 2014 11:27 AM
To: Projects
Cc: Robin; Patrick McMullen
Subject: Comments of the Phoenix Mountain Preservation Council Inc., to South Mountain Freeway

Dear ADOT Project Team:

Please find attached the comment letter of the Phoenix Mountain Preservation Council, Inc. (PMPC) for your consideration with regard of to the Final Environmental Impact Statement and Section 4(f) analysis regarding the SR 202L project being proposed by ADOT and FHWA. A hard copy will follow in the mail.

Should you have any questions regarding these comments or have any technical concerns with opening the attachment, please contact me immediately. Regards,


Susan B. Montgomery, Esq.
MONTGOMERY & INTERPRETER, PLC
?4835 E. Cactus Rd., Suite 210?
Scottsdale, AZ 85254
Ph (480) 513-6825
Fax (480) 513-6948

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Code	Issue	Response
1		Comment noted. Responses to specific comments are provided on the following pages.

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	<div>liability for any loss or damage arising from the use of this e-mail or attachments, or for any delay or errors or omissions in the contents which result from e-mail transmission.</div> <div><hr/><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div>

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	<div></div> <p>November 25, 2014</p> <p>Via email at projects@azdot.gov and Certified U.S. Mail, Return Receipt Requested 7010 1060 0002 2186 3861</p> <p>South Mountain Freeway Project Team Arizona Department of Transportation 1655 West Jackson Street, MD 126F Phoenix, AZ 85007</p> <p>Re: South Mountain Freeway, ADOT Project Number: 202L MA 054 H5764 01L Federal-aid Project Number: NH-202-D(ADY)</p> <p>Dear South Mountain Freeway Project Team:</p> <p>This letter is written on behalf of the Phoenix Mountain Preservation Council, Inc. (PMPC) with regard to the Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation prepared by the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) under the National Environmental Policy Act, 42 U.S.C. § 4321, <i>et seq.</i> (NEPA), Section "4(f)" of the U.S. Department of Transportation Act, 49 U.S.C. § 303, and applicable law.</p> <p>PMPC opposes any alignment of the Loop 202 South Mountain Freeway ("SR 202L" or "the project") that would trespass onto the South Mountain Park/Preserve ("SMPP" or "the Park") or result in the destruction of ridgelines or lands within Park. Our mountain preserves ensure a lifestyle that 80% of Arizona voters consistently support. The mountain preserves are unique and are for people and wildlife, not for vehicle trespass. PMPC is also concerned that the alignment of SR 202L will adversely impact our public parks and schools and the important recreational and other opportunities that these public places provide.</p> <p>The PMPC is an organization put into place by Arizona visionaries. For the last 40 years, PMPC members have worked tirelessly to preserve and protect our precious Mountain Preserve system and to monitor and address the rapid population that surrounds these important public resources, through advocacy, education, political action and collaboration with citizens, the City of Phoenix and other like-minded organizations and agencies.</p>

2

Code	Issue	Response
2	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	<p>The context and attributes of the South Mountains are described in the Final Environmental Impact Statement, beginning on page 5-14. The acreage of parkland to be converted to a transportation use is reported on page 5-14 in the section, <i>Direct Use</i>. It is reported that 31.3 acres—or just less than 0.2 percent of the parkland—will be converted to a transportation use (this is a reduction in the amount of use planned for in 1988). The text goes on to point out other concerns associated with the direct use reported, and text on page 5-14, in the sidebar, “<i>The South Mountains in Phoenix’s Sonoran Preserve System</i>,” describes the importance of Phoenix South Mountain Park/Preserve in the region. Beginning on page 5-23 in the section, <i>Measures to Minimize Harm</i>, measures are presented to be undertaken to address the use impacts, including land replacement, on properties adjacent to the park.</p> <p>City of Phoenix planning efforts since the mid-1980s illustrate an awareness of the potential for the proposed freeway to affect Phoenix South Mountain Park/ Preserve. In 1989, the South Mountain Park Master Plan was adopted by the Phoenix City Council. The master plan shows the freeway alignment as adopted by the State Transportation Board in 1988. In 1990, the Phoenix Mountain Preserve Act was ratified by the Arizona Legislature. The Act did not apply to roadways through a designated mountain preserve if the roadway was in the State Highway System prior to August 15, 1990. The proposed freeway was in the State Highway System prior to 1990. Records prior to the Act suggest a primary reason for the exception was to allow the proposed freeway to go through Phoenix South Mountain Park/Preserve (see page 5-14 of the Final Environmental Impact Statement). The project team examined alternatives to avoid the park, but did not identify any feasible and prudent alternatives to avoid impacts. The Arizona Department of Transportation continues to work with park stakeholders to minimize impacts and address concerns. Measures to minimize harm to the park were developed (see Final Environmental Impact Statement, starting on page 5-23).</p> <p>The Department of the Interior reviewed the Final Environmental Impact Statement and commented, “The Department agrees that the South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project. These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the “<i>Measures to Minimize Harm</i>” on the Section 4(f) Statement pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment.” The complete letter can be found in page A5 of this Appendix A.</p>

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	<p>PMPC members and people not only from Arizona, but from around the world, heavily use the Phoenix Preserves to recreate for physical and mental health in a unique Sonoran Desert environment that is quickly disappearing as the result of development and growth. The serene and close proximity to a large urban area makes South Mountain Park/Preserve a convenient place for everyone to reflect, hike, bike, horseback ride, and study flora and fauna within minutes of our homes. Destruction of any part of this natural resource will disrupt and destroy the plant and wildlife as well the visual, tranquil recreation experience.</p> <p>The PMPC Board is made up of an Executive Board consisting of a president, vice-president, treasurer, secretary and recording secretary and supported by 15 board members. Monthly meetings are held January through September and are open to the public. Committees are regularly formed to address specific projects and meet as needed. Annual dues are collected to support a quarterly newsletter, webpage and North Mountain Visitor Center rental. Membership is open to anyone.</p> <p>As discussed in greater detail below and in our prior comments on this project, ADOT and the FHWA (collectively, "the Departments") have failed to fulfill their statutory obligations under NEPA, Sec. 4(f) and other applicable provisions of law. For this reason, PMPC urges the Departments to take a step back and revisit the FEIS and the Section 4(f) process in order to meaningfully address the serious failings in these documents that do not adequately identify, analyze, minimize or mitigate for the impacts of this project.</p> <p>PMPC reserves the right to submit additional comments to any supplemental materials or new information or analysis prepared by the Departments in relation to this project. In addition, PMPC expressly incorporates the comments of Protecting Arizona's Resources and Children (PARC), as well as those comments submitted on behalf of our individual members, including but not limited to those filed by Robin Salthouse, Sally Lindsay, Jan Hancock, Wendy Hodgson, Patrick McMullen, and Susanne Rothwell.</p> <p>I. The South Mountain Park/Preserve Is a Unique and Valuable Public Resource</p> <p><i>"The natural beauty of our horizon, our close-in mountain slopes and natural areas – this is the very substance of the natural environment that has been so instrumental in the population and economic growth of this region. The grand scale and rugged character of these mountains have set our lifestyle, broadened our perspective, given us space to breathe, and freshened our outlook. These mountains are the plus that still outweighs the growing minuses in our environmental account."</i> In Luckingham, preserve advocate (1989).</p>

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Code	Issue	Response
3		Comment noted. Responses to specific comments are provided on the following pages.

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4	<p>South Mountain Park/Preserve is one of the largest municipally operated parks in the country. It has been called the "centerpiece" of the Phoenix Sonoran Preserve System. FEIS at 5-14. The Park's roots date back to 1924, when local citizens, who recognized the unique value and importance of the area, first started the process to obtain 13,000 acres of the Park from the United States. Later, under the Civilian Conservation Corps programs, trails were improved and recreational and other structures were built in the Park. The National Park Service drafted a park plan in 1935 that included a myriad of uses for the Park, including hiking, riding, picnic areas, and scenic overlooks.¹ Both the Phoenix Historic Preservation Office and the State Historic Preservation Office (SHPO) agree that SMPP is eligible for listing on the National Historic Register of Historic Places under Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470, <i>et seq.</i> (NHPA).</p> <p>With more than 16,000 acres of rugged, biologically diverse and beautiful desert habitat preserved in the urban environment, SMPP is known by both locals and travelers from around the world as a recreation gem and tourist destination. With more than 51 miles of primary trails for horseback riding, hiking and mountain biking, SMPP was wisely set aside for human enjoyment and the protection of wildlife and natural habitats.</p> <p>Today, SMPP remains a place of profound solace and peace in our often noisy and hectic lives, while its steep ranges, rocks, soil, plants and animals – as they exist in the natural world – continue to play a role in the spiritual and cultural identity of tribal members of the Gila River Indian Community and other Indian tribes in the region.</p> <p>From the Park's main entrance, you can drive up the Summit Road 5.5 miles to Dobbins Lookout and spectacular valley wide views or you can continue to the Gila Lookout for a view of the Gila River Valley. The main entrance also offers access to hiking, picnicking, interpretive centers and many other recreational uses. From its rugged south side, visitors have access to multiple historic and newly created trails that offer everything from a short hike or mountain bike ride, to a long day on horseback, all of which provide an opportunity to enjoy beautiful scenery and great horizon views in virtually every direction.</p> <p>SMPP also protects important cultural, archaeological and historic resources and is a place where people of all ages can learn about the Sonoran desert and the rich cultural history of the area. Indeed, the SMPP embodies virtually all of the goals found within the <i>Sonoran Preserve Master Plan</i> which was prepared in 1998 by the City of Phoenix Parks, Recreation and Library Department and which received enthusiastic support from City of Phoenix and many urban village planning committees throughout the region. The <i>Master Plan</i> at 14, explains that the goals of Phoenix's mountain preserves, are to:</p> <p>¹ https://www.phoenix.gov/parks/trails/locations/south-mountain/civilian-conservation-corps</p>

Code	Issue	Response
4	Section 4(f) and Section 6(f)	The context and attributes of the South Mountains are described in the Final Environmental Impact Statement, beginning on page 5-14. Mitigation and measures to minimize harm to the South Mountains are presented in the Record of Decision in Table 3, beginning on page 38.

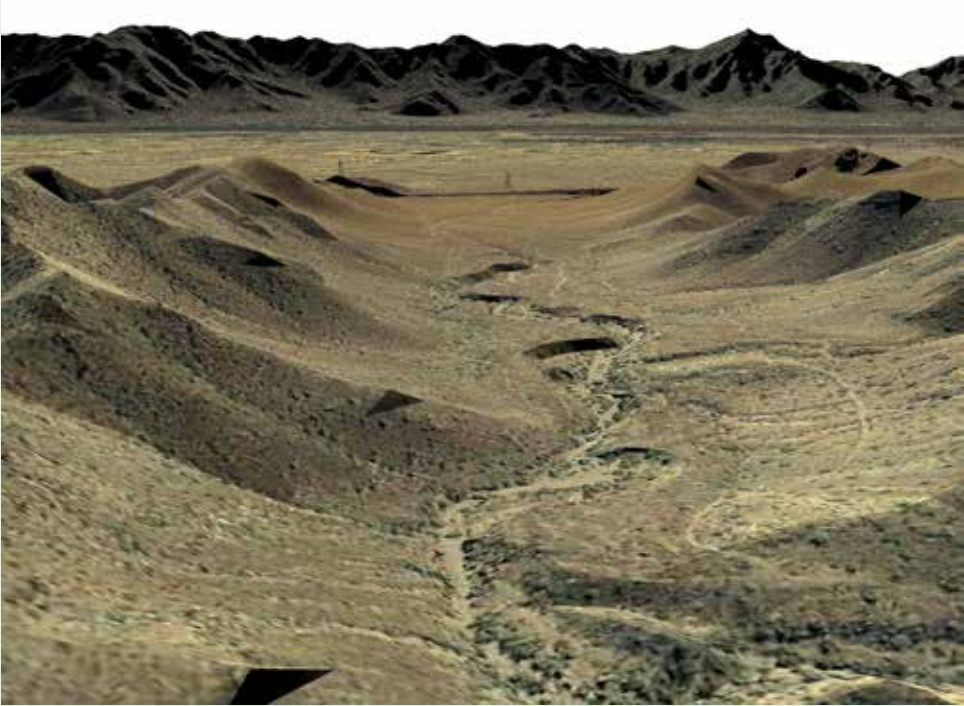
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	<ul style="list-style-type: none">• Connect significant public open spaces, utility corridors, canals, freeways, and recreation areas already owned or proposed by city, county, state, or federal agencies• Preserve wildlife corridors and significant desert ecosystems along drainageways by preserving the natural desert wash characteristics such as low velocity, sedimentation, and dispersed flows• Provide passive recreational opportunities for wildlife viewing, nature study, picnicking, outdoor interpretation, and education• Provide alternative transportation corridors for walking, commuter and recreational bicycling, and horseback riding• Preserve significant views, cultural resources, and visual landmarks such as large tree bosques, rock outcroppings, historic features, and archaeological sites• Establish management, maintenance, acquisition, and funding guidelines that respond directly to these increased open space standards and encourage public/private partnerships• Encourage, to the greatest extent possible, the inclusion of land and specific sites that allow access for people of all abilities to appreciate and enjoy the Sonoran Desert <p>5 ADOT's plans for the SR 202L would undermine and/or significantly harm almost every one of the goals outlined in the <i>Sonoran Preserve Master Plan</i>. While the Departments downplays the significant impacts that the SR 202L project would have on SMPP and other parks and recreation areas within the region in their NEPA and 4(F) documents, those who use and enjoy these resources are acutely aware that the project would result in the destruction of parts of three mountain ridges (two within the SMPP), see FEIS at 5-14 & 5-19, Figure 5-11, bisect historic recreation trails, undermine the historic integrity of the SMPP, and disturb its tranquility and quiet enjoyment, harm wildlife and biological resources and wildlife and plant corridors, adversely impact significant views and aesthetic values of the Park and degrade desert ecosystems, including washes and drainageways, among many other adverse impacts.</p> <p>II. The FEIS Fails to Comply with the Requirements of NEPA and Applicable Law</p> <p>6 The Departments fail to take the "hard" look required by NEPA on a variety of fronts, which are discussed in greater detail below. As ADOT and the NHTSA are well aware, NEPA imposes important procedural requirements designed "(1) to ensure the agency will have detailed information on significant environmental impacts when it makes its decisions; and (2) to guarantee that this information will be available to a</p>
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Code	Issue	Response
5	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) Evaluation for the South Mountains in terms of the resource's protection as a Section 4(f) resource in terms of a regional park, historic property and traditional cultural property. The evaluation included examination of feasible and prudent avoidance alternatives which concluded no such alternatives were available to the direct use of the resource.</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>
6	Section 4(f) and Section 6(f), Public Involvement	<p>The National Environmental Policy Act procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing the National Environmental Policy Act. Most important, National Environmental Policy Act documents must concentrate on the issues that are truly significant. The South Mountain Freeway Final Environmental Impact Statement is a high quality, scientific analysis and included the involvement of agency experts and the public throughout the process.</p> <p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) Evaluation for the South Mountains in terms of the resource's protection as a Section 4(f) resource in terms of a regional park, historic property and traditional cultural property. The evaluation included examination of feasible and prudent avoidance alternatives which concluded no such alternatives were available to the direct use of the resource.</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p> <p>The Arizona Department of Transportation and Federal Highway Administration completed a Biological Evaluation containing analysis of the project effects on listed and candidate species under the Endangered Species Act. The Biological Evaluation was completed in May 2014 following identification of the Preferred Alternative in the Draft Environmental Impact Statement.</p>

Code	Comment Document
7	<p>larger audience." <i>Inland Empire Pub. Lands Council v. U.S. Forest Serv.</i>, 88 F.3d 754, 758 (9th Cir. 1996). The NEPA procedures used by agencies "must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken." 40 C.F.R. § 1500.1(b). Thus, the "NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment." 40 C.F.R. § 1500.1(c).</p> <p>The FEIS, however, fails to live up to these important requirements of NEPA. Instead, the Departments have failed to (a) disclose and take a hard look at the project's impact on recreational uses and values and the role of the Park in the cultural identity of Phoenix, which are all an important resource under NEPA; (b) meaningfully examine and fully consider the effects of the project on other important aspects of the affected environment, such as biological resources, air,² water, visual resources and historical and cultural resources; (c) identify and analyze cumulative impacts of the project, including past, present and reasonably foreseeable future actions; (d) disclose or discuss mitigation plans in sufficient detail to ensure that the environmental consequences of the action have been fairly evaluated by the Departments and the public at large; and (e) address other important requirements of NEPA.</p> <p>A. The FEIS Fails to Disclose and Take a "Hard Look" at the Impact of the SR 202L Project on Recreational Uses and Values</p> <p>Under NEPA, environmental factors must be considered on an equal basis with other, more traditional, concerns. <i>See Foundation for North American Wild Sheep v. United States Department of Agriculture</i>, 681 F.2d 1172, 1177 (9th Cir. 1982). With this approach to decision making, agencies must take the necessary "hard look" at environmental consequences before approving any major federal action. <i>See Kleppe v. Sierra Club</i>, 427 U.S. 390, 410, n.21, 96 S. Ct. 2718, 49 L. Ed. 2d 576 (1976). This includes impacts to recreational uses and values. <i>See, e.g., LaFlamme v. FERC</i>, 852 F.2d 389 (9th Cir. 1988).</p> <p>The E1 Alternative for SR 202L would cut through the southwestern end of the SMPP, blasting through ridges, bisecting trails and injecting substantial direct, indirect and cumulative impacts to the recreational purposes, uses, and values of the Park. This, in turn, will have significant economic impacts due to loss of tourism and Park visitorship. However, the FEIS completely fails to examine and fully consider the project's impact on these important aspects of the affected environment.³ This failure is surprising since</p> <p>² Poor air quality is a well document problem in Maricopa County. As noted by the EPA in its communications to the Departments regarding the project, the FEIS and background analysis wholly fails to address the substantial human health impacts arising from the direct, indirect and cumulative effects of the project.</p> <p>³ While the Departments provide a limited discussion of some aspects of recreation (visual and trails) in the Sec. 4(f) evaluation found at Chapter 5 of the document, this is not a substitute for NEPA compliance, nor could it be given the limited analysis contained therein. <i>See South Fork</i></p>
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Code	Issue	Response
7	Environmental Impact Statement Process	<p>Chapter 6 outlines the extensive public outreach undertaken throughout the environmental impact statement process to make environmental information available.</p> <p>The Arizona Department of Transportation, the project sponsor, working in close consultation with the Federal Highway Administration, the lead federal agency for the project, and in cooperation with the U.S. Army Corps of Engineers, the U.S. Bureau of Indian Affairs, and the Western Area Power Administration, prepared the Draft and Final Environmental Impact Statements and Section 4(f) Evaluations for the South Mountain Freeway in accordance with: the National Environmental Policy Act of 1969 [42 United States Code Section 4332(2)(c)], Section 4(f) of the Department of Transportation Act of 1966 (49 United States Code Section 303, as amended), and Section 404 of the Clean Water Act of 1977 (33 United States Code Section 1251). The Draft and Final Environmental Impact Statements and Section 4(f) Evaluations: 1) satisfy the Federal Highway Administration's and Arizona Department of Transportation's environmental analysis requirements; 2) provide a comparison of the social, economic, and environmental impacts that may result from implementation of the proposed project—construction and operation of a major transportation facility; and 3) identify measures to avoid, reduce, or otherwise mitigate adverse impacts. The Draft and Final Environmental Impact Statements include sufficient preliminary design information to compare alternatives.</p>
8	Section 4(f) and Section 6(f)	<p>Figure 5-8 on page 5-15 of the Final Environmental Impact Statement presents prominent resources of Phoenix South Mountain Park/Preserve (park), including the Bursera Trail in its alignment as shown on a City of Phoenix trail map (see <phoenix.gov/parkssite/Documents/062880.pdf>).</p> <p>The section, <i>Public Parkland Resources (SMPP) Associated with the South Mountains</i>, beginning on page 5-14 of the Final Environmental Impact Statement, acknowledges:</p> <ul style="list-style-type: none">• the high Section 4(f) value of the park in its entirety as the centerpiece of the Phoenix Sonoran Preserve System• the important contribution of the park's many attributes, like the Bursera Trail, as contributing to the park's value as a Section 4(f) resource—pointing out that the park offers opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area, with each park user seeking his or her own benefits from visiting the park <p>The discussion of the park as a Section 4(f) resource recognizes that many prominent features of the park contribute to its value. These include its setting as one of the largest urban parks in the country, its function in the Phoenix Sonoran Preserve System, and many prominent features within the park, including its trails.</p> <p>As noted in the response to a comment on page B964 in Volume III of the Final Environmental Impact Statement, "These trails are typically used for high-intensity recreational activities such as running, hiking, and biking, not noise- or viewshed-sensitive activities." To clarify, amenities such as the park's trail system are not the sole contributors to the park's Section 4(f) value, and trails throughout the park are used for both active and passive activities. The Bursera Trail is located in a lesser-used area of the park. Points along the trail allow some trail users to enjoy expansive views to the south and away from the urban setting to the north. Other permitted uses of the trail include more active activities, such as biking. Some trail users seek peaceful solitude while others, perhaps to a lesser extent, seek physical</p>

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8 (cont.)		<p>activity. It is important to note that viewsheds are not contributing attributes to a determination of a resource as being afforded protection under Section 4(f). While direct use of the park (the conversion of approximately 31.3 acres of the park for freeway use) is presented, the text also acknowledges the intrusion of the freeway section that would displace parkland, the proximity of other freeway sections that would alter views from certain park locations (see the <i>Visual Resources</i> section beginning on page 4-167 and page 5-14 in the Final Environmental Impact Statement), the introduction of an intensive human-made use into an otherwise passive and natural setting (as evidenced by the remainder of the park to the north and the Gila River Indian Community to the south), and the alteration of biological resources associated with the park's southwestern section.</p> <p>Sections of the freeway will be visible from certain vantage points along the Bursera Trail. The figure below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:</p> <ul style="list-style-type: none">• reducing the freeway's footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design• skirting the park as much as possible to avoid bisecting the 16,000-acre park• providing replacement lands to compensate for the use of 31.3 acres of the park• using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible• working with park stakeholders through the City of Phoenix in finalizing these improvements.  <p><i>View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.</i></p>

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	<p>larger audience." <i>Inland Empire Pub. Lands Council v. U.S. Forest Serv.</i>, 88 F.3d 754, 758 (9th Cir. 1996). The NEPA procedures used by agencies "must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken." 40 C.F.R. § 1500.1(b). Thus, the "NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment." 40 C.F.R. § 1500.1(c).</p> <p>The FEIS, however, fails to live up to these important requirements of NEPA. Instead, the Departments have failed to (a) disclose and take a hard look at the project's impact on recreational uses and values and the role of the Park in the cultural identity of Phoenix, which are all an important resource under NEPA; (b) meaningfully examine and fully consider the effects of the project on other important aspects of the affected environment, such as biological resources, air,² water, visual resources and historical and cultural resources; (c) identify and analyze cumulative impacts of the project, including past, present and reasonably foreseeable future actions; (d) disclose or discuss mitigation plans in sufficient detail to ensure that the environmental consequences of the action have been fairly evaluated by the Departments and the public at large; and (e) address other important requirements of NEPA.</p> <p>A. The FEIS Fails to Disclose and Take a "Hard Look" at the Impact of the SR 202L Project on Recreational Uses and Values</p> <p>Under NEPA, environmental factors must be considered on an equal basis with other, more traditional, concerns. <i>See Foundation for North American Wild Sheep v. United States Department of Agriculture</i>, 681 F.2d 1172, 1177 (9th Cir. 1982). With this approach to decision making, agencies must take the necessary "hard look" at environmental consequences before approving any major federal action. <i>See Kleppe v. Sierra Club</i>, 427 U.S. 390, 410, n.21, 96 S. Ct. 2718, 49 L. Ed. 2d 576 (1976). This includes impacts to recreational uses and values. <i>See, e.g., LaFlamme v. FERC</i>, 852 F.2d 389 (9th Cir. 1988).</p> <p>The E1 Alternative for SR 202L would cut through the southwestern end of the SMPP, blasting through ridges, bisecting trails and injecting substantial direct, indirect and cumulative impacts to the recreational purposes, uses, and values of the Park. This, in turn, will have significant economic impacts due to loss of tourism and Park visitorship. However, the FEIS completely fails to examine and fully consider the project's impact on these important aspects of the affected environment.³ This failure is surprising since</p> <p>² Poor air quality is a well document problem in Maricopa County. As noted by the EPA in its communications to the Departments regarding the project, the FEIS and background analysis wholly fails to address the substantial human health impacts arising from the direct, indirect and cumulative effects of the project.</p> <p>³ While the Departments provide a limited discussion of some aspects of recreation (visual and trails) in the Sec. 4(f) evaluation found at Chapter 5 of the document, this is not a substitute for NEPA compliance, nor could it be given the limited analysis contained therein. <i>See South Fork</i></p>

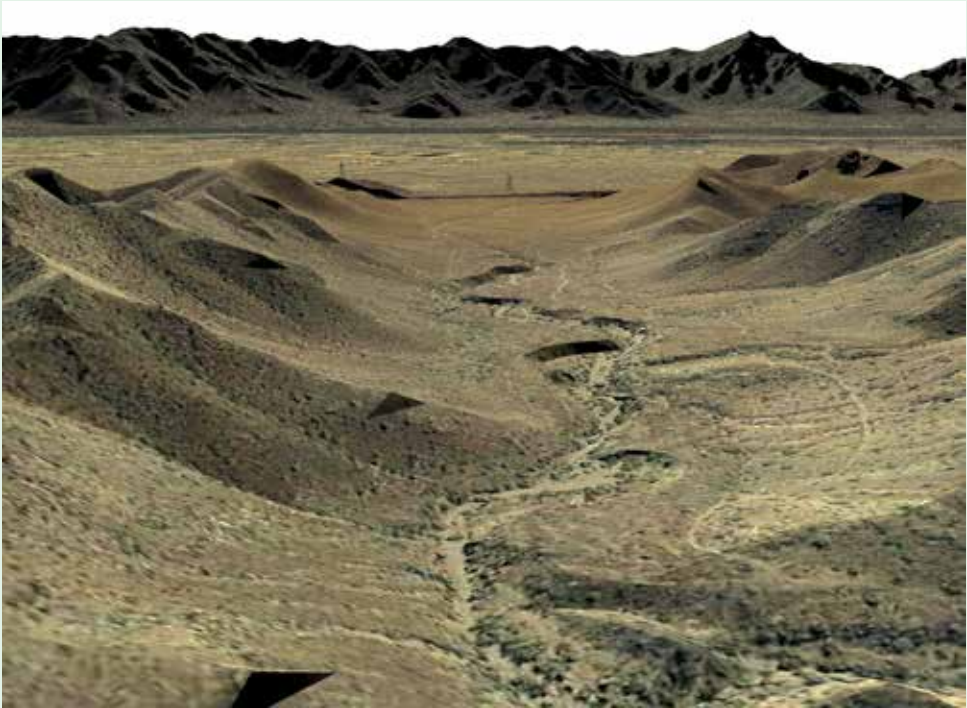
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8 (cont.)		<p>The comment infers that the expansive views to the south and west are unencumbered open space. Where the Bursera Trail would be closest to the freeway (at a distance of approximately 4,000 feet), a private land developer has submitted plans to the City of Phoenix to construct over 100 homes in the area immediately south of the park limits between two ridgelines. As of February 2015, the developer had begun developing a road across the mountain ridgeline to the east to access the area for home development. This development, along with others such as the recent expansion of the Vee Quiva Casino on Gila River Indian Community land southwest of the park, illustrate the planned growth that is turning undeveloped lands into urbanizing areas in the Study Area. This urbanization is discussed in the section, <i>Land Use</i>, in Chapter 4 of the Final Environmental Impact Statement.</p> <p>The freeway will also generate noise that will be audible from certain points along the trail as acknowledged in the Final Environmental Impact Statement; however, based on the distance of the freeway to the closest trail points (for example, the National Trail is 2,000 feet away and the Bursera Trail is 4,000 feet away), noise levels are not likely to be above the noise abatement criteria levels for recreational activities. Trail users located 2,000 feet or more away from the freeway will hear an increased hum, but the decibel levels will not be above noise abatement criteria levels for recreational activities. While noise mitigation was evaluated to minimize harm, the use of mitigation, such as noise barriers, would have little effect for receptors 2,000 feet or more away from the freeway (and at elevated positions). Even if it were shown that noise levels are higher on the trail, noise impacts would be temporary because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway. Although noise barriers were not feasible in this case, the Arizona Department of Transportation has decided to use quiet pavement on the South Mountain Freeway to minimize noise along the corridor.</p>
9	Air Quality	<p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The extensive air quality analyses for the project are documented in pages 4-75 through 4-85 of the Final Environmental Impact Statement and in the air quality technical report. The Federal Highway Administration identified no adverse health impacts from the project related to the National Ambient Air Quality Standards or mobile source air toxic pollutants.</p>

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8	<p>ADOT and the NHPWA admit in the summary to the FEIS that "[v]isual and noise intrusions would affect rural, natural areas and recreational areas adjacent to the E1 Alternative." FEIS at S-12, Table S-3, Environmental Impact Summary Matrix (emphasis added); see also FEIS at 4-191 ("Implementation of the E1 Alternative would adversely affect recreational, visual, natural, and cultural values of resources in the South Mountain"). In addition, the Departments acknowledge as part of the 4(f) evaluation that at least 16 other existing or planned parks (in addition to SMPP) are adjacent to or near one of the alternatives to the planned freeway,⁴ and that 12 Public School Recreational Facilities are similarly located nearby (some less than 100 feet from the proposed E1 Alternative).⁵</p> <p>Recreational uses that would be affected by the project include (among other things), hiking and horseback riding, mountain biking, passive recreational opportunities for wildlife viewing, nature study and the enjoyment of scenic views and rock outcroppings, picnicking, outdoor interpretation, and the rare opportunity for quiet enjoyment in the Sonoran Desert, so close to an urban environment.⁶ These forms of recreational uses provide substantial benefits to the health and well-being of citizens of Phoenix and visitors from around the world.⁷</p> <p>Recreational activities are well documented as having a myriad of direct benefits beyond physical fitness, including stress reduction, enhancing mental health and feelings of personal well-being, and the treatment of mental health related illnesses, including even post-traumatic stress disorder – a problem that our returning veterans</p> <p><i>Band Council of W. Shoshone v. DOI</i>, 588 F.3d 718, 726 (9th Cir. 2009) (explaining that a "non-NEPA document . . . cannot satisfy a federal agency's obligations under NEPA.").</p> <p>⁴ See Section 4(f) Evaluation at 5-13, Figure 5-7. In addition, Fig. 5-7 fails to identify Vista Canyon Park, which is an existing Phoenix City Park. See: https://www.phoenix.gov/pdds/00021.pdf#search=ahwatukee%2520village%2520parks</p> <p>⁵ See <i>id.</i> at 5-11, Figure 5-6.</p> <p>⁶ The FEIS fails to identify the newer Bursera Trail, located a mile north from Pecos Road, in Figure 5-6 and Figure 5-8, which is located off 19th Ave., on south side of SMPP. Pyramid goes northeast while Bursera travels to the southwest. This trail will be significantly impacted by noise and view shed impacts despite the fact that this error was pointed out in comments on the Draft Environmental Impact Statement (DEIS). https://www.phoenix.gov/parkssite/Documents/062880.pdf</p> <p>⁷ It is noteworthy that the original area of South Mountain Park was conveyed from the U.S. Government to the City of Phoenix under a series of grants issued under a Special Act of Congress, 43 Stat. 643, P.L. 68-256 ch. 334 (June 7, 1924). The Act specifies that the conveyed South Mountain Park area were conveyed for a number of purposes, including for municipal, park, recreation, and playgrounds.</p>
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10	Section 4(f) and Section 6(f)	<p>As stated on page 5-3 of the Final Environmental Impact Statement, the ¼ mile distance is used because it is the approximate maximum distance from which traffic noise would be disruptive to human or wildlife uses. All other proximity impacts, such as those to the viewshed, would be detected at distances less than ¼ mile.</p> <p>In terms of noise analyses, several reasons support why the analysis did not extend beyond ¼ mile: noise impacts at 2,000 feet or greater from the freeway would be minimal (decibels would not be above minimum thresholds); the Federal Highway Administration Traffic Noise Model has limitations for predicting noise levels beyond approximately 500 feet; mitigation, such as noise walls, would not be effective for receptors at 2,000 feet or greater (and at elevated positions) away from the freeway; and, even if it were shown that noise levels are higher on the trail, the impacts would be temporary in nature because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway (no picnic areas appear to be located along this trail).</p>
11	Section 4(f) and Section 6(f)	<p>Figure 5-8 on page 5-15 of the Final Environmental Impact Statement presents prominent resources of Phoenix South Mountain Park/Preserve (park), including the Bursera Trail in its alignment as shown on a City of Phoenix trail map (see <phoenix.gov/parkssite/Documents/062880.pdf>).</p> <p>The section, <i>Public Parkland Resources (SMPP) Associated with the South Mountains</i>, beginning on page 5-14 of the Final Environmental Impact Statement, acknowledges:</p> <ul style="list-style-type: none"> • the high Section 4(f) value of the park in its entirety as the centerpiece of the Phoenix Sonoran Preserve System • the important contribution of the park's many attributes, like the Bursera Trail, as contributing to the park's value as a Section 4(f) resource—pointing out that the park offers opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area, with each park user seeking his or her own benefits from visiting the park <p>The discussion of the park as a Section 4(f) resource recognizes that many prominent features of the park contribute to its value. These include its setting as one of the largest urban parks in the country, its function in the Phoenix Sonoran Preserve System, and many prominent features within the park, including its trails.</p> <p>As noted in the response to a comment on page B964 in Volume III of the Final Environmental Impact Statement, "These trails are typically used for high-intensity recreational activities such as running, hiking, and biking, not noise- or viewshed-sensitive activities." To clarify, amenities such as the park's trail system are not the sole contributors to the park's Section 4(f) value, and trails throughout the park are used for both active and passive activities. The Bursera Trail is located in a lesser-used area of the park. Points along the trail allow some trail users to enjoy expansive views to the south and away from the urban setting to the north. Other permitted uses of the trail include more active activities, such as biking. Some trail users seek peaceful solitude while others, perhaps to a lesser extent, seek physical activity. It is important to note that viewsheds are not contributing attributes to a determination of a resource as being afforded protection under Section 4(f).</p> <p>While direct use of the park (the conversion of approximately 31.3 acres of the park for freeway use) is presented, the text also acknowledges the intrusion of the freeway section that would displace parkland, the proximity of other freeway</p>

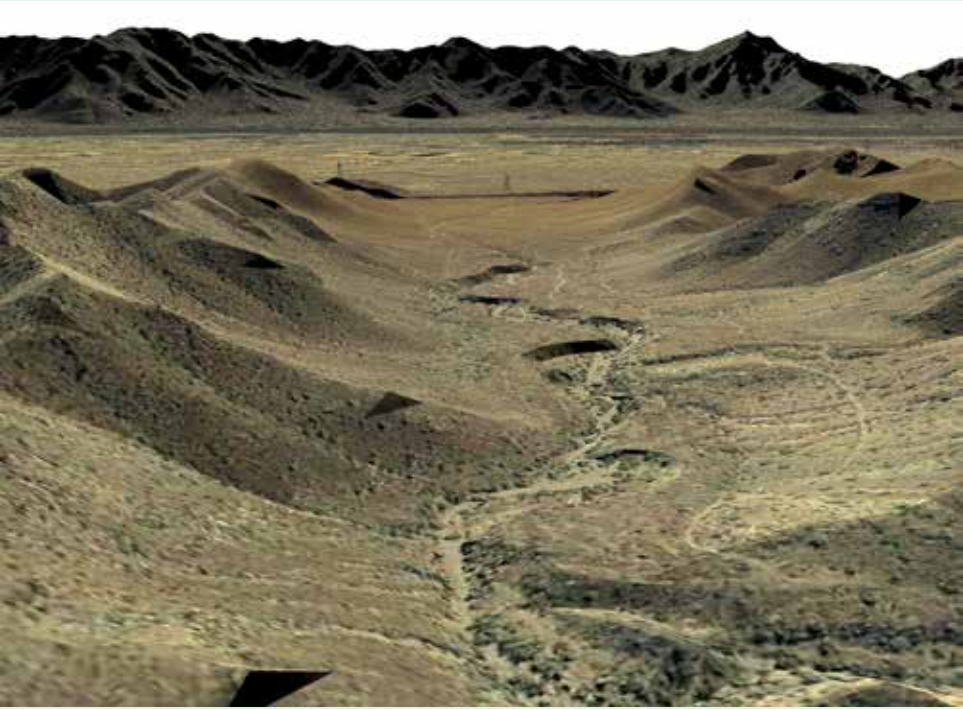
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11 (cont.)		<p>sections that would alter views from certain park locations (see the <i>Visual Resources</i> section beginning on page 4-167 and page 5-14 in the Final Environmental Impact Statement), the introduction of an intensive human-made use into an otherwise passive and natural setting (as evidenced by the remainder of the park to the north and the Gila River Indian Community to the south), and the alteration of biological resources associated with the park’s southwestern section.</p> <p>Sections of the freeway will be visible from certain vantage points along the Bursera Trail. The figure below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:</p> <ul style="list-style-type: none">• reducing the freeway’s footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design• skirting the park as much as possible to avoid bisecting the 16,000-acre park• providing replacement lands to compensate for the use of 31.3 acres of the park• using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible• working with park stakeholders through the City of Phoenix in finalizing these improvements  <p><i>View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.</i></p> <p>The comment infers that the expansive views to the south and west are unencumbered open space. Where the Bursera Trail would be closest to the freeway (at a distance of approximately 4,000 feet), a private land developer has</p>

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	<p>have struggled with in great numbers over the last decade of multiple deployments and combat.⁸</p>
12	<p>The FEIS explains that all of the action alternatives would be on a common alignment through SMPP, with 0.9 mile of freeway actually passing through the southwestern edges of the Park, resulting in the "direct use" of approximately 31.3 acres of parkland. See, e.g., FEIS at S-39. <u>This characterization of the project's impact on the SMPP and its recreational uses and values ignores the larger (and likely irreparable) impacts that would result from the freeway construction project and the destruction of recreational uses and values, soil crusts, desert washes and drainages, plants and biodiversity and other important features of the Park, both during and after construction.</u></p>
13	<p>In fact, it is difficult to see how the construction (including blasting) and the ultimate presence of a large freeway cutting through or adjacent to these recreation lands would <u>not</u> impose substantial direct, indirect and cumulative impacts to the recreational uses and overall integrity of the Park as discussed here, due to visual and view shed impacts, aesthetic impacts, air quality and haze, increased noise and traffic, including truck traffic,⁹ nighttime lighting, potential trail re-alignments and impacts to</p> <p>⁸ Trails provide the serenity, safety, and outdoor environment that are healing these veterans. The Phoenix VA Hospital can utilize the South Mountain Park trail systems as one of the closest areas for veterans' equine therapy treatment. The 202 South Mountain Freeway would negate the value of the South Mountain Park trail system for Wounded Warrior program treatment. For information about the "Horses for Heroes" national program at PATH International, please see: http://www.pathintl.org/ For statistical information, please see the Veteran's Administration 2010 report on veteran's suicides: http://www.va.gov/opa/docs/Suicide-Data-Report-2012-final.pdf</p> <p>The specific section in this report is encaptioned, <i>Suicide among Veterans – As Reported on Death Certificates.</i> Among cases where history of U.S. military service was reported, Veterans comprised approximately 22.2% of all suicides reported during the project period. If this prevalence estimate is assumed to be constant across all U.S. states, an estimated 22 Veterans will have died from suicide each day in the calendar year 2010. Recreation and activities in the outdoor environment, such as activities within a tranquil and undisturbed SMPP, can play a role in reducing this tragedy.</p> <p>⁹ ADOT and the FHWA reject suggestions that SR 202L will become a corridor for truck traffic for drivers hoping to avoid traveling through Phoenix on their way to other destinations. The Departments explain that "[i]t is not a goal of ADOT and FHWA for the proposed freeway to function as a truck bypass." FEIS at S-42. This statement is not only unsupported by appropriate analysis, it also deliberately misses the point. There can be little doubt that the development of a freeway that will allow truckers to bypass the traffic and congestion of Phoenix will result in substantial increases in semi-truck traffic on this new segment of the freeway – above normal levels. This increase in truck traffic and the noise and disturbance caused by the increase is, at the minimum, an <u>indirect effect</u> of the proposed action under NEPA. The Council on Environmental Quality regulations define indirect effects as those "caused by the action, [and] later in time or further removed in distance, [but] still reasonably foreseeable." 40 C.F.R. § 1508.8(b). The Departments must consider it. See 40 C.F.R. § 1508.8(b). Moreover, as an indirect effect of the action, the Departments also are required to consider mitigation options for</p>

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11 (cont.)		<p>submitted plans to the City of Phoenix to construct over 100 homes in the area immediately south of the park limits between two ridgelines. As of February 2015, the developer had begun developing a road across the mountain ridgeline to the east to access the area for home development. This development, along with others such as the recent expansion of the Vee Quiva Casino on Gila River Indian Community land southwest of the park, illustrate the planned growth that is turning undeveloped lands into urbanizing areas in the Study Area. This urbanization is discussed in the section, <i>Land Use</i>, in Chapter 4 of the Final Environmental Impact Statement.</p> <p>The freeway will also generate noise that will be audible from certain points along the trail as acknowledged in the Final Environmental Impact Statement; however, based on the distance of the freeway to the closest trail points (for example, the National Trail is 2,000 feet away and the Bursera Trail is 4,000 feet away), noise levels are not likely to be above the noise abatement criteria levels for recreational activities. Trail users located 2,000 feet or more away from the freeway will hear an increased hum, but the decibel levels will not be above noise abatement criteria levels for recreational activities. While noise mitigation was evaluated to minimize harm, the use of mitigation, such as noise barriers, would have little effect for receptors 2,000 feet or more away from the freeway (and at elevated positions). Even if it were shown that noise levels are higher on the trail, noise impacts would be temporary because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway. Although noise barriers were not feasible in this case, the Arizona Department of Transportation has decided to use quiet pavement on the South Mountain Freeway to minimize noise along the corridor.</p>
12	Section 4(f) and Section 6(f)	<p>The portion of the park that will be used for the freeway will be 31.3 acres, or approximately 0.2 percent of the park's approximately 16,600 acres (see Final Environmental Impact Statement pages S-39 and 5-31). The activities that make the park such a highly valued resource (recreational activities, interaction with the Sonoran Desert) will remain.</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>
13	Section 4(f) and Section 6(f)	<p>The section, <i>Public Parkland Resources (SMPP) Associated with the South Mountains</i>, beginning on page 5-14 of the Final Environmental Impact Statement, acknowledges:</p> <ul style="list-style-type: none"> • the high Section 4(f) value of the park in its entirety as the centerpiece of the Phoenix Sonoran Preserve System • the important contribution of the park's many attributes, like the Bursera Trail, as contributing to the park's value as a Section 4(f) resource—pointing out that the park offers opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area, with each park user seeking his or her own benefits from visiting the park <p>The discussion of the park as a Section 4(f) resource recognizes that many prominent features of the park contribute to its value. These include its setting as one of the largest urban parks in the country, its function in the Phoenix Sonoran Preserve System, and many prominent features within the park, including its trails.</p> <p>As noted in the text of the Final Environmental Impact Statement beginning on page 4-179 addressing secondary and cumulative impacts, the Section 4(f) evaluation for the park (beginning on page 5-14 of that same document) included consideration of direct and indirect impacts.</p>

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13 (cont.)		<p>While direct use of the park (the conversion of approximately 31.3 acres of the park for freeway use) is presented, the text also acknowledges the intrusion of the freeway section that would displace parkland, the proximity of other freeway sections that would alter views from certain park locations (see the <i>Visual Resources</i> section beginning on page 4-167 and page 5-14 in the Final Environmental Impact Statement), the introduction of an intensive human-made use into an otherwise passive and natural setting (as evidenced by the remainder of the park to the north and the Gila River Indian Community to the south), and the alteration of biological resources associated with the park’s southwestern section.</p> <p>For example, sections of the freeway will be visible from certain vantage points along some trails within the park. The figure below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:</p> <ul style="list-style-type: none">• reducing the freeway’s footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design• skirting the park as much as possible to avoid bisecting the 16,000-acre park• providing replacement lands to compensate for the use of 31.3 acres of the park• using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible• working with park stakeholders through the City of Phoenix in finalizing these improvements  <p><i>View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.</i></p>

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	<p>have struggled with in great numbers over the last decade of multiple deployments and combat.⁸</p> <p>The FEIS explains that all of the action alternatives would be on a common alignment through SMPP, with 0.9 mile of freeway actually passing through the southwestern edges of the Park, resulting in the "direct use" of approximately 31.3 acres of parkland. See, e.g., FEIS at S-39. <u>This characterization of the project's impact on the SMPP and its recreational uses and values ignores the larger (and likely irreparable) impacts that would result from the freeway construction project and the destruction of recreational uses and values, soil crusts, desert washes and drainages, plants and biodiversity and other important features of the Park, both during and after construction.</u></p> <p>In fact, it is difficult to see how the construction (including blasting) and the ultimate presence of a large freeway cutting through or adjacent to these recreation lands would <u>not</u> impose substantial direct, indirect and cumulative impacts to the recreational uses and overall integrity of the Park as discussed here, due to visual and view shed impacts, aesthetic impacts, air quality and haze, increased noise and traffic, including truck traffic,⁹ nighttime lighting, potential trail re-alignments and impacts to</p> <p>⁸ Trails provide the serenity, safety, and outdoor environment that are healing these veterans. The Phoenix VA Hospital can utilize the South Mountain Park trail systems as one of the closest areas for veterans' equine therapy treatment. The 202 South Mountain Freeway would negate the value of the South Mountain Park trail system for Wounded Warrior program treatment. For information about the "Horses for Heroes" national program at PATH International, please see: http://www.pathintl.org/ For statistical information, please see the Veteran's Administration 2010 report on veteran's suicides: http://www.va.gov/opa/docs/Suicide-Data-Report-2012-final.pdf</p> <p>The specific section in this report is encaptioned, <i>Suicide among Veterans – As Reported on Death Certificates.</i>" Among cases where history of U.S. military service was reported, Veterans comprised approximately 22.2% of all suicides reported during the project period. If this prevalence estimate is assumed to be constant across all U.S. states, an estimated 22 Veterans will have died from suicide each day in the calendar year 2010. Recreation and activities in the outdoor environment, such as activities within a tranquil and undisturbed SMPP, can play a role in reducing this tragedy.</p> <p>⁹ ADOT and the FHWA reject suggestions that SR 202L will become a corridor for truck traffic for drivers hoping to avoid traveling through Phoenix on their way to other destinations. The Departments explain that "[i]t is not a goal of ADOT and FHWA for the proposed freeway to function as a truck bypass." FEIS at S-42. This statement is not only unsupported by appropriate analysis, it also deliberately misses the point. There can be little doubt that the development of a freeway that will allow truckers to bypass the traffic and congestion of Phoenix will result in substantial increases in semi-truck traffic on this new segment of the freeway – above normal levels. This increase in truck traffic and the noise and disturbance caused by the increase is, at the minimum, an <u>indirect effect</u> of the proposed action under NEPA. The Council on Environmental Quality regulations define indirect effects as those "caused by the action, [and] later in time or further removed in distance, [but] still reasonably foreseeable." 40 C.F.R. § 1508.8(b). The Departments must consider it. See 40 C.F.R. § 1508.8(b). Moreover, as an indirect effect of the action, the Departments also are required to consider mitigation options for</p>

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14	Trucks	<p>As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles. The Maricopa Association of Governments regional travel demand model projects that truck traffic will represent approximately 10 percent of the total traffic on the freeway.</p> <p>The analysis of direct impacts, such as noise and air quality, presented in the Final Environmental Impact Statement included the impacts associated with projected truck traffic on the freeway.</p>

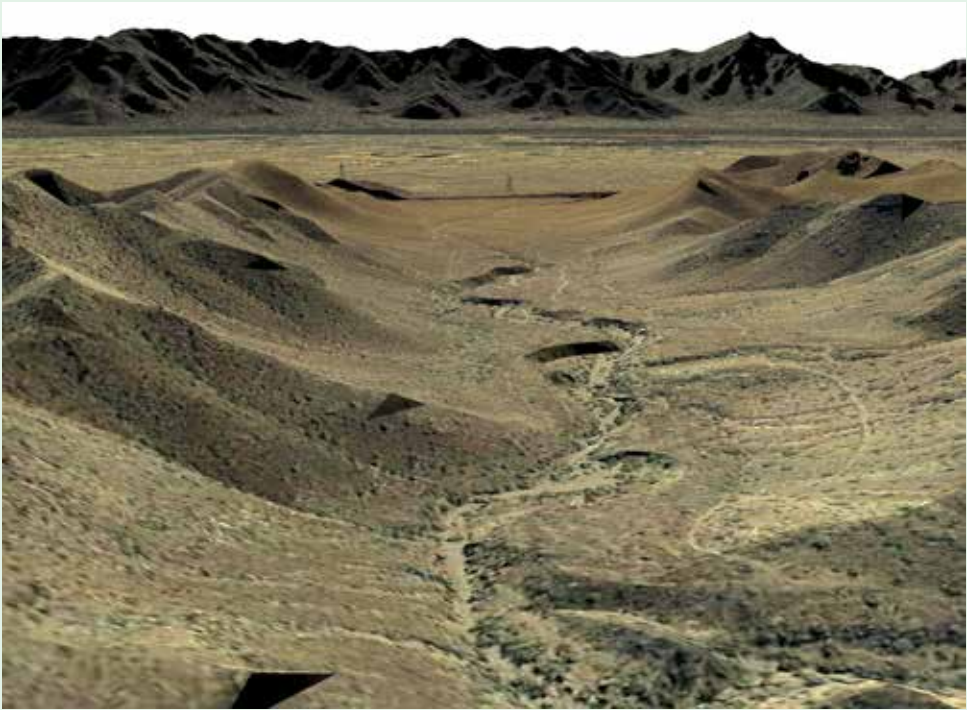
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13	<p>animal and plant species, just to name a few issues. And yet, <u>the FEIS contains no substantive analysis of the direct, indirect and cumulative impacts to these important uses and values</u> stemming from the project.¹⁰</p>
15	<p>In addition, even for people who do not use the SMPP, the sweeping and rugged presence of the South Mountains, whether on the horizon or just outside one's backdoor, plays an important role in the fabric and culture of our City. It is a landmark, a sacred site and an icon that represents a part of the cultural identity of Phoenix. To damage South Mountain by blasting through its ridges is to damage Phoenix and the people who live here. Indeed, such an action would strongly indicate to all who look that we do not value our natural resources in Phoenix, and in a way, our own well-being. The failure of the Departments' to consider this important aspect in the FEIS further demonstrates their overall failure to take the "hard look" required by NEPA.</p> <p>Furthermore, because the FEIS fails to analyze the potential impacts to recreational uses and values and the integrity of the South Mountain as a whole in any substantive way, it similarly fails to meaningfully consider or offer sufficiently mitigating measures that might reduce these impacts as required by NEPA.¹¹</p> <p>For example, while it is true that the FEIS generally examines noise impacts as part of the affected environment, it does not examine or consider mitigation in any specific way relative to the SMPP. To be sure, the increased noise levels resulting from the freeway construction project and the freeway itself would have a significant impact on recreational values and uses and the overall purpose of the SMPP as a place of solace and quiet enjoyment. While the FEIS discusses noise impacts in Chapter 4, it does not meaningfully model or consider noise impacts on these important resources. Interestingly, while the Departments explain that noise receivers were modeled adjacent to "noise-sensitive locations" along the E1 Alternative, Figure 4-29 and Table 4-39</p> <hr/> <p>the additional noise caused by the increased truck traffic, which could include restricting truck traffic on the freeway, reducing the posted speed limit for semi-trucks or reducing weight limits. ADOT and FHWA refuse to consider these options, ironically noting they are not "consistent with the purpose and need for the proposed action" See FEIS at 4-100. This too violates NEPA.</p> <p>¹⁰ At Table 4-54 (FEIS at 4-180), the Departments erroneously conclude (without explanation) that <u>indirect</u> (secondary) effects to "recreational land" need not be considered in the secondary impact analysis.</p> <p>¹¹ The Departments' broad generalizations and vague references in the FEIS to potential mitigation measures that might be used to reduce visual impacts due to the cuts through the ridgelines in and near the SMPP or to allow connectivity of trails through crossings, (a) do not address <u>all</u> of the known impacts of the project to the variety of recreational uses and values, discussed above; and (b) nevertheless fail to provide sufficient detail and certainty relative to the mitigation measures as required by NEPA. See, e.g., <i>Neighbors of Cuddy Mountain v. USFS</i>, 137 F.3d 1372, 1381 (9th Cir. 1998). This is discussed further in Section II(B) of this Letter.</p>

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15	Section 4(f) and Section 6(f), Noise	<p>Figure 5-8 on page 5-15 of the Final Environmental Impact Statement presents prominent resources of Phoenix South Mountain Park/Preserve (park), including the Bursera Trail in its alignment as shown on a City of Phoenix trail map (see <phoenix.gov/parkssite/Documents/062880.pdf>).</p> <p>The section, <i>Public Parkland Resources (SMPP) Associated with the South Mountains</i>, beginning on page 5-14 of the Final Environmental Impact Statement, acknowledges:</p> <ul style="list-style-type: none">• the high Section 4(f) value of the park in its entirety as the centerpiece of the Phoenix Sonoran Preserve System• the important contribution of the park's many attributes, like the Bursera Trail, as contributing to the park's value as a Section 4(f) resource—pointing out that the park offers opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area, with each park user seeking his or her own benefits from visiting the park <p>The discussion of the park as a Section 4(f) resource recognizes that many prominent features of the park contribute to its value. These include its setting as one of the largest urban parks in the country, its function in the Phoenix Sonoran Preserve System, and the many prominent features within the park, including its trails.</p> <p>Amenities, such the park's trail system, are not the sole contributors to the park's Section 4(f) value, and trails throughout the park are used for both active and passive activities. The Bursera Trail is located in a lesser-used area of the park. Points along the trail allow some trail users to enjoy expansive views to the south and away from the urban setting to the north. Other permitted uses of the trail include more active activities, such as bicycling. Some trail users seek peaceful solitude while others, perhaps to a lesser extent, seek physical activity. It is important to note that viewsheds are not contributing attributes to a determination of a resource as being afforded protection under Section 4(f).</p> <p>While direct use of the park (the conversion of approximately 31.3 acres of the park for freeway use) is presented, the text also acknowledges the intrusion of the freeway section that would displace parkland, the proximity of other freeway sections that would alter views from certain park locations (see the <i>Visual Resources</i> section beginning on page 4-167 and page 5-14 in the Final Environmental Impact Statement), the introduction of an intensive human-made use into an otherwise passive and natural setting (as evidenced by the remainder of the park to the north and the Gila River Indian Community to the south), and the alteration of biological resources associated with the park's southwestern section.</p> <p>Sections of the freeway will be visible from certain vantage points along some trails within the park. The figure below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:</p> <ul style="list-style-type: none">• reducing the freeway's footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design• skirting the park as much as possible to avoid bisecting the 16,000-acre park• providing replacement lands to compensate for the use of 31.3 acres of the park

(Response 15 continues on next page)

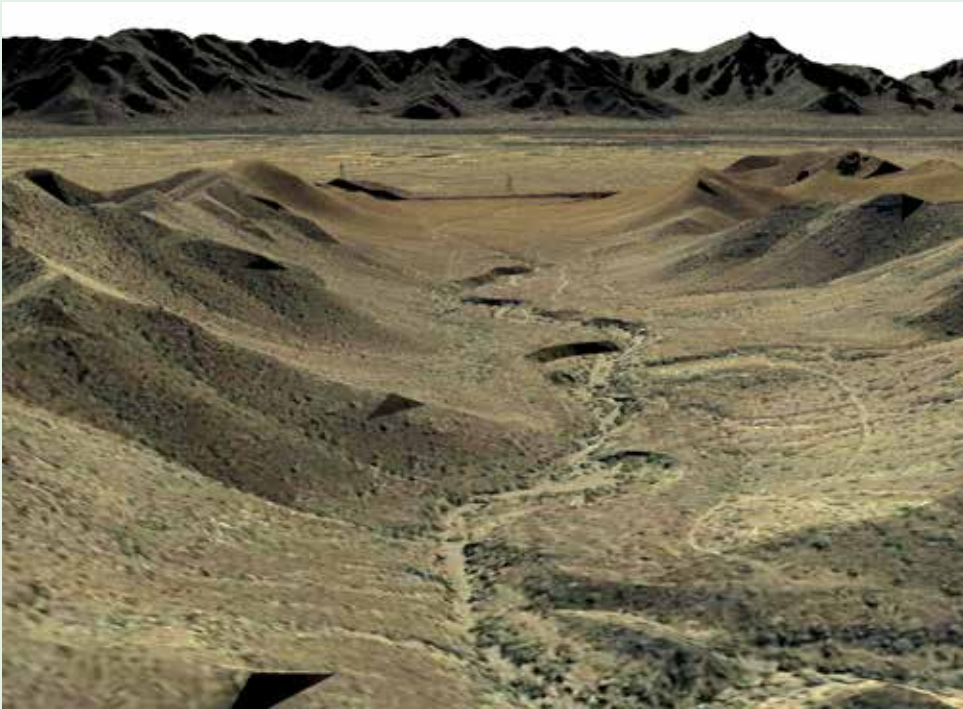
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15 (cont.)		<ul style="list-style-type: none">• using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible• working with park stakeholders through the City of Phoenix in finalizing these improvements  <p><i>View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.</i></p> <p>The freeway will also generate noise that will be audible from certain points along the trail as acknowledged in the Final Environmental Impact Statement; however, based on the distance of the freeway to the closest trail points (for example, the National Trail is 2,000 feet away and the Bursera Trail is 4,000 feet away), noise levels are not likely to be above the noise abatement criteria levels for recreational activities. Trail users located 2,000 feet or more away from the freeway will hear an increased hum, but the decibel levels will not be above noise abatement criteria levels for recreational activities. While noise mitigation was evaluated to minimize harm, the use of mitigation, such as noise barriers, would have little effect for receptors 2,000 feet or more away from the freeway (and at elevated positions). Even if it were shown that noise levels are higher on the trail, noise impacts would be temporary because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway.</p> <p>The noise and visual resources analyses did consider the impacts from trails within the corridor, as applicable (see text beginning on pages 4-88 and 4-167, respectively, of the Final Environmental Impact Statement).</p>

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16	<p>reveal that <u>virtually no ambient or existing noise level readings were take in portions of the SMPP that are to be the most impacted by the freeway as it cuts through the Park.</u></p> <p>In addition, due to the location of the noise receivers discussed above and as shown in Table 4-39 (FEIS at 4-92), the results of the ambient noise monitoring shown at Table 4-40 (FEIS at 4-97), reveal that rather than modeling noise impacts within the Park (which generally has trails – not roads) the Departments examined noise impacts and unmitigated action noise levels for the SMPP <u>by incorporating significant existing ambient noise from arterial and surface streets in the baseline.</u> See also FEIS at 4-91 (ambient noise impacts from traffic included in the No-Action Alternative). This undermines the results of the noise modeling and fails to take the “hard look” required by NEPA.</p> <p>In a somewhat similar fashion, the document acknowledges that the E1 Alternative would be located adjacent to planned and existing trails,¹² and would cross over trail segments within or connected to the SMPP (specifically, Segments Seven, Fifty-six, Sixty eight, and Sixty-nine of the Maricopa County Regional Trails System, and Segment One of the Sun Circle Trail), resulting in the “potential harm” to these segments, <i>see, e.g.</i>, Summary at S-32, Table S-4; however, the Departments summarily conclude that because the freeway, as proposed, would be constructed as an elevated span to clear the trail segments, any impacts would be mitigated. This approach is completely insufficient under NEPA to analyze the impact of the project on recreational values and uses. While elevating the freeway would allow for the physical connectivity of trails, it ignores the myriad of other impacts that the presence of the freeway would have on the recreational values and uses of these trails (at least 5 trails are located within less than a mile of freeway), such aesthetic impacts, the loss of quiet enjoyment and solitude, loss of the Sonoran Desert experience, impacts to wildlife viewing and safety, among others.¹³ None of these impacts were analyzed. This violates NEPA.</p> <p>¹² Significantly, the impact to specific trails is mostly discussed in the Section 4(f) evaluation and not in the FEIS. As noted above, however, the analysis of impacts in Section 4(f) does not relieve the Departments of their obligation to take a “hard look” and consider mitigation of these impacts under NEPA.</p> <p>¹³ Parks need to feel safe for people to want to use them. Research has documented that perception of safety can be more significant in influencing human behavior than crime statistics. If citizens perceive a park to be unsafe, they may be less likely to use it. This is particularly true for women. When freeways bisect trails or walking paths, safety (and the perception of safety) can be adversely impacted. Trails that necessarily require a hiker or traveler to walk or ride under bridges (as proposed here) present a significant safety issue that must be considered. This was not analyzed in the FEIS.</p>

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16	Section 4(f) and Section 6(f)	<p>The map and table in Figure 5-5 on pages 5-8 and 5-9 of the Final Environmental Impact Statement disclose impacts on recreational trails outside of Phoenix South Mountain Park/Preserve (park) by an action alternative. The freeway will not have a direct impact on these trails because it will span the trails. The trails’ importance as Section 4(f) resources is based on their recreational value and is not based on any noise-sensitive activities or viewshed characteristics. As correctly noted in Figure 5-5, “These trails are typically used for high-intensity recreational activities such as running, hiking, and biking, not noise and viewshed-sensitive activities.”</p> <p>Within the park, the Final Environmental Impact Statement acknowledges the important contribution of the park’s many attributes, such as its trail system, as contributing to the park’s value as a Section 4(f) resource—pointing out that the park offers opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area, with each park user seeking his or her own benefits from visiting the park.</p> <p>To clarify, the park is used for both active and passive activities. As an example, the Bursera Trail is located in a lesser-used area of the park. Points along the trail allow some trail users to enjoy expansive views to the south and away from the urban setting to the north. Other permitted uses of the trail include more active activities, such as bicycling. Some trail users seek peaceful solitude while others, perhaps to a lesser extent, seek physical activity. It is important to note that viewsheds are not contributing attributes to a determination of a resource as being afforded protection under Section 4(f).</p> <p>While direct use of the park (the conversion of approximately 31.3 acres of the park for freeway use) is presented, the text also acknowledges the intrusion of the freeway section that would displace parkland, the proximity of other freeway sections that would alter views from certain park locations (see the <i>Visual Resources</i> section beginning on page 4-167 and page 5-14 in the Final Environmental Impact Statement), the introduction of an intensive human-made use into an otherwise passive and natural setting (as evidenced by the remainder of the park to the north and the Gila River Indian Community to the south), and the alteration of biological resources associated with the park’s southwestern section.</p> <p>Sections of the freeway will be visible from certain vantage points along some trails within the park. The figure below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:</p> <ul style="list-style-type: none">• reducing the freeway’s footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design• skirting the park as much as possible to avoid bisecting the 16,000-acre park• providing replacement lands to compensate for the use of 31.3 acres of the park<ul style="list-style-type: none">• using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible• working with park stakeholders through the City of Phoenix in finalizing these improvements

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16 (cont.)		<div></div> <p><i>View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.</i></p> <p>Sensitive receivers for noise were included in the noise analyses in accordance with State and federal guidance. The section, <i>Noise</i>, beginning on Final Environmental Impact Statement page 4-88, has addressed requirements under the National Environmental Policy Act. As stated on page 4-89 of the Final Environmental Impact Statement, over 220 sensitive receivers were evaluated at exterior locations from a traffic noise perspective. All of the receivers represent noise-sensitive land uses in proximity to the proposed project, including homes, schools, and parks, and these receivers would have higher noise levels than similar facilities more distant from the proposed action. The existing trails within the park nearest the freeway are 2,000 feet or more away (for example, the National Trail is 2,000 feet away and the Bursera Trail is 4,000 feet away). In terms of noise analyses, several reasons support why the analysis did not extend beyond ¼ mile: noise impacts at 2,000 feet or greater from the freeway would be minimal (decibels would not be above minimum thresholds); the Federal Highway Administration Traffic Noise Model has limitations for predicting noise levels beyond approximately 500 feet; mitigation, such as noise walls, would not be effective for receptors at 2,000 feet or greater (and at elevated positions) away from the freeway; and, even if it were shown that noise levels are higher on trails, such as the Bursera Trail, the impacts would be temporary in nature because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway (no picnic areas appear to be located along this trail).</p>

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	<p>B. The Departments Fail to Meaningfully Examine and Fully Consider the Impact of the Project on Other Aspects of the Affected Environment</p>
17	<p>The Departments' NEPA analysis also fails to examine and fully disclose and consider the direct, indirect and cumulative impact of the SR 202L proposal on a number of aspects of the affected environment, including but not limited to biological resources (including plants and animals), visual resources, water,¹⁴ and topography/geography and the fragmentation of the endangered Sonoran Desert ecosystem – which was listed in 2011 as one of the 12 most threatened landscapes in the U.S. by the Cultural Landscape Foundation.¹⁵</p> <p>Many of these impacts are discussed in the PARC's comments, which are expressly incorporated herein, as well as in the previous and current comments of our members and other stakeholders, including, without limitation:</p>
18	<ul style="list-style-type: none">• Increase in types of invasive species and spread of existing invasive species, in that their distribution will be encouraged by the highway that will provide a corridor for their movement, further impacting individual native plant and animal species and habitat/ecosystem
19	<ul style="list-style-type: none">• Loss of connectivity for plants and animals with Sierra Estrellas, Sonoran Desert National Monument
20	<ul style="list-style-type: none">• Increase in heavy metals, particularly lead from vehicles, and cancer-causing pollutants emitted from asphalt
21	<ul style="list-style-type: none">• Increase in elevated levels of particulates such as black carbon, nitrogen oxides and carbon monoxide downwind from freeway resulting in increased pulmonary and cardio health issues (Environ Health. 2007; 6:23)
	<p>¹⁴ The FEIS admits that both that portions of the Salt and Gila Rivers are on the CWA Section 303(d) list, including that portion of the Salt River in the Study Area (ADEQ 2011), and that "[i]ncreased pollutant loading from freeway operation might further impair listed reaches of the Salt River and might need measures in addition to existing permit controls to achieve or maintain water quality standards in accordance with CWA Section 303(d)." FEIS at 4-105. However, the CWA prohibits discharges of a pollutant in an impaired water body if that pollutant is the reason for the impairment (i.e. the reason why the water body is on the 303(d) list), unless certain stringent planning and stream remediation efforts are in place – which has not been done in this case. See <i>Friends of Pinto Creek v. U.S. E.P.A.</i>, 504 F.3d 1007 (9th Cir. 2007). The failure to disclose what remediation efforts might be needed as part of the FEIS process violates NEPA.</p> <p>¹⁵ http://travel.usatoday.com/destinations/dispatches/post/2011/09/cultural-landscapefoundation-most-threatened-landscapes/548464/1</p>
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17		Comment noted. Responses to specific comments are provided on the following pages.
18	Biology, Plants, and Wildlife	The Arizona Department of Transportation regularly implements mitigation measures to control and minimize the presence of invasive and noxious species on its facilities and would do the same for this project, in compliance with Executive Order 13112. This requirement is described on page 4-127 of the Final Environmental Impact Statement and confirmed in the Record of Decision in Table 3, beginning on page 38. This includes identifying, controlling, and monitoring for invasive species as well as preventing their incidence in areas where they are not presently found. The Executive Order also includes restoration of native plant species where invasive plant species are found.
19	Biology, Plants, and Wildlife	The freeway will be designed to protect and maintain opportunities for wildlife movement between the South Mountains, Gila River, and Sierra Estrella. These opportunities will be located in the region where the South Mountain Freeway will intersect the southwestern portion of the South Mountains. Some drainage structures incorporated into the roadway plans will be designed to accommodate multifunctional crossings in appropriate locations that will allow limited use by the Gila River Indian Community and will also serve wildlife. These crossing structures and associated fences will be designed to reduce the incidence of vehicle-wildlife collisions and to reduce the impact of the freeway on wildlife connectivity between the South Mountains, Gila River, and Sierra Estrella. The Arizona Department of Transportation will coordinate with the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and the Gila River Indian Community's Department of Environmental Quality during the design phase regarding the potential for locating and designing wildlife-sensitive roadway structures.
20	Health Effects	Lead is discussed on page 4-69 of the Final Environmental Impact Statement. Since the ban on the sale of leaded gasoline, lead emissions have declined significantly. Motor vehicles are no longer considered a significant source of lead, and lead is not regulated under the U.S. Environmental Protection Agency's transportation conformity regulations.
		Regarding the potential for cancer-causing emissions from asphalt, the U.S. Environmental Protection Agency provided recommendations for mobile source air toxics analysis prior to the Draft Environmental Impact Statement, and also discussed air toxics in its comments on both the Draft and Final Environmental Impact Statements. At no time did the agency suggest or recommend that the Federal Highway Administration evaluate the impacts of emissions from asphalt.
21	Air Quality	Under the Clean Air Act, the U.S. Environmental Protection Agency is responsible for establishing National Ambient Air Quality Standards to protect public health and the environment from adverse effects of air pollutants. As explained in the <i>Responses to Frequently Submitted Public Comments</i> (see page A371), the U.S. Environmental Protection Agency's National Ambient Air Quality Standards are required by law to protect public health with an adequate margin of safety. For the South Mountain Freeway project, modeling for carbon monoxide and particulate matter (PM ₁₀) was conducted using worst-case (most congested or highest traffic) modeling locations at discrete receptor locations around each analysis location (primarily residences near the interchanges). Black carbon emissions are a component of particulate matter (PM ₁₀) and were included in the particulate matter (PM ₁₀) analysis. The carbon monoxide and particulate matter (PM ₁₀) analyses demonstrated that the freeway will not contribute to any new

(Response 21 continues on next page)

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22	<ul style="list-style-type: none"> • With increase in pollutants, increased hazard to humans who hike and bike in South Mountain Park, particularly the west end – bicycling and walking increase exposure to air pollutants
23	<ul style="list-style-type: none"> • Air pollutants negatively affect many plants whether airborne or in the soil (most particles fall to ground) – loss of photosynthetic ability, reduced plant health and vigor; those plants that can exist near highways have increased susceptibility to environmental stresses when compared to plants further away from highway • Construction kills plants including such iconic plants as ironwood, saguaro, Arizona Queen of the Night, elephant tree, ocotillo; those that are removed to be replanted, such as saguaro and littleleaf paloverde, historically experience a very high mortality rate; and • Roads are highly correlated with changes in species composition and population sizes – populations of the more specialized species such as elephant tree, saguaro, Arizona escheveria, will respond negatively due to loss of habitat, including appropriate substrate. <p>The FEIS fails to meaningfully address these prior comments or to adequately analyze or mitigate for the <u>cumulative effects</u> of these impacts. See Section II(C) of our Comment Letter (addressing cumulative effects). In addition to the foregoing, a number of key failures found in the FEIS related to the natural environment are discussed further, below.</p> <p>First, while the FEIS at least discloses <u>some</u> of the potential impacts of the project to wildlife,¹⁶ it makes few references (other than noting potential “vegetation removal” and the possible introduction and spread of invasive species) to the profound and irreparable direct, indirect and cumulative impacts that the construction and ultimate presence of the freeway project will have on important plants and plant communities within the Study Area and in particular, in and around SMPP. See Comments of Wendy C. Hodgson, Desert Botanical Garden, Phoenix Arizona, attached here as Attachment “A”, and fully incorporated by reference.</p> <p>These impacts include, among others things, impacts that extend far beyond the immediate road and vegetation clearing activities needed for the freeway. These impacts are direct, indirect and/or cumulative effects of the proposed action. For example, roads and freeways decrease genetic diversity of affected populations (due to population size and genetic drift), fragment plant corridors that provide genetic conduits between individuals and populations for plant species, introduce and serve as dispersal corridors for invasive plants and exotic species, and increase the possibility of fire,</p> <p>¹⁶ The analysis contained in the FEIS relative the freeway’s potential impact on wildlife and plants is abbreviated, at best. See <i>ROADS AND THEIR MAJOR ECOLOGICAL EFFECTS</i>, Richard T. T. Forman and Lauren E. Alexander, Harvard University Graduate School of Design, Cambridge, Massachusetts 02138.</p>

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21 (cont.)		<p>localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones (see discussion beginning on pages 4-75 and 4-76 of the Final Environmental Impact Statement, respectively).</p> <p>The U.S. Environmental Protection Agency has also established National Ambient Air Quality Standards for nitrogen dioxide. The U.S. Environmental Protection Agency has designated the entire state of Arizona as “unclassifiable/attainment” for nitrogen dioxide (77 <i>Federal Register</i> 9532, February 17, 2012) and, because of this, the transportation conformity regulations at 40 Code of Federal Regulations Part 93 do not require analysis of nitrogen dioxide concentrations near the project area. The Federal Highway Administration and Arizona Department of Transportation consulted extensively with the U.S. Environmental Protection Agency on the air quality analysis for the South Mountain Freeway project, and the U.S. Environmental Protection Agency did not suggest or recommend that the Federal Highway Administration evaluate nitrogen dioxide impacts from the project. There are no National Ambient Air Quality Standards for “nitrogen oxides,” a class of pollutants that includes nitrogen dioxide along with other oxides of nitrogen, but emissions of these pollutants are accounted for by the Maricopa Association of Governments in the regional emissions analyses for ozone as part of its conformity determination and in the emissions inventories for the Maricopa Association of Governments ozone state implementation plans.</p>
22	Air Quality	<p>The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. All locations immediately adjacent to the modeled interchanges demonstrated compliance with the National Ambient Air Quality Standards, and the receptor diagrams in Figures 2 through 4 of the air quality technical report show that concentrations decrease rapidly as distance from the roadway increases. Since the U.S. Environmental Protection Agency’s National Ambient Air Quality Standards are required to protect public health with an adequate margin of safety, and since the project meets these National Ambient Air Quality Standards, there is no increased hazard to public health in the project area related to the National Ambient Air Quality Standards.</p> <p>For mobile source air toxics, the updated analysis showed that for the Study Area, constructing the freeway will have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement).</p>
23	Biology, Plants, and Wildlife	<p>Within the context of overall vegetation, wildlife, and wildlife habitat, all action alternatives and options would decrease the amount of cover, nesting areas, and food resources for wildlife species caused by habitat loss, fragmentation, and traffic disturbance. See the section, <i>General Impacts on Vegetation, Wildlife, and Wildlife Habitat</i>, beginning on page 4-136 of the Final Environmental Impact Statement, for additional details on potential effects on vegetation, wildlife, and wildlife habitat. The conclusion for diminished wildlife resources accounts for</p>

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	<ul style="list-style-type: none">With increase in pollutants, increased hazard to humans who hike and bike in South Mountain Park, particularly the west end – bicycling and walking increase exposure to air pollutantsAir pollutants negatively affect many plants whether airborne or in the soil (most particles fall to ground) – loss of photosynthetic ability, reduced plant health and vigor; those plants that can exist near highways have increased susceptibility to environmental stresses when compared to plants further away from highwayConstruction kills plants including such iconic plants as ironwood, saguaro, Arizona Queen of the Night, elephant tree, ocotillo; those that are removed to be replanted, such as saguaro and littleleaf paloverde, historically experience a very high mortality rate; andRoads are highly correlated with changes in species composition and population sizes – populations of the more specialized species such as elephant tree, saguaro, Arizona escheveria, will respond negatively due to loss of habitat, including appropriate substrate. <p>The FEIS fails to meaningfully address these prior comments or to adequately analyze or mitigate for the <u>cumulative effects</u> of these impacts. See Section II(C) of our Comment Letter (addressing cumulative effects). In addition to the foregoing, a number of key failures found in the FEIS related to the natural environment are discussed further, below.</p> <p>First, while the FEIS at least discloses <u>some</u> of the potential impacts of the project to wildlife,¹⁶ it makes few references (other than noting potential “vegetation removal” and the possible introduction and spread of invasive species) to the profound and irreparable direct, indirect and cumulative impacts that the construction and ultimate presence of the freeway project will have on important plants and plant communities within the Study Area and in particular, in and around SMPP. See Comments of Wendy C. Hodgson, Desert Botanical Garden, Phoenix Arizona, attached here as Attachment “A”, and fully incorporated by reference.</p> <p>These impacts include, among others things, impacts that extend far beyond the immediate road and vegetation clearing activities needed for the freeway. These impacts are direct, indirect and/or cumulative effects of the proposed action. For example, roads and freeways decrease genetic diversity of affected populations (due to population size and genetic drift), fragment plant corridors that provide genetic conduits between individuals and populations for plant species, introduce and serve as dispersal corridors for invasive plants and exotic species, and increase the possibility of fire,</p> <p>¹⁶ The analysis contained in the FEIS relative the freeway’s potential impact on wildlife and plants is abbreviated, at best. See <i>ROADS AND THEIR MAJOR ECOLOGICAL EFFECTS</i>, Richard T. T. Forman and Lauren E. Alexander, Harvard University Graduate School of Design, Cambridge, Massachusetts 02138.</p>
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23 (cont.)		general effects that would also apply to most species that occur along the action alternative corridors. Additional species with the potential to be affected by the project were summarized in the Final Environmental Impact Statement (see page 4-129 of the Final Environmental Impact Statement).
24	Biology, Plants, and Wildlife	The Arizona Department of Transportation has conducted studies on the best methods to use for transplanting desert species, particularly ironwood trees and saguaros, and was honored by the American Society of Landscape Architects in 2012 for this work. The research results have been incorporated in the procedures for plant salvage for Arizona Department of Transportation projects and throughout the industry. Reports on the research findings are available from the Arizona Department of Transportation Research Center at <azdot.gov/planning/researchcenter/research/research-reports>.
25	Biology, Plants, and Wildlife	Roads, development, or agricultural lands occur along almost the entire lengths (except for less than 2 miles) of the action alternatives, with nearly 1.3 miles of the 2 miles on private property affected by dirt trails. Species composition has already changed along a majority of the action alternative corridors, and the conditions for affecting species composition currently exist. Secondary and cumulative impacts of the freeway are disclosed beginning on page 4-179 of the Final Environmental Impact Statement. Specific comments from Attachment A are addressed in that section of the comment document.

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26	<p>among other impacts. See <i>id.</i> None of these impacts are identified or adequately addressed in the FEIS. This is inconsistent with NEPA, which requires, <u>at a base</u>, a "reasonably thorough discussion of the significant aspects of probable environmental consequences." <i>Oregon Natural Resources Council v. Lowe</i>, 109 F.3d 521, 526 (9th Cir. 1997).</p> <p>In addition to the foregoing, the FEIS also fails to disclose, analyze and discuss <u>in any detail</u> the substance of the <u>mitigation measures</u> that ADOT and the FWHA intend to utilize to address the direct, indirect and cumulative impacts of the construction activities and the ultimate presence of SR 202L freeway on "biological resources" and other affected resources located within the unique Sonoran ecosystem in the project area, including impacts to plants and vegetation, discussed above, and to wildlife and wildlife habitat. These impacts are significant and include adverse direct, indirect and cumulative affects to (among other things), (a) candidate species protected under the Endangered Species Act (desert tortoise – Sonoran population and the Tucson shovel-nosed snake); (b) numerous plants protected under Arizona's Native Plant Act, which are often unusual or rare, have high value for landscaping or are long-lived and not easily replaced, susceptible to theft and vandalism or are being unnecessarily lost because of development (Arizona Department of Agriculture [ADA] 2009; Maricopa County 2004b); and (c) as well as other animals and plants that are unique to the Sonoran Desert or otherwise considered wildlife of special concern. Some animal species impacted by the project are also protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act, such as the rare Desert Nesting Bald Eagle and Golden Eagles.</p> <p>The Departments acknowledge in the FEIS that, "all action alternatives and options would decrease the amount of cover, nesting areas, and food resources for wildlife species caused by habitat loss, fragmentation, and traffic disturbance." FEIS at 4-136. They also admit (with little analysis) that "[c]onstruction of any action alternatives and options would involve vegetation removal and would cause a decrease in habitat, foraging, and nesting resources for wildlife." <i>Id.</i></p> <p>Additional impacts would occur, according to the Departments' own analysis, during construction and blasting, <i>see id.</i>, although the manner and scope of these impacts are not discussed in the FEIS in any meaningful way. The FIES further explains at 4-136 that, [i]n the Eastern Section of the Study Area, the E1 (Preferred) Alternative would affect wildlife because of the presence of undeveloped areas and open space land uses along the SMPP and [Gila River Indian] Community boundaries—the areas with the most natural habitat." In addition, the FEIS discloses at 4-136:</p> <p>Operation of the freeway would cause a long-term increase in noise levels that would vary in intensity depending on factors such as time of day and day of the week. Nighttime noise levels, excluding evening periods, would be less than daytime noise levels; therefore, species active during daytime periods may be affected more than species active at night. Some species rely on hearing to avoid predators, communicate, and find food (Noise</p>

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26	Biology, Plants, and Wildlife	<p>Candidate species, the Arizona Native Plant Act, and other wildlife species of special concern, including those protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, are described beginning on page 4-127 of the Final Environmental Impact Statement. In addition, the Arizona Department of Transportation and Federal Highway Administration completed a Biological Evaluation containing analysis of the project effects on listed and candidate species under the Endangered Species Act. The Biological Evaluation was completed in May 2014 following identification of the Preferred Alternative in the Draft Environmental Impact Statement and is available for public review on the project Web site: <azdot.gov/southmountainfreeway>. The Biological Evaluation was sent to the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and Gila River Indian Community Department of Environmental Quality. The U.S. Fish and Wildlife Service was asked for technical assistance with minimizing impacts on candidate species prior to completion of the Final Environmental Impact Statement. In a letter dated July 18, 2014, the Gila River Indian Community provided comments on the Biological Evaluation and included a list of plant and animal species that are culturally important to the Gila River Indian Community. The Biological Evaluation was revised to incorporate an evaluation of the identified species (see page 4-127 of the Final Environmental Impact Statement). The Arizona Department of Transportation and Federal Highway Administration have committed to continue coordination with the Arizona Game and Fish Department, Gila River Indian Community Department of Environmental Quality, and U.S. Fish and Wildlife Service regarding wildlife concerns as a result of the freeway's implementation. Mitigation measures for biological resources are presented in Table 3, beginning on page 38, of the Record of Decision.</p>

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	<p>Pollution Clearinghouse 2004). An increase in traffic noise may affect the ability of some animals to hear at a level necessary for survival when near the proposed action. In addition, hearing loss resulting from vehicle noise has been shown to occur in some desert animals (Bondello and Brattstrom 1979).</p> <p>The FEIS also states (at least in passing) that the project will result in impacts to wildlife movement and habitat connectivity, explaining at 4-138:</p> <p>Impacts on biological resources caused by construction and operation of public roads include vehicle-wildlife collisions, habitat loss, and habitat fragmentation (FHWA 2011) as well as disturbances caused by traffic noise (Barber et al. 2010). A report supported by AGFD and the Arizona Wildlife Linkages Workgroup summarizes a workshop attended by a broad range of organizations and interests that interactively provided input and mapping for important wildlife linkages across Maricopa County (AGFD 2012). The report identifies the area between SMPP and the Sierra Estrella as a landscape movement area.</p> <p>The Departments, having disclosed the above described adverse impacts on wildlife and plants throughout the range of the Study Area, including within and adjacent to the SMPP, <u>see 2 U.S.C. § 4332(2)(C)(ii), were next obligated under NEPA to describe what mitigating efforts will be used to off-set the harms that would result from the project.</u> See 40 C.F.R. § 1502.16(h) (stating that an EIS "shall include discussions of . . . means to mitigate adverse environmental impacts"). The FEIS fails to do this.</p> <p>Instead, the FEIS repeatedly suggests that the specifics of the mitigation measures will be developed <u>at a later time</u>, either during the design phase or just prior to or during construction activities. This approach is devoid of specifics or even a firm commitment to actually conduct the mitigation measures at all in many cases.¹⁷ This is a significant failure that permeates the entire FEIS document and is used repeatedly to essentially "punt" specifics regarding mitigation until <u>after</u> the FEIS process is complete. This tactic is used when discussing a myriad of currently vague (but crucial) mitigation measures, such as the potential use of multi-functional road crossings and culverts for wildlife movement and to reduce vehicle-wildlife collisions, mitigating for impacts to 303(d) impaired waters and impacts to protected plants, developing species-specific mitigation measures to minimize potential impacts to birds and animals, conducting plant and animal surveys, determining the ultimate location of noise barriers and the configuration of bridges to span historic features and trails, determining the means to limit damage to visual resources, including the cuts through SMPP, among other things. See, e.g., Table S-4 (providing a summary of the mitigation measures for this project).</p> <p>¹⁷ See <i>Neighbors of Cuddy Mountain v. USFS</i>, 137 F.3d 1372, 1381 (9th Cir. 1998) (rejecting as insufficient mitigation measures proposed by the Forest Service when it was not certain that the mitigation measures, would in fact, be adopted).</p>

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27	Biology, Plants, and Wildlife	Mitigation measures and measures to minimize harm as the result of extensive consultation, avoidance alternatives analyses, and efforts in developing mitigation strategies are presented throughout the Final Environmental Impact Statement to sufficient detail to demonstrate actions leading to impact reduction. Some specifics remained unknown upon publication of the Final Environmental Impact Statement because the design detail was not yet available or because it was procedurally necessary to do so. Table 3, beginning on page 38 of the Record of Decision, contains specific mitigation measures related to biological resources, including species afforded federal protection under the Migratory Bird Treaty Act, for the Sonoran desert tortoise, for salvage of native plants, for prevention of introduction and spread of invasive plants, and for maintenance of habitat connectivity. Measures were included to coordinate with others following the Record of Decision regarding the potential for additional mitigation for sensitive species and for determining the location and design of wildlife crossings as the final design proceeds. The surveys for Sonoran desert tortoise are already underway and are being conducted by the Arizona Game and Fish Department. The resulting documentation will include recordings of all species observed. If other species are determined to exist in the project area and will be affected by the project, additional coordination with the Arizona Game and Fish Department will occur. The Arizona Department of Transportation and Federal Highway Administration, through signing the Record of Decision, commit to fulfill all commitments and mitigation measures in the Record of Decision.

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28	<p>It is well settled under NEPA that a mere perfunctory description of mitigating measures is inconsistent with the "hard look" ADOT and the FHWA is required to take under NEPA. Rather, "[m]itigation must 'be discussed in sufficient detail to ensure that environmental consequences have been fairly evaluated.'" <i>City of Carmel-By-the-Sea v. U.S. Dep't of Transp.</i>, 123 F.3d 1142, 1154 (9th Cir. 1997) (quoting <i>Robertson v. Methow Valley Citizens Council</i>, 490 U.S. 332, 353, 104 L. Ed. 2d 351, 109 S. Ct. 1835 (1989)). "A mere listing of mitigation measures is insufficient to qualify as the reasoned discussion required by NEPA." <i>Northwest Indian Cemetery Protective Ass'n. v. Peterson</i>, 795 F.2d 688, 697 (9th Cir. 1986), <i>rev'd on other grounds</i>, 485 U.S. 439, 99 L. Ed. 2d 534, 108 S. Ct. 1319 (1988).</p> <p>Here, the Departments' decision to punt the specifics of its mitigation measures until the design or construction phase of the project is not explained in the FEIS, nor have they even provided an estimate of how effective the mitigation measures would be if adopted or given a reasoned explanation as to why such an estimate is not possible. This also violates NEPA. See <i>Neighbors</i>, 137 F.3d at 1381; see also <i>Klamath-Siskiyou Wildlands Ctr. v. Bureau of Land Mgmt.</i>, 387 F.3d 989, 993 (9th Cir. 2004) (rejecting as insufficient an environmental assessment that failed to meaningfully analyze mitigation measures where the agency concluded that the "[i]mpacts are being avoided by project design", because "[t]he EA[s] [are] silent as to the degree that each factor will be impacted and how the project design will reduce or eliminate the identified impacts.").</p> <p>Furthermore, an essential component of a reasonably complete mitigation discussion is an assessment of whether the proposed mitigation measures can be effective. Compare <i>Neighbors of Cuddy Mountain v. U.S. Forest Service</i>, 137 F.3d 1372, 1381 (9th Cir. 1998) (disapproving an EIS that lacked such an assessment) with <i>Okanogan Highlands Alliance v. Williams</i>, 236 F.3d 468, 477 (9th Cir. 2000) (upholding an EIS where "[e]ach mitigating process was evaluated separately and given an effectiveness rating"). The Supreme Court has required a mitigation discussion precisely for the purpose of evaluating whether anticipated environmental impacts can be avoided. See <i>Methow Valley</i>, 490 U.S. at 351-52 (citing 42 U.S.C. § 4332(2)(C)(ii)). A mitigation discussion without at least some evaluation of effectiveness is useless in making that determination. None of these requirements are met in the FEIS.</p> <p>In short, the Departments' broad generalizations and vague references to mitigation measures in relation to the project do not constitute the requisite detail that ADOT and the FHWA were required to provide since they fail to disclose at any level of specificity what mitigation measures would be undertaken and the potential effectiveness of these measures. For these reasons, the FEIS must be revisited and substantially improved before a record of decision can be entered.</p> <p>C. The FEIS Fails to Sufficiently Identify and Analyze Cumulative Impacts of the Project, Including Past, Present and Reasonably Foreseeable Future Actions</p>

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28	Environmental Impact Statement Process	<p>The Arizona Department of Transportation, the project sponsor, working in close consultation with the Federal Highway Administration, the lead federal agency for the project, and in cooperation with the U.S. Army Corps of Engineers, the U.S. Bureau of Indian Affairs, and the Western Area Power Administration, prepared the Draft and Final Environmental Impact Statements and Section 4(f) Evaluations for the South Mountain Freeway in accordance with: the National Environmental Policy Act of 1969 [42 United States Code Section 4332(2)(c)], Section 4(f) of the Department of Transportation Act of 1966 (49 United States Code Section 303, as amended), and Section 404 of the Clean Water Act of 1977 (33 United States Code Section 1251). The Draft and Final Environmental Impact Statements and Section 4(f) Evaluations: 1) satisfy the Federal Highway Administration's and Arizona Department of Transportation's environmental analysis requirements; 2) provide a comparison of the social, economic, and environmental impacts that may result from implementation of the proposed project—construction and operation of a major transportation facility; and 3) identify measures to avoid, reduce, or otherwise mitigate adverse impacts. The Draft and Final Environmental Impact Statements include sufficient preliminary design information to compare alternatives.</p> <p>Mitigation measures and measures to minimize harm as the result of extensive consultation, avoidance alternatives analyses, and efforts in developing mitigation strategies are presented throughout the Final Environmental Impact Statement to sufficient detail to demonstrate actions leading to impact reduction. Some specifics remained unknown upon publication of the Final Environmental Impact Statement because the design detail was not yet available or because it was procedurally necessary to do so. The final commitments are presented in the Record of Decision. The Arizona Department of Transportation and Federal Highway Administration, by signing the Record of Decision, commit to fulfill all commitments and mitigation measures in the Record of Decision.</p>

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29	<p>The FEIS fails to sufficiently identify and analyze cumulative impacts of the project, including impacts stemming from past, present and reasonably foreseeable future actions in the Study Area. Federal guidance defines cumulative impacts as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions” 40 C.F.R. § 1508.7. “Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” 40 C.F.R. § 1508.7. In addition, cumulative impacts are considered <u>direct effects</u>, which are “caused by the action and occur at the same time and place” 40 C.F.R. § 1508.8. In sum, cumulative impacts occur where several actions in an area combine to create an impact greater than any one individual activity.</p> <p>Here, the FEIS devotes a scant few pages to addressing the cumulative impacts of the project on the affected environment, only briefly discussing cumulative impacts related to biological resources, water, cultural resources, land use, environmental justice, visual resources, recreational lands, noise and air quality. This is not sufficient for NEPA, since the Departments’ analysis of cumulative impacts “must give a sufficiently detailed catalogue of past, present, and future projects, and provide adequate analysis about how these projects, and differences between the projects, are thought to have impacted the environment.” <i>Te-Moak Tribe of Western Shoshone v. DOI</i>, 608 F.3d 592, 603 (9th Cir. 2010) (<i>quoting Lands Council v. Powell</i>, 395 F.3d 1019, 1027, 1028 (9th Cir. 2005) (internal quotation marks omitted).</p> <p>The FEIS identifies only a handful of activity types that the Departments believe could contribute to cumulative impacts, including highway projects, planned mass transit in the Study Area, other major infrastructure projects, like utility expansions, and “other general development patterns.” FEIS at 4-183. Of these activities, the chief type of cumulative impact that is discussed in the document is the ongoing, planned and permitted residential and commercial development with the Study Area. <i>Id.</i> However, the FEIS discusses the location, scope and effects of past, present and future projects in the Study Area <u>only in generalities</u>, without offering any specific analysis of how the developments <u>actually interact</u> with the affected environment to result in a cumulative effect. This sort of vague discussion of cumulative impacts can be found in virtually every part of the cumulative effects section. This is inconsistent with the requirements of NEPA.</p> <p>For example (and without limitation to the failings in each subpart of the section), in discussing habitat loss, the FEIS notes that the project would “irrevocably convert existing natural habitat to transportation and use and, therefore, contribute to a reduction in the amount of wildlife habitat in the region.” FEIS at 4-183. The FEIS goes on to explain that urbanization in the affected area increased by 15 percent from 1975-2000, but then merely concludes (without offering any specifics) that:</p> <p>Ongoing planned and permitted residential, commercial, and transportation development would likely further this trend of habitat loss</p>

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29	Secondary and Cumulative Impacts	<p>Secondary and cumulative impacts of the freeway are reported in the Final Environmental Impact Statement beginning on page 4-179 as defined in 40 Code of Federal Regulations Sections 1508.7 and 1508.8.</p> <p>The disclosure of secondary and cumulative impacts does not require the Arizona Department of Transportation to propose and implement mitigation measures to address such impacts. Project-specific mitigation measures as proposed to address direct impacts inherently address reduction in such overall impacts as well. The commitments and mitigation measures for the project are described in Table 3, beginning on page 38, of the Record of Decision.</p>

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	<p>through direct conversion, habitat isolation (addressed below), and native plant loss (addressed below). Also, wildlife typically is displaced, causing either increased competition among species members and/or population reduction.</p> <p>Furthermore, in discussing habitat isolation, as referenced above, the FEIS merely reiterates its prior conclusions on direct effects, saying only that:</p> <p>Construction and operation of the proposed action would bisect existing natural habitat for the purposes of a transportation use and, therefore, would contribute to habitat isolation, inhibiting the movement of wildlife for life requirements. This effect would likely be most prevalent in the areas between the South Mountains Sierra Estrella. <i>Id.</i></p> <p>In short, the Departments' purported discussion of cumulative effects on habitat isolation does nothing to further the analysis, since the FEIS merely concludes that, when considering ongoing planned residential, commercial, and transportation development together, "[t]hese ongoing developments would contribute to continued adverse effects on habitat connectivity. The provision of mitigation for the proposed action in the form of multiuse crossings to be situated in cooperation with federal and State wildlife officials would minimize impacts attributable to the proposed action." <i>Id.</i> at 4-184.</p> <p>The FEIS takes the same approach with regard to analyzing cumulative impacts to plant loss, as noted above, summarily concluding that:</p> <p>Future residential, industrial, commercial, and transportation projects in conjunction with the proposed action can be reasonably expected to contribute to a loss of native vegetation, as defined and protected under the Arizona Native Plant Act (A.R.S. § 3-901 <i>et seq.</i>). Notably, the proposed action as currently planned would convert natural areas around the South Mountains to a transportation use.</p> <p>FEIS at 4-184 – 4-185. This form of vague and insufficient cumulative effects analysis continues throughout the cumulative effects section. See, e.g. FEIS at 4-184 (concluding the "over time" development in the southwestern Phoenix will result in a diminishment of vehicle-animal collisions "as habitat decreases and becomes less able to sustain large wildlife populations"); FEIS at 4-185 (observing cumulative impacts on ESA listed species will occur due to proposed SR 30 freeway, but noting only that "NEPA requirements will be addressed in an environmental assessment for that federally funded project"); FEIS at 4-185 (noting that associated development from "other projects" such as "transportation, commercial, and residential developments" would "result in a higher runoff volumes and a higher potential for pollutant discharges into receiving waters."); FEIS at 4-186 (noting that "[o]ngoing planned and permitted residential, commercial, and industrial development in the region would likely continue to place a demand on water availability. The proposed action would have little</p>
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	<p>cumulative effect on water availability."); FEIS at 4-187 (concluding that visual resources would be impacted by "rapid transition in land use from low-density, open uses to residential, commercial and light industrial uses"); FEIS at 4-188 (stating, with no analysis, that "[w]ith the planned growth and urbanization in the Study Area, noise levels would be expected to increase because of the increased density of human activities", but saying impacts to be minimized with best practices).</p> <p>The Departments' description of past, present and reasonably foreseeable future developments and projects in the Study Area which are based on mere generalities is insufficient to permit adequate review of their cumulative impact under NEPA. <i>See, e.g., City of Carmel-by-the-Sea v. USDOT</i>, 123 F.3d 1142, 1160-61 (9th Cir. 1997) (general references to development projects and ongoing urbanization was insufficient for a proper cumulative effects analysis under NEPA); <i>see also Natural Resources Defense Council, Inc. v. Hodel</i>, 275 U.S. App. D.C. 69, 865 F.2d 288, 299 (D.C. Cir. 1988) ("These perfunctory references do not constitute analysis useful to a decisionmaker in deciding whether, or how, to alter the program to lessen cumulative environmental impacts.").</p> <p>So too is the Departments' mere recitation of direct effects and reliance of mitigation measures <u>in lieu of</u> conducting a true cumulative effects analysis. <i>See Te-Moak Tribe of Western Shoshone v. DOI</i>, 608 F.3d 592, 603 (9th Cir. 2010) (finding inadequate a cumulative effects analysis where the majority of the discussion focused on how effects of the proposed activities will be avoided or mitigated and noting that the document's "discussion of the . . . direct effects in lieu of a discussion of cumulative impacts.").</p> <p>D. The FEIS is Replete with Other Failings Under NEPA</p> <p>As discussed in the comments of our members and PARC, incorporated here, the FEIS falls short under NEPA on a myriad of other fronts, as well, all of which demonstrate that ADOT and the FHWA have failed to take the requisite "hard look" required by NEPA. These include, but are not limited to:</p> <ul style="list-style-type: none">• The failure to meaningfully identify, analyze and mitigate for the indirect (secondary) impact of the proposed action;• Failure to consider reasonable alternatives, in particular, with regard to the E1 Alternative that would bisect SMPP;• The unlawful use of pre-decisional actions and the irretrievable commitment of resources in the purchase of lands, planning actions and other activities towards a pre-determined outcome as prohibited under NEPA;• Denial of the growth inducing impacts of the project; and

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30	Secondary and Cumulative Impacts	Secondary and cumulative impacts of the freeway are reported in the Final Environmental Impact Statement beginning on page 4-179 as defined in 40 Code of Federal Regulations Sections 1508.7 and 1508.8.
31	Alternatives	<p>In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the systematic alternatives development and screening process presented in Chapter 3 of the Draft and Final Environmental Impact Statements. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).</p> <p>The alternatives development and screening process considered the ability of an alternative to minimize impacts on the human and natural environments (see page 3-3 of the Final Environmental Impact Statement). Throughout the process described beginning on page 3-3, environmental impacts are used to eliminate alternatives. In the evaluation of action alternatives (see text beginning on page 3-62 of the Final Environmental Impact Statement) environmental and societal impacts play a substantial role in the identification of the W59 and E1 Alternatives as the Preferred Alternative. In comparison with the other action alternatives studied in detail, the Preferred Alternative is the least harmful alternative.</p>
32	Acquisitions and Relocations	<p>Land acquisition and relocation assistance services for the project are available to all individuals in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The implementing regulations for federally funded highway projects are 49 Code of Federal Regulations Part 24. The process for hardship and advanced acquisitions is explained in text on page 4-50 of the Final Environmental Impact Statement.</p> <p>The comment infers that by taking such action, the objective equal consideration of the alternatives studied in detail in the Draft and Final Environmental Impact Statements is tainted. Advanced acquisitions in parallel to a National Environmental Policy Act environmental determination process are not unprecedented and are common practice. In this case, property acquisitions by the Arizona Department of Transportation for purposes of implementing the freeway are done at risk as communicated to the agency by the Federal Highway Administration. If another action alternative had been ultimately selected, the agency would have to place the acquired properties on the market for sale and purchase. The Arizona Department of Transportation attempts to balance the risk against its mission of timely delivery of transportation infrastructure to the traveling public. Further, Federal Highway Administration regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the selection of an alternative.</p>
33	Acquisitions and Relocations	Unplanned growth is often termed "urban sprawl." Generally, this term is used in the context of rapid and uncontrolled urban growth onto previously undeveloped land, usually on the outskirts of an existing urban area. Projects like the freeway are often identified as contributors to urban sprawl. Freeway projects are often cited as making land at the urban fringe more accessible and, therefore, more attractive for development. However, examination of data comparing population and land use between 1975 and 2000 suggests major transportation projects like

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34	<ul style="list-style-type: none"> The wrongful segmentation of the larger Loop 202 highway system and related actions.
35	<p>III. The Section 4(f) Evaluation is Insufficient to Meet the Requirements of the U.S. Department of Transportation Act, 49 U.S.C. § 303(c)</p> <p>In addition to performing the NEPA analysis described above, because the SR 202L project will impact Section 4(f) resources, including historic sites,¹⁸ trails, the SMPP and other public parks and recreational facilities, ADOT and the FHWA have a separate and independent duty to properly consider and document their Section 4(f) evaluation as required by 49 U.S.C. 303(c) of the U.S. Department of Transportation Act, 23 C.F.R. 774 and applicable law, before they can approve the use, as defined in §774.17, of the Section 4(f) properties to be affected by the project.</p> <p>The Departments have failed to comply with their obligations under Section 4(f), by (among other things), ignoring the very real and adverse direct and constructive uses of the affected 4(f) properties and their resources as defined in § 774.15, and by failing to ensure that all possible planning to minimize harm to the properties has been undertaken (as defined in § 774.17), <u>before</u> the final 4(f) determination and <u>not after</u>, as required by § 774.3(a)(2).</p> <p>Given the serious failings of the Departments' 4(f) evaluation, PMPC urges ADOT and the FHWA to perform a proper 4(f) evaluation before issuing a Record of Decision in this matter. Anything less violates the law.</p> <p>Section 303(a) of the U.S. Department of Transportation Act explains that it is the "policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." To this end, under § 303(c), the Secretary of Transportation:</p> <p>[M]ay approve a transportation program or project . . . requiring the use of publicly owned land of a recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if—(1) there is no prudent and feasible alternative to using that land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.</p> <p>¹⁸ These historic sites include the whole of the SMPP and places and sites recognized as traditional cultural properties (TCPs) under Section 106 of the NHPA, as well as certain sites within the SMPP and elsewhere. The Departments have failed to meaningfully examine the impact of the proposed project on the integrity and purposes of these historic sites or undertake the appropriate planning required by law to minimize for such impacts. This also violates the NHPA and its implementing regulations, as well as NEPA and Section 4(f).</p>

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33 (cont.)		the freeway do not induce growth in the region (see Final Environmental Impact Statement pages 4-179 through 4-183). The freeway will be implemented in a historically quickly urbanizing area (most noticeably in the Western Section of the Study Area, although the nationwide recession which began in 2007 slowed growth). In the Eastern Section of the Study Area, the freeway will abut public parkland, Native American land, and a near-fully developed area; therefore, any contribution to accelerated or induced growth will be constrained. The freeway will be built in an area planned for urban growth as established in local jurisdictions' land use plans for at least the last 25 years.
34	Alternatives	The proposed action was not wrongfully segmented. As discussed in text beginning on page 3-11 of the Final Environmental Impact Statement, the South Mountain Freeway has logical termini and independent utility.
35	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) evaluation for the South Mountains in terms of the resource's protection as a Section 4(f) resource as a regional park, historic property, and traditional cultural property.</p> <p>The freeway will pass through the park's southwestern edge. Section 4(f) of the Department of Transportation Act of 1966 extends protection to significant publicly owned public parks, recreation areas, and wildlife and waterfowl refuges, as well as significant historic sites, whether they are publicly or privately owned. This protection stipulates that those facilities can be used for transportation projects only if there is no prudent and feasible alternative to using the land and the project includes all possible planning to minimize harm to the land [see Final Environmental Impact Statement, Chapter 5, <i>Section 4(f) Evaluation</i>]. Such alternatives to avoid the Phoenix South Mountain Park/Preserve were identified, but were determined to not be feasible and prudent alternatives to avoid the use of the park. Use of a portion of the mountains for the purposes of the freeway represents two-tenths of one percent of the total mountain range (31.3 acres of the park's approximately 16,600 acres; see Final Environmental Impact Statement pages 5-39 and 5-31). Since 1988, and as part of this environmental impact statement process, several measures have been undertaken and will be undertaken to further reduce effects on the mountains. These measures, including narrowing the design footprint, acquiring replacement land immediately adjacent to the mountains, and providing highway crossings, are outlined in text beginning on page 5-23 of the Final Environmental Impact Statement. Phoenix South Mountain Park/Preserve will remain the largest municipally owned park in the United States. The activities that make the park a highly valued resource (recreational activities, interaction with the Sonoran Desert) will remain. Nine-tenths of a mile of the freeway will pass through the park's southwestern edge (see Final Environmental Impact Statement page 5-13).</p> <p>When there is a direct use (take) of a Section 4(f) property, such as Phoenix South Mountain Park/Preserve, analysis to determine whether proximity impacts would result in a constructive use is not applicable (23 Code of Federal Regulations § 774.15). As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>

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	<p>In <i>Sierra Club v. USDOT</i>, 948 F.2d 568, 573 (9th Cir. 1991), the Ninth Circuit summarized the important role of Section 4(f), explaining: "If a planned road will use park land, and if the state will use federal funds to construct that road, then section 4(f) requires that the road be relocated unless no prudent and feasible alternative exists. 49 U.S.C. § 303(c)(1)." (Emphasis added).</p> <p>In examining the Congressional History behind Sec. 4(f), the Court in <i>Sierra Club</i> observed that Congress had enacted 4(f) because "it was concerned that roads and other infrastructures would encroach upon the beauty of existing parks." <i>Id.</i> at 574. The Court pointed to a report in the Congressional Record that explained, "section 4(f) is designed to insure that in planning highways . . . and other transportation facilities, care will be taken . . . not to interfere with or disturb established recreational facilities and refuges. S. Rep. No. 1659, 89th Cong., 2d Sess. 5-6 (1966)." <i>Id.</i> (internal quotation marks omitted).</p> <p>Thus, if a planned freeway will "use" park land, historic sited or public recreation facilities, as in the current instance, then Section 4(f) requires that the freeway be relocated unless no other prudent or feasible alternative exists. 49 U.S.C. 303(c)(1). The Ninth Circuit has interpreted this provision to apply to constructive uses as well as actual use of park land. In this Circuit, "constructive use" of park land occurs when a road significantly and adversely affects park land even in those portions of the park that are not physically used by the road. See <i>Adler v. Lewis</i>, 675 F.2d 1085, 1091-92 (9th Cir. 1982). Furthermore, the court in <i>Adler</i>, 675 F.2d at 1092, interpreted the word "use" broadly to apply to any road that would "substantially impair the value of the site in terms of its prior significance and enjoyment." See also <i>Brooks v. Volpe</i>, 460 F.3d 1193 (9th Cir. 1972) (applying the definition of "use" under the Federal-Aid Highway Act, 23 U.S.C. § 138 broadly to find that a freeway that did not directly bisect (but encircled) an alpine campground was nevertheless a "use" of the campground under the Act).</p> <p>A. The Departments Have Failed to Address Both the Direct and the Constructive Uses of the Project on Sec. 4(f) Resources</p> <p>With regard to the current project, the Departments identified multiple Section 4(f) resources in relation to the project,¹⁹ including: (a) at least 17 public parks, including SMPP, Sec. 4(f) Analysis at 5-13, Figure 5-7; (b) at least 7 recreation trails or trail systems, Sec. 4(f) Analysis at 5-9, Figure 5-5; (c) at least 12 public school recreational facilities (some less than 100 feet from the freeway), see Sec. 4(f) Analysis at 5-11, Table 5-6; and (d) at least 8 properties eligible for inclusion on the National Register of Historic Places in addition to SMPP, see Sec. 4(f) Analysis at 5-7, Figure 5-4. Yet, in relation to every one of these 4(f) resources (except SMPP), the Departments incredulously conclude that none of the action alternatives or options would result in the</p> <p>¹⁹ For reasons already discussed in this Letter, above, PMPC disputes the accuracy of this information, having found a number of 4(f) resources that were not properly identified or discussed by the Departments.</p>

Code	Issue	Response
36	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) evaluation; discussion of direct and constructive use is fully disclosed throughout the chapter.</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>

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	<p><u>direct or constructive use of these resources and therefore, the Departments determined that no measures to minimize harm to these resources is warranted. See id.</u></p> <p>Furthermore, in relation to SMPP, the Departments acknowledge that the E1 Alternative would result in the direct use of SMPP, but then unlawfully limit their analysis of the "use" to only those 31.3 acres to be directly (physically) impacted by the project, instead of examining the larger and more substantial impacts to the uses of the Park as a whole (such as recreation, hiking, horseback riding, historical integrity, solitude and quiet enjoyment, wildlife viewing and the preservation of the unique Sonoran Desert ecosystem), concluding under § 774.15, that, "<u>as a rule, applicable in this case, when direct use of a Section 4(f) resource would occur, analysis to determine whether proximity impacts would result in constructive use is no longer applicable.</u>" Sec. 4(f) Analysis at 5-17 (emphasis added). This unduly narrow interpretation of the constructive use test strains the bounds of reason and is inconsistent with the purpose of the Transportation Act itself and applicable rulings from the Ninth Circuit.²⁰</p> <p>1. Impacts to Resources Other Than SMPP</p> <p>While the Departments identify a multitude of resources afforded protection under Section 4(f) within the Study Area, they determine, with virtually no substantive analysis, but only conclusory statements, that <u>no constructive uses of these resources would occur</u>. This violates the requirements of Section 4(f).</p> <p>The standards for determining whether a "constructive use" of resources will occur are outlined in § 774.15. Specifically, a constructive use occurs when:</p> <p>[T]he transportation project does not incorporate land from Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished.</p> <p>In this instance, with regard to the multiple public parks, NRHP eligible historic places (including Traditional Cultural Properties), recreational trails, and public school recreational facilities to be impacted by the project, the Departments simply conclude that, irrespective of the construction and presence of a large multiple lane freeway nearby (in many instances less than 1,000 feet from the resource or less), <u>none of the action alternatives would result in the constructive use of these resources</u>. This in turn, conveniently obviates the need for the Departments to determine under Section 4(f) whether measures to minimize the harm are warranted under the law. This fatal flaw permeates the entire Section 4(f) analysis and must be corrected.</p> <p>²⁰ Even the FHWA's own policy does not support this constrained review. See Appendix A – Excerpt from FHWA Section 4(f) Policy Paper, FHWA Office of Planning, Environment and Realty, Project Development and Environmental Review (March 1, 2005).</p>
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37	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) evaluation; discussion of direct and constructive use is fully disclosed throughout the chapter.</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>

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38	<p>For example, the Departments acknowledge that some segments of recreational trails will be <u>bisected</u> by the proposed freeway, but conclude that because the freeway would be constructed as "elevated spans" to "clear" the trail segments, no direct impact would occur (a point that is disputed by PMPC) and, amazingly, they further conclude (without explanation) that there will be <u>no constructive uses</u> of these recreational resources.</p> <p>Again, this strains reality. It is difficult to see how having a freeway running over one's head (on a previously undisturbed and once quiet and natural hiking, biking or horseback riding trail) would not affect the resources and purpose of the trail. Indeed, this idea was long ago rejected both in the Ninth Circuit and elsewhere. <i>See, e.g., Brooks</i>, 460 F.3d at 1193; <i>Adler</i>, 675 F.2d at 1092; <i>see also D.C. Federation of Civic Associations v. Volpe</i>, 148 U.S. App. D.C. 207, 459 F.2d 1231, 1239 (D.C.Cir.1971), <i>cert. denied</i>, 405 U.S. 1030, 92 S. Ct. 1290, 31 L. Ed. 2d 489 (1972).</p> <p>Under § 774.15(d), the Departments were required to perform a constructive use determination based, among other things, on:</p> <p>(1) Identification of the current activities, features, or attributes of the property which qualify for protection under Section 4(f) and which may be sensitive to proximity impacts;</p> <p>(2) An analysis of the proximity impacts of the proposed project on the Section 4(f) property. If any of the proximity impacts will be mitigated, only the net impact need be considered in this analysis. The analysis should also describe and consider the impacts which could reasonably be expected if the proposed project were not implemented, since such impacts should not be attributed to the proposed project; and</p> <p>(3) Consultation, on the foregoing identification and analysis, with the official(s) with jurisdiction over the Section 4(f) property.²¹</p> <p>A plain review of the Departments' 4(f) evaluation of the project's proximity impacts on recreational trails demonstrates that they did not comply with this important requirement of 4(f). Also, as noted above, relying on <u>unspecific plans</u> for an elevated freeway over these recreational trails is also insufficient for purposes of 4(f) and it cannot be considered mitigation or minimization for purposes of their net impact analysis.</p> <p>Furthermore, with regard to the directly bisected trails, the Departments make no effort whatsoever to identify the current features and attributes of these trails (which have been discussed at length in this letter and in other comments) which will be impacted by the project – attributes that form the very basis for the trails' 4(f)</p> <p>²¹ Construction of the proposed South Mountain freeway has been opposed by the City of Phoenix Parks Board. <i>See</i> FEIS, p. 5-14. The District 7 Executive Committee (FEIS, p. 2-8) and District 6 City Councilman Sal DiCiccio (FEIS Appendix, p. B120) have also submitted letters of opposition for this project.</p>

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38	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) evaluation. The freeway will not have a direct impact on these trails because it will span the trails. The trails' importance as Section 4(f) resources is based on their recreational value and is not based on any noise-sensitive activities or viewshed characteristics. During construction, trails that will be spanned or will be near potential freeway construction will be closed for limited times for safety reasons. Closures will necessitate that trail users detour around construction sites to rejoin the trails farther along their length. These impacts would be defined as temporary occupancy under the exceptions of Section 4(f) identified in 23 Code of Federal Regulations § 774.13. Subsection (d) details that "temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f)" would be an exception if certain conditions are met. The project will meet those conditions (see Appendix 5-2 in Volume II of the Final Environmental Impact Statement).</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>

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39	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) evaluation for the South Mountains in terms of the resource's protection as a Section 4(f) resource as a regional park, historic property, and traditional cultural property.</p> <p>The freeway will pass through the park's southwestern edge. Section 4(f) of the Department of Transportation Act of 1966 extends protection to significant publicly owned public parks, recreation areas, and wildlife and waterfowl refuges, as well as significant historic sites, whether they are publicly or privately owned. This protection stipulates that those facilities can be used for transportation projects only if there is no prudent and feasible alternative to using the land and the project includes all possible planning to minimize harm to the land [see Final Environmental Impact Statement, Chapter 5, <i>Section 4(f) Evaluation</i>]. Such alternatives to avoid the Phoenix South Mountain Park/Preserve were identified, but were determined to not be feasible and prudent alternatives to avoid the use of the park. Use of a portion of the mountains for the purposes of the freeway represents two-tenths of one percent of the total mountain range (31.3 acres of the park's approximately 16,600 acres; see Final Environmental Impact Statement pages S-39 and S-31). Since 1988, and as part of this environmental impact statement process, several measures have been undertaken and will be undertaken to further reduce effects on the mountains. These measures, including narrowing the design footprint, acquiring replacement land immediately adjacent to the mountains, and providing highway crossings, are outlined in text beginning on page S-23 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. Phoenix South Mountain Park/Preserve will remain the largest municipally owned park in the United States. The activities that make the park a highly valued resource (recreational activities, interaction with the Sonoran Desert) will remain. Nine-tenths of a mile of the freeway will pass through the park's southwestern edge (see Final Environmental Impact Statement page S-13).</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>

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	<p>The Departments appear to base their erroneous legal conclusion on an overly narrow interpretation of the definition of "constructive use" found at § 714.15(a), which provides in relevant part:</p> <p><u>A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. [Emphasis added].</u></p> <p>Thus, it appears that the Departments believe that because (in this instance) the project <u>would incorporate land</u> within the SMPP, they are relieved of any obligation to perform a constructive use analysis under § 714.15 of <u>other</u> areas of uses of the Park. The law does not support this conclusion.</p> <p>First, what ADOT and the FHWA have essentially concluded strains the bounds of common sense and runs contrary to the purpose of the statute, which is, after all, to ensure that a "special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." 49 § U.S.C 303(a). <u>Indeed, under the Departments' reading of the rule, they would be required to conduct a constructive use analysis where a freeway runs right up to or along the boundary of a Section 4(f) resource like a park, but would have absolutely no obligation to consider the project's proximity impacts where the freeway actually runs through the park, as is the case here.</u></p> <p>The unlawful nature of this position hardly requires further analysis, and indeed, it has been rejected in the past by the Ninth Circuit in any event. For example, in <i>Adler</i>, 675 F.2d at 1092, the Ninth Circuit observed Section 4(f) requires "far more than calculating the number of acres to be asphalted", noting that "the location of the affected areas in relation to the remainder of the parkland may be a more important determination than the number of acres affected." <i>Quoting D.C. Federation of Civic Associations</i>, 459 F.2d at 1239 (internal quotation marks omitted).</p> <p>Finally, under 714.15(e), it is clear that the potential for constructive use of SMPP and its important resources has already been anticipated by the FHWA, and determined in this case. It matters not that the freeway is actually "incorporating lands" of the Park as opposed to circling or running along side the Park. Specifically, 714.156(e) provides in part:</p> <p>The Administration has reviewed the following situations and determined that a constructive use occurs when:</p> <p>(1) The projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise sensitive facility of a property protected by Section 4(f), such as:</p> <p>(i) Hearing the performances at an outdoor amphitheater;</p>

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	<p>(ii) Sleeping in the sleeping area of a campground;</p> <p>(iii) Enjoyment of a historic site where a quiet setting is a generally recognized feature or attribute of the site's significance;</p> <p>(iv) Enjoyment of an urban park where serenity and quiet are significant attributes; or</p> <p>(v) Viewing wildlife in an area of a wildlife and waterfowl refuge intended for such viewing.</p> <p>(2) The proximity of the proposed project substantially impairs esthetic features or attributes of a property protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the property. Examples of substantial impairment to visual or esthetic qualities would be the location of a proposed transportation facility in such proximity that it obstructs or eliminates the primary views of an architecturally significant historical building, or substantially detracts from the setting of a Section 4(f) property which derives its value in substantial part due to its setting</p> <p>(3) The project results in a restriction of access which substantially diminishes the utility of a significant publicly owned park, recreation area, or a historic site.</p> <p>It is sufficient to say that none of these proximity impacts were evaluated in any meaningful way, since the Departments concluded that applicable law did not require such an evaluation. This is a deep failing in the Section 4(f) analysis that must be corrected.</p> <p>B. The Departments Have Failed to Ensure that All Possible Planning to Minimize Harm to 4(f) Resources Has Been Undertaken as Required By § 774.3(a)(2).</p> <p>ADOT and the FHWA are required, prior to the issuance of the Record of Decision, to ensure that the action "includes all possible planning, as defined in 774.17, to minimize harm to the property resulting from such use . . .". § 774.3. In this respect, "all possible planning" means that "all reasonable measures identified in the Section 4(f) evaluation to minimize harm or mitigate for adverse impacts and effects must be included in the project." § 774.17.</p> <p>Setting aside all of the failings already described here, which have resulted in the gross failure of the Departments to even consider <u>the need</u> for minimization of harm to most of the 4(f) resources imperiled by this project, the Departments also fall far short where they look to the mitigation measures outlined in the FEIS to cure their failure to ensure that "all possible planning" has already been undertaken to minimize harm or mitigate for those few adverse impacts <u>they admit</u> will occur as a direct result of the construction and ultimate physical presence of the proposed freeway, such as landscape alteration, intrusion, access, and habitat connectivity, and historic resources.</p>
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40	Section 4(f) and Section 6(f)	<p>Chapter 5 of the Draft and Final Environmental Impact Statements presents the Section 4(f) evaluation; measures to minimize harm are presented throughout the chapter and represent, as disclosed in the chapter, exhaustive efforts to establish reasonable measures to minimize harm or mitigate for adverse impacts. The Arizona Department of Transportation and Federal Highway Administration, by signing the Record of Decision, commit to fulfill all commitments and mitigation measures in the Record of Decision.</p> <p>As noted in response code 2, the Department of the Interior reviewed the Final Environmental Impact Statement and agreed with the conclusions presented. The complete letter can be found in page A5 of this Appendix A.</p>

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	<p>For the same reasons outlined by PMPC regarding the Departments' decision to "punt" mitigation to future planning opportunities after NEPA, as discussed in Section II(B) of this letter, this approach similarly fails to meet the obligations of § 774.17, for purposes of Section 4(f).²²</p> <p>IV. Conclusion</p> <p>In conclusion, PMPC opposes any alignment of the Loop 202 South Mountain Freeway that would trespass onto the South Mountain Park/Preserve or result in the destruction of ridgelines or lands within Park. SMPP is undoubtedly unique and must remain a place for people and wildlife, not freeways, noise and concrete.</p> <p>ADOT and the FHWA have failed to fulfill their statutory obligations under NEPA, Sec. 4(f) and other applicable provisions of law. For this reason, PMPC urges the Departments to take a step back and revisit the FEIS and the Section 4(f) process in order to meaningfully address the serious failings in these documents. Nothing less complies with the Department's obligations under the law. Nothing less will preserve the integrity SMPP and by correlation, our community's own values that have long recognized and appreciated our natural landscapes, historic sites and traditional cultural properties, parks and recreational facilities.</p> <p>Yours Truly,</p> <p><i>Robin Salthouse</i></p> <p>Robin Salthouse, President Phoenix Mountain Preservation Council, Inc.</p> <p>CC: Executive Board, Phoenix Mountain Preservation Council, Inc. S. Montgomery, Esq.</p> <p>²² Furthermore, the Departments have failed to meaningfully examine and consider "prudent alternatives" to the use of the 4(f) lands described in this letter, as required by § 774.3(a)(1), just as they have failed to consider reasonable alternatives under NEPA.</p> <p>25</p>

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<div>41</div> <div>ATTACHMENT A</div>	

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41		Attachment.

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	<div>LOOP 202 SOUTH MOUNTAIN FREEWAY PROJECT: ACTUAL AND POTENTIAL IMPACTS ON PLANTS & PLANT COMMUNITIES By Wendy Hodgson, November 7, 2014</div> <div><div>42</div><div><div>I. Fragmentation of Habitat</div><div><p>Roads often decrease the genetic diversity of affected populations due to reduced population size and genetic drift. ¹ Like animals, plant corridors exist, providing genetic conduits between individuals and populations for many plant species. Although there are limited studies done in our region, the presence of a genetic corridor for individual species is an important population dynamic. With loss of habitat and corresponding fragmentation, genetic bottlenecking can be expected, reducing the population vigor and possibly increasing the risk of local extirpation. How it affects certain species, such as those whose pollen and seed dispersal are more limited, is not known. For example, recent studies have suggested that the elephant tree (<i>Bursera microphylla</i>) populations are represented by plants that are mainly female (that only produce fruit) or male flowers, but sometimes hermaphroditic (flower has both male and female functional parts); plants may also have flowers that change sexes with external factors such as severe frost. This plant is known to occur in the impact zone of the Loop 202 within South Mountain Park. How further fragmentation within the Park and from surrounding mountain ranges such as the Sierra Estrella and White Tank Mountains affects this special plant of South Mountain and its insect pollinators is unknown. Such fragmentation of habitat and its impact on connectivity of plant populations are not addressed in the FEIS.</p></div></div></div> <div><div>43</div><div><div>II. Invasive Species</div><div><p>Roads and road verges serve as dispersal corridors in plants, including exotic species (Holderegger & DiGiulio, 2010). The potential conduit function of roads depends on the habitat specificity of the spreading species, its dispersal range relative to the spacing of roads in the landscape, and the relative importance of long- and short-range dispersal. Effective management of an invasion requires distinguishing between the habitat and conduit functions, a distinction difficult to make with only snapshot data. ² None of this was addressed in the FEIS.</p><p>The proposed highway loop 202 will act as a major corridor for invasive species dispersal and establishment via the tremendous habitat disturbance, vehicular traffic, and the increased access to this southwest side (which has previously experienced</p></div></div></div> <div><div>¹ Holderegger, R. and DiGiulio, M. 2010. The genetic effects of roads: A review of empirical evidence. <i>Basic and Applied Ecology</i> 11: 522–531.</div><div>² Christen, D. and Matlack, G. 2006. The Role of Roadsides in Plant Invasions: A Demographic Approach. <i>Conservation Biology</i>, volume 20: 385–391.</div></div>

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42	Biology, Plants, and Wildlife	The section, <i>General Impacts on Vegetation, Wildlife, and Wildlife Habitat</i> , beginning on page 4-136 of the Final Environmental Impact Statement, discloses by what means the proposed action and its alternatives would affect vegetation, wildlife, and wildlife habitat. The Federal Highway Administration and Arizona Department of Transportation have committed to avoiding and reducing impacts by including multifunctional crossing structures designed for wildlife and for limited human use as well as culverts designed for connectivity for smaller species.
43	Invasive Species	The Arizona Department of Transportation requires standard mitigation measures to prevent the spread of invasive plants on long-term ground disturbing projects. Invasive species surveys will be conducted during the design phase of the freeway (see page 4-127 of the Final Environmental Impact Statement and Table 3, beginning on page 38, of the Record of Decision). If noxious or invasive species are found to be present in the project footprint during that survey, a measure requiring the contractor to develop and implement an invasive and noxious species control plan would be included in the construction contract. Because the species and locations of invasive plants are likely to change in the period prior to initiation of construction of the freeway, delaying the survey until closer to that time will provide a more effective and efficient use of limited taxpayer funds. Mitigation measures to prevent the introduction of invasive species seeds are presented on page 4-139 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

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	<p>relatively minimal influence from development). Disturbance-tolerant species predominate, especially with intensive management adjacent to highways, and exotic species typically are common.³ Hansen and Clevanger (2005) showed how compared to forests, highway corridor edges in arid or semi-arid habitats act as microhabitats for non-native species and are more prone to invasion, especially if disturbed. The study's results emphasize the importance of minimizing the disturbance of adjacent plant communities along highways and railways during construction and maintenance, particularly in arid or semi-arid habitats and in areas sensitive to additional fragmentation and habitat loss, such as that found in South Mountain.⁴ The only mitigation addressing invasive species in the FEIS was to have the construction equipment cleaned. This is unacceptable; further discussion and proposed actions to minimize disturbance of plant communities adjacent to corridor should have been addressed in the FEIS.</p> <p>In addition, the following statements can be applied to Loop 202 with respect to invasive species:</p> <ul style="list-style-type: none">• Numerous seeds are carried and deposited along roads by vehicles.⁵• Plants may also spread along roads due to vehicle-caused air turbulence or favorable roadside conditions.⁶ For example, the short-distance spread of an exotic wetland species, purple loosestrife (<i>Lythrum salicaria</i>), along a New York highway was facilitated by roadside ditches, as well as culverts connecting opposite sides of the highway and the median strip of vegetation.• Non-authorized hiker/biker access encourages disturbance and increase in accidental seed dispersal for invasive species establishment and proliferation.• Nutrient enrichment from nearby agriculture enhances the growth of aggressive weeds and can be a major stress on a roadside native-plant community (Panetta FD, Hopkins AJM. 1991, pp. 341–351). <p>None of the above has been addressed in the FEIS.</p> <p>Finally, I found that there are relatively few invasive species in this area, an observance of significance especially following an epic summer precipitation pattern that would have encouraged establishment and spread of invasive species.</p> <p>³ Tyser, R. and Worley, C. 1992. Alien flora in grasslands adjacent to road and trail corridors in Glacier National Park, Montana (U.S.A.) <i>Conservation Biology</i>, 6:253–62.</p> <p>⁴ Hansen and Clevanger. 2005. <i>Biological Conservation</i> 125: 249–259; http://www.lauxen.net/conecte/referencias/Hansen_2005a.pdf.</p> <p>⁵ Schmidt W. 1989. Plant dispersal by motor cars. <i>Vegetatio</i> 80:147–52.</p> <p>⁶ Panetta FD, Hopkins AJM. 1991. Weeds in corridors: invasion and management. pp. 341–351, in: Saunders DA, Hobbs RJ, eds. 1991. <i>Nature Conservation 2: The Role of Corridors</i>. Chipping Norton, Australia</p>
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	<p>III. Fire</p> <p>Human access and disturbance effects on remote areas tend to increase with higher road density.⁷ Similarly, human-caused fire ignitions may increase. Fires, which are fueled by invasive species and often ignited by humans along such corridors, have devastating impacts on the local Sonoran Desert flora, including the iconic saguaros. Once established, alien grasses such as buffelgrass (<i>Pennisetum ciliare</i>) and Sahara mustard (<i>Brassica tournefortii</i>) may contribute to a grass/fire cycle; a short fire return interval can cause local extinctions of saguaros (<i>Carnegiea gigantea</i>) and foothills paloverde (<i>Cercidium microphyllum</i>), the latter, along with several other small shrubs such as bursage (<i>Ambrosia deltoidea</i>, <i>A. dumosa</i>), are important nurse plants for saguaro seedlings and young plants.⁸</p> <p>IV. Floristic Analysis</p> <p>A bare-bones, poor floristic analysis was provided in the FEIS, which included only an assessment of some of the major species in the various habitats provided by a "biologist." I conducted a two hour reconnaissance of the area and following a relatively quick referral to SEINet herbarium database, I listed at least 75 species as occurring in the impacted area. In addition, I located several areas supporting biological soil and desert pavement in the impacted area, which was not addressed in the FEIS.</p> <p>Regarding whether or not a Park visitor's experience will be negatively affected by the Loop 202, the response was that there would be "no impact for the visitor to have a Sonoran Desert experience." What is a Sonoran Desert experience? The experience involves not only seeing, touching and/or smelling, but also listening to Sonoran Desert sounds and lack of sounds, save for birds, insects and other inhabitants. It also involves being present in an area whose indications of impacts, such as roads, car noise and pollution are minimal at best. Five major trails are within ¼ of a mile of this multi-lane roadway. Increased traffic leads to an increased establishment and pervasiveness of invasive species that leads to increased fire risk and frequency. All of this lead towards changing the Sonoran Desert ecosystem from a diverse assemblage of cacti, shrubs, trees and annuals, to a less diverse scrub-alien grassland plant community. This also changes the visitors' opportunity to experience the Sonoran Desert as we knew it. To say that Park visitors will not have their experience in the desert impacted is ludicrous.</p> <p>V. Disposition of Plants Affected And Follow-Up Maintenance</p> <p>Although the FEIS states that ADOT will contact the Arizona Department of Agriculture regarding what plants will be affected, there is no statement as to what options they will have (ex., transplanting or allowing salvage), and depending on the</p> <p>⁷ Forman RTT. 1995. Land Mosaics: The Ecology of Landscapes and Regions. Cambridge, UK: Cambridge Univ. Press, Mech LD. 1989. Wolf population survival in an area of high road density. Am. Midl.Nat. 121:387–389.</p> <p>⁸ Rogers, G. F. 1985. Mortality of burned <i>Cereus giganteus</i>. <i>Ecology</i>. 66: 630-632.</p>
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44	Biology, Plants, and Wildlife	Comment noted. See response code 40 related to invasive species.
45	Section 4(f) and Section 6(f)	<p>As stated in the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, environmental impact statements should be analytic rather than encyclopedic [40 Code of Federal Regulations Part 1502.2(a)]. The discussion included in the Final Environmental Impact Statement appropriately illustrates the plant communities present in the Study Area.</p> <p>The context and attributes of the South Mountains are described in the Final Environmental Impact Statement. The acreage of parkland to be converted to a transportation use is reported on page 5-14 in the section, <i>Direct Use</i>. It is reported that 31.3 acres, or just less than 0.2 percent of the parkland, will be converted to a transportation use (this is a reduction in the amount of use planned for in 1988). The text goes on to point out other concerns associated with the direct use reported, and text on page 5-14, in the sidebar, "<i>The South Mountains in Phoenix's Sonoran Preserve System</i>," describes the importance of Phoenix South Mountain Park/Preserve in the region. Beginning on page 5-23 in the section, <i>Measures to Minimize Harm</i>, measures are presented to be undertaken to address the use impacts, including land replacement, on properties adjacent to the park.</p> <p>City of Phoenix planning efforts since the mid-1980s illustrate an awareness of the potential for the proposed freeway to affect Phoenix South Mountain Park/Preserve. In 1989, the South Mountain Park Master Plan was adopted by the Phoenix City Council. The master plan shows the freeway alignment as adopted by the State Transportation Board in 1988. In 1990, the Phoenix Mountain Preserve Act was ratified by the Arizona Legislature. The Act did not apply to roadways through a designated mountain preserve if the roadway was in the State Highway System prior to August 15, 1990. The proposed freeway was in the State Highway System prior to 1990. Records prior to the Act suggest a primary reason for the exception was to allow the proposed freeway to go through Phoenix South Mountain Park/Preserve (see page 5-14 of the Final Environmental Impact Statement). The project team examined alternatives to avoid the park, but did not identify any feasible and prudent alternatives to avoid impacts. The Arizona Department of Transportation continues to work with park stakeholders to minimize impacts and address concerns. Measures to minimize harm to the park were developed (see Final Environmental Impact Statement, starting on page 5-23).</p> <p>The U.S. Department of the Interior reviewed the Final Environmental Impact Statement and commented, "The Department agrees that the South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project. These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the "<i>Measures to Minimize Harm</i>" on the Section 4(f) Statement pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment."</p>

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	<p>III. Fire</p> <p>Human access and disturbance effects on remote areas tend to increase with higher road density.⁷ Similarly, human-caused fire ignitions may increase. Fires, which are fueled by invasive species and often ignited by humans along such corridors, have devastating impacts on the local Sonoran Desert flora, including the iconic saguaros. Once established, alien grasses such as buffelgrass (<i>Pennisetum ciliare</i>) and Sahara mustard (<i>Brassica tournefortii</i>) may contribute to a grass/fire cycle; a short fire return interval can cause local extinctions of saguaros (<i>Carnegiea gigantea</i>) and foothills paloverde (<i>Cercidium microphyllum</i>), the latter, along with several other small shrubs such as bursage (<i>Ambrosia deltoidea</i>, <i>A. dumosa</i>), are important nurse plants for saguaro seedlings and young plants.⁸</p> <p>IV. Floristic Analysis</p> <p>A bare-bones, poor floristic analysis was provided in the FEIS, which included only an assessment of some of the major species in the various habitats provided by a "biologist." I conducted a two hour reconnaissance of the area and following a relatively quick referral to SEINet herbarium database, I listed at least 75 species as occurring in the impacted area. In addition, I located several areas supporting biological soil and desert pavement in the impacted area, which was not addressed in the FEIS.</p> <p>Regarding whether or not a Park visitor's experience will be negatively affected by the Loop 202, the response was that there would be "no impact for the visitor to have a Sonoran Desert experience." What is a Sonoran Desert experience? The experience involves not only seeing, touching and/or smelling, but also listening to Sonoran Desert sounds <i>and</i> lack of sounds, save for birds, insects and other inhabitants. It also involves being present in an area whose indications of impacts, such as roads, car noise and pollution are minimal at best. Five major trails are within ¼ of a mile of this multi-lane roadway. Increased traffic leads to an increased establishment and pervasiveness of invasive species that leads to increased fire risk and frequency. All of this lead towards changing the Sonoran Desert ecosystem from a diverse assemblage of cacti, shrubs, trees and annuals, to a less diverse scrub-alien grassland plant community. This also changes the visitors' opportunity to experience the Sonoran Desert as we knew it. To say that Park visitors will not have their experience in the desert impacted is ludicrous.</p> <p>V. Disposition of Plants Affected And Follow-Up Maintenance</p> <p>Although the FEIS states that ADOT will contact the Arizona Department of Agriculture regarding what plants will be affected, there is no statement as to what options they will have (ex., transplanting or allowing salvage), and depending on the</p> <p>⁷ Forman RTT. 1995. Land Mosaics: The Ecology of Landscapes and Regions. Cambridge, UK: Cambridge Univ. Press, Mech LD. 1989. Wolf population survival in an area of high road density. Am. Midl.Nat. 121:387–389.</p> <p>⁸ Rogers, G. F. 1985. Mortality of burned <i>Cereus giganteus</i>. Ecology. 66: 630-632.</p>
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46	Biology, Plants, and Wildlife	<p>Improved techniques and knowledge regarding the transplanting of salvaged native plants in Arizona have increased survival rates. The Arizona Department of Transportation has considerable experience transplanting native plants protected by the Arizona Native Plant Law and has experienced a high survival rate. The Arizona Department of Transportation has conducted studies on the best methods to use for transplanting desert species, particularly ironwood trees and saguaros, and was honored by the American Society of Landscape Architects in 2012 for this work. The research results have been incorporated in the procedures for plant salvage for Arizona Department of Transportation projects and throughout the industry. Reports on the research findings are available from the Arizona Department of Transportation Research Center at <azdot.gov/planning/researchcenter/research/research-reports>.</p> <p>There is a plan and budget for landscaping and maintenance along the project.</p> <p>The specific questions are noted. These details will be determined during the final design, construction, and maintenance periods of the project.</p>

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46	<p>options, how they will ensure that chosen options are followed through using best practices for the highest success rate. In addition:</p> <ul style="list-style-type: none">• Is there be a plan and budget for what kind of vegetation will be planted along the corridor, including roadsides, ie., mixture of plantings representing several species to have some semblance to native plant distribution and species makeup or "mass plantings" of few species?• Is there a plan and budget for continued maintenance and plant care of transplants or newly acquired and planted native plants? Too often plants are installed and tended for only a short amount of time at best, only to be ignored prior to the plants' successful establishment.• From where will they get their plant material? Nurseries? Will nursery staff and contractor really know exactly what they are providing? For example, will they know how to differentiate a South American mesquite or a hybrid from a native velvet mesquite? I doubt it, based on what I have seen over the decades.• Will herbicides be used and how will the herbicides affect native species along and outside the corridor? Herbicides often kill non-target plants, particularly from blanket applications in drifting air.• Will they hire people who actually know how to transplant saguaros so that the plants have a higher risk of establishment? How dense are the plantings? Will the different types of plantings affect wildlife and influence road-kill, including carrion feeders? <p>VI. Area Pollutants</p> <p>Runoff pollutants alter soil chemistry and may be absorbed by plants, the effects of which are poorly known amongst desert plants but varying amongst species. Soils adjacent to the road surface typically contain the greatest mass of heavy metals. In one study, elevated concentrations in grass tissue may occur within 5–8 m of a road, although high lead levels were found in soil out to 25 m. As far as I can tell, this was not addressed in the FEIS. Road dust (which is little-studied) sediment transfer may directly damage vegetation, provide nutrients for plant growth, or change the pH and vegetation.⁹ Effect-distances are usually < 10–20 m but may extend to 200 m downwind. In arid lands such as the South Mountain area, soil erosion and drainage are common road problems.¹⁰ How pollutants and dust can affect the native plants along Loop 202 was not addressed in the FEIS.</p> <p>Finally, this development of another major freeway mirrors that of a larger policy of most, if not all highway developments in the U.S., where environmental transportation policy largely ignores a range of ecological issues including biodiversity loss, habitat</p> <p>⁹ Santelman MV, Gorham EV. 1988. The influence of airborne road dust on the chemistry of Sphagnum mosses. <i>J. Ecol.</i> 76:1219–31.</p> <p>¹⁰ Iverson RM, Hinckley BS, Webb RM. 1981. Physical effects of vehicular disturbances on arid landscapes. <i>Science</i> 212:915–17.</p>
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47	Water Resources	<p>Controlling and treating runoff is a normal function of Arizona Department of Transportation projects. The U.S. Army Corps of Engineers, as a cooperating agency, has participated and contributed in each step of the environmental process. The agency has found the logical sequence of decision making to be sound and in line with National Environmental Policy Act requirements. The Arizona Department of Environmental Quality has also contributed to the process. Both agencies have oversight roles in project permitting as established in the Clean Water Act (Sections 401, 402, and 404). Extensive mitigation in accordance with the permitting requirements can be found in the <i>Water Resources</i> and <i>Waters of the United States</i> sections of Chapter 4 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision. The Arizona Department of Transportation is fully obligated and committed to implementation and adherence to those mitigation strategies.</p>

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	<p>fragmentation and disruption of horizontal natural processes (which contrasts sharply with a policy that focuses on recreating "nature, including natural processes and biodiversity; and enhancing the national ecological network" as is found in the Netherlands). It was very clear that the FEIS paid little attention to plants and plant communities and how they would be affected by the construction of Loop 202; short-term, let alone, long-term consequences were not addressed and any mitigation offered was of little import.</p>
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	<div><div><div></div><div><p>Grand Canyon Chapter • 202 E. McDowell Rd, Ste 277 • Phoenix, AZ 85004 Phone: (602) 253-8633 Fax: (602) 258-6533 Email: grand.canyon.chapter@sierraclub.org</p></div></div></div> <p>December 29, 2014</p> <p>South Mountain Freeway Project Team Arizona Department of Transportation 1655 West Jackson Street, MD 126F Phoenix, AZ 85007 <i>Submitted via electronic mail to projects@azdot.gov</i></p> <p>Re: Comments on the South Mountain Freeway Final Environmental Impact Statement and Errata</p> <p>Dear South Mountain Freeway Project Team:</p> <div><div>1</div><div><p>Thank you for the opportunity to review and comment on the Final Environmental Impact Statement (FEIS) for the South Mountain Freeway (Loop 202). Please accept these comments on behalf of Sierra Club’s Grand Canyon Chapter and our more than 35,000 members and supporters.</p><p>The Sierra Club’s mission is “to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth’s ecosystems and resources; and to educate and enlist humanity to protect and restore the quality of the natural and human environments.” Our members have a significant interest in and are directly affected by the proposed South Mountain Freeway and its impacts on air quality, public health, native plants and animals, South Mountain Park, and other natural resources. Many of our members enjoy watching wildlife, hiking, and other outdoor and educational activities on the lands affected by this proposed project.</p><p>The information presented in the FEIS and associated Errata is disappointing, inadequate, and non-responsive. Relatively few changes or clarifications were made from the Draft Environmental Impact Statement (DEIS) to the FEIS. The fact that the Arizona Department of Transportation (ADOT) failed to consider Sierra Club’s comments when preparing the FEIS and that an Errata had to be issued indicates quite clearly that our comments were not adequately considered or incorporated into the FEIS. In the Errata, responses to our comments focused primarily on justifying the project, rather than on responding to the issues that we raised. Additionally, the only changes that were made in the FEIS relative to our comments were due to the same points being raised in other people/organization’s comments. In some cases, clarification or a response to a specific point we made were included in the Errata, but these changes were not made in the FEIS. Further, a number of our questions and comments were not addressed in the responses in the Errata.</p><p>Sierra Club’s comments here will primarily address some of the information presented in the FEIS and Errata, but will also reiterate previous comments that were not adequately addressed in the FEIS and where ADOT was nonresponsive. Please refer to our comments on the DEIS for a complete list of our concerns. We incorporate by reference the Sierra Club comments on the DEIS dated July 24, 2013.</p></div></div>

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1		Comments noted. Responses to specific comments are provided in the following pages.

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2	<p>As Sierra Club stated in its comments on the he National Environmental Policy Act (NEPA) requires the lead agency, ADOT, to “[r]igorously explore and objectively evaluate all reasonable alternatives,” including those that are “not within the jurisdiction of the lead agency” (40 CFR 1502.14(a) and (c)). The Study Area for the proposed South Mountain Freeway was arbitrarily limited with no real justification for doing so as ADOT did not seriously consider addressing transportation issues via improving infrastructure outside the Study Area, how Highway 85 could address transportation needs, nor how improved mass transit both in and outside the Study Area could improve transportation. On the east end of the project, the Study Area was narrowed inappropriately to basically limit the freeway to the Preferred Alternative and No Action Alternative. ADOT failed to meet this basic NEPA requirement as it did not rigorously explore and evaluate all reasonable alternatives.</p> <p>ADOT inappropriately excluded other alternatives from further and more detailed consideration in violation of 40 CFR 1502.14. These alternatives should have included other locations and alignments. However, we agree that alignment on the Gila River Indian Community lands is inappropriate and would likely have many of the same negative impacts as the Preferred Alternative, so that alternative was appropriately excluded from further consideration. ADOT basically limited the analysis to the one type of development and the one area it wants to build the freeway,¹ which was clearly predecisional. The agency evaded a response to this comment in the FEIS.</p> <p>In the FEIS, ADOT also failed to adequately analyze an alternative or alternatives that would include increased funding for public transportation options such as fuel-efficient buses and light-rail or commuter rail projects to address transportation needs. ADOT failed to consider transit-oriented development to integrate public transit, land use (residential, commercial, industrial, open-space), and the environment or to encourage innovative incentive-based programs that encourage walking, biking, carpooling, or the use of public transportation.</p> <p>Based on the information provided in the FEIS and the Errata, and as noted in our previous comments, the proposed freeway is inappropriate for this area. The proposed freeway will not meet the Purpose and Need of this project, will further exacerbate air quality and public health concerns, will further fragment the landscape, will negatively impact natural resources, will negatively affect cultural resources and practices, and more. These impacts were not adequately addressed the FEIS as required by NEPA. The information presented indicates that the No Action Alternative is the only reasonable alternative at this time.</p> <p>Proposed Action and Alternatives</p> <p>In the FEIS and in the response to Sierra Club comments in the Errata, ADOT continually points to the “benefits” of the Preferred Alternative, yet many of these presumed benefits are not justified by the information provided in the FEIS. This was one of our primary comments on the DEIS. For example, the notes in the Errata refer to Table 3-9 (FEIS, p. 3-38) for benefits of the proposed action compared to the No Action Alternative. However, many of the statements in this table are clearly slanted toward selection of an action alternative without adequate justification, use of the best available science, or current research provided in the text. Only a few of these “benefits” are backed up by numbers or by</p> <p>¹ See question/answer 2a of “Forty Most Asked Questions Concerning CEQ’s NEPA Regulations”: “In determining the scope of alternatives to be considered, the emphasis is on what is ‘reasonable’ rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.”)</p>
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2	Alternatives	The parameters for delineation of the Study Area are described in Chapter 1, <i>Purpose and Need</i> , of the Draft and Final Environmental Impact Statements as the area defining the transportation problem. As presented in the chapter, transportation models were used to determine where the characteristics of the transportation problem would diminish, and, generally, it is at these locations where the definition of the Study Area took shape. This effort was coordinated with stakeholder agencies, including the U.S. Environmental Protection Agency. The statement that the project team excluded alternatives outside of the Study Area is not supported by the facts presented in the Draft Environmental Impact Statement. Alternatives considered in the Draft Environmental Impact Statement included many that were located outside of the Study Area. Examples include the Riggs Road Alternative (see page 3-9), the State Route 85/Interstate 8 Alternative (see page 3-9), the U.S. Route 60 Extension (see page 3-12), the Interstate 10 Spur (see page 3-12), and the Central Avenue Tunnel (see page 3-12). In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the alternatives development and screening process presented in Chapter 3 of the Draft Environmental Impact Statement. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).
3	Alternatives	The study has considered a variety of transportation modes: transportation system management/transportation demand management, mass transit (commuter rail, light rail, expanded bus service), arterial street improvements, land use controls, and a No-Action Alternative. These alternatives alone or in combination would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the region. Mass transit modes such as light rail and an expanded bus system were reexamined in the Final Environmental Impact Statement and were eliminated from further study because even better-than planned performance of transit would not adequately address the projected 2035 travel demand (see Final Environmental Impact Statement page 3-4). For example, the average daily ridership for the light rail system connecting downtown Phoenix and the Arizona State University campus was approximately 44,000 in 2014. This is only approximately 25 percent of the total daily vehicles projected to use the freeway in 2035.
4	National Environmental Policy Act Process	The environmental impact statement process followed the National Environmental Policy Act and Federal Highway Administration’s implementing regulations for conducting social and economic evaluations. The impacts associated with the proposed action are appropriately disclosed in the Final Environmental Impact Statement.
5	Alternatives, Purpose and Need	The basis for the identification of the Preferred Alternative is presented beginning on page 3-62 of the Final Environmental Impact Statement. The identification was based on sound analytical methods such as the Maricopa Association of Governments regional travel demand model. In reaching its determination, the

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	<p>previous studies. Similarly, ADOT repeatedly states that the proposed freeway would decrease energy consumption and improve air quality in the region, but these statements are based on general information or assumptions, not on relevant research or by past experience with freeway construction in the Phoenix-metropolitan area. ADOT cannot justify a project based on inadequately grounded assumptions and without using the best available science.</p>
6	<p>As noted in our previous comments, an alternative that focuses on increased transit was not adequately considered. Although ADOT appears to have considered increased transit as part of its alternatives analysis in the FEIS, such an alternative was eliminated from further study because it “would not adequately address the projected 2035 travel demand” (Errata, p. C5). Related to this, ADOT notes that two high-capacity transit corridors are currently being considered but will not meet the 2035 travel demand. Certainly, these two corridors on their own could not meet the travel demand. However, if implemented appropriately, increased transit could provide significant congestion relief and meet other requirements described in the Purpose and Need, especially over the long term. However, because ADOT continually focuses on freeway development and has not begun to adequately implement transit within our region, transit-oriented alternatives are pushed to the back burner. If ADOT were to begin focusing more on transit and other alternative modes of transportation, transit could become a viable option. As noted in our previous comments, transit would also provide a long-term solution, far beyond the 2035 timeframe discussed in this proposal. ADOT must begin to focus more on alternative modes of transportation. This project provides an ideal opportunity to do so and ADOT should have considered such an alternative.</p>
7	<p>In many of its responses to Sierra Club comments, ADOT states that impacts do not need to be analyzed because the magnitude of these impacts would be similar across all action alternatives (e.g., Errata, p. C47). However, this is not the point of an EIS. The point of an EIS is to provide full disclosure of the potential impacts of a proposed project when compared to the baseline (No Action Alternative). ADOT failed to provide adequate information about potential impacts of selecting an action alternative.</p> <p>Air Quality</p> <p>The FEIS and Errata are nonresponsive to air quality concerns raised by Sierra Club in our comments on the DEIS.</p> <p>In the Errata, ADOT merely restated the same language that appeared in the DEIS in several of its responses to Sierra Club comments regarding air quality. These comments were nonresponsive and make it clear that ADOT did not take our comments into consideration in developing the FEIS and that it is not able to provide further information relative to the questions we asked and concerns we raised and therefore has not done its due diligence relative to NEPA.</p>
8	<p>ADOT continually states that energy consumption and related air pollution would decrease if an action alternative were selected as congestion would be decreased in the region. However, as discussed in our previous comments, these statements neglect other projects currently occurring across the region, including transit projects, as well as planned or potential efforts to reduce congestion and to meet travel demands, and therefore do not address the indirect or cumulative impacts of the proposed action. Additionally, anticipated “benefits” from this project, such as congestion relief, would be short-lived, at best. This is not recognized in the FEIS. Over the long-term, this freeway would increase energy consumption and associated air pollution.</p>

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5 (cont.)		<p>Arizona Department of Transportation sought to balance its responsibilities to address regional mobility needs while being fiscally responsible and sensitive to local communities.</p> <p>As noted in the Final Environmental Impact Statement, when compared with the No-Action Alternative, the Preferred Alternative would result in less energy consumption (page 4-172). Increased levels of congestion (greater inefficiency) under the No-Action Alternative would result in higher energy consumption than with any of the action alternatives.</p> <p>The Arizona Department of Transportation does not claim that the project will improve air quality in the region. The air quality assessment for the proposed freeway analyzed impacts from carbon monoxide and particulate matter (PM₁₀) and followed U.S. Environmental Protection Agency guidelines. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. For mobile source air toxics, the updated analysis showed that for the Study Area, constructing the freeway would have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions would decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement).</p>
6	Alternatives	<p>Mass transit modes such as light rail and an expanded bus system were reexamined in the Final Environmental Impact Statement and were eliminated from further study because even better-than planned performance of transit would not adequately address the projected 2035 travel demand (see Final Environmental Impact Statement page 3-4). For example, the average daily ridership for the light rail system connecting downtown Phoenix and the Arizona State University campus was approximately 44,000 in 2014. This is only approximately 25 percent of the total daily vehicles projected to use the freeway in 2035.</p>
7	National Environmental Policy Act Process	<p>The impacts of all alternatives, including the No-Action Alternative, are disclosed in Chapter 4 of the Final Environmental Impact Statement.</p>
8	Air Quality	<p>The Maricopa Association of Governments regional travel demand model includes the planned multimodal projects as identified in the latest <i>Regional Transportation Plan</i>. Therefore, the benefits of these other projects are accounted for in the analysis of the No-Action Alternative and action alternatives. Within the 2035 planning horizon for the project, the energy use will be less with the freeway in place when compared with the No-Action Alternative. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.</p> <p>For mobile source air toxics, the updated analysis showed that for the Study Area, constructing the freeway will have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the</p>

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	Land Use
9	<p>ADOT did not adequately address our comments related to induced traffic as a result of the proposed freeway. ADOT used aggressive growth projections and the assumption that these areas will be developed regardless of the freeway. Although it is true that development is likely to occur in some of these areas and that they are zoned for such development, development of the full area is not a certainty. As noted in our previous comments, the real estate market in Phoenix is highly speculative, and zoning changes are frequently made or development slated for an area is delayed or does not occur. Many of the growth projections are overly aggressive in the Study Area and are based on the assumption that a freeway will be built. If the freeway is not constructed, it is quite possible that these areas will not be developed.</p> <p>ADOT claims that freeway projects such as this do not accelerate or induce growth (e.g., Errata, p. C8). However, the discussion related to this in the FEIS provides a direct contradiction to this statement (FEIS, p. 4-182). ADOT is correct that the relationship between transportation and land use is “complex.” However, it then brushes this complexity aside by using aggressive growth models and assumptions of development. ADOT further contradicts itself by saying that accelerated or induced growth as a result of this freeway would be “constrained” (e.g., Errata, p. C8), which indicates that some induced growth is expected. Similarly, ADOT notes that not constructing the freeway would make it difficult to gain access to adjacent land uses (Errata, p. C14), which indicates that this freeway would make it easier to access and develop surrounding areas. ADOT also notes that a reasonably foreseeable impact from this project is “increased rate of land conversion” (FEIS, Table 4-55, p. 4-181).</p>
10	<p>ADOT also did not address our comment regarding its statements regarding compatibility of a transportation corridor with multifamily residential uses. Our comments noted that these statements were unfounded. In its response, ADOT merely restated the language yet did not provide any justification (Errata, p. C19) and therefore was nonresponsive to this concern.</p>
	Biological Resources
	Habitat loss and degradation
11	<p>The FEIS continues to underestimate potential habitat loss and degradation and also does not respond to our request for further discussion of potential impacts and associated analyses. For example, ADOT repeatedly asserts that impacts to wildlife habitat and to South Mountain Park will be minimal as the proposed freeway would only use 31.3 acres of the park or two-tenths of one percent (e.g., Errata, p. C9). Unfortunately, this statement is erroneous. By cutting through the park, the small fragment of habitat on that remains on the other side of the freeway would effectively be lost for most species as many cannot subsist in such a small area. The proposed crossing structures provide only limited mitigation for this problem (see further discussion below). By only focusing on the actual footprint of the freeway, ADOT vastly underestimates potential impacts of this project on wildlife, South Mountain Park, and other natural resources. Although several groups made this comment on the DEIS, ADOT failed to address it in the FEIS and therefore was nonresponsive.</p>
9	<p>ADOT also did not address our comment related to the <i>accelerated rate</i> of habitat loss. Its only response is that freeway projects do not induce growth (see discussion above) and that the freeway is planned for an area that is to be developed regardless (Errata, p. C42). However, our comment referred to specific language in the DEIS, which is also in the FEIS: a reasonably foreseeable impact of this project is “increased rate of land conversion” (FEIS, Table 4-55, p. 4-181). By not acknowledging the impacts of</p>
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8 (cont.)		<p>Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement).</p> <p>To the best of the Federal Highway Administration’s knowledge, the Final Environmental Impact Statement does not claim that the project will reduce air pollution. At the Draft Environmental Impact Statement stage, the mobile source air toxics emissions analysis for the Study Area showed that the project would reduce mobile source air toxics emissions compared with the No-Action Alternative, supporting statements that the project would result in improvements in air quality; however, the updated analysis for the Final Environmental Impact Statement showed that the project would result in a slight increase in mobile source air toxics emissions compared with the No-Action Alternative, and statements that the project would result in improvements in air quality were removed from the Final Environmental Impact Statement and Record of Decision. The actual quantitative results of the air quality analyses themselves are presented in the Final Environmental Impact Statement and air quality technical report.</p>
9	Land Use	<p>Freeway projects are often cited as making land at the urban fringe more accessible and, therefore, more attractive for development. However, examination of data comparing population and land use between 1975 and 2000 suggests major transportation projects like the freeway do not induce growth in the region (see Final Environmental Impact Statement pages 4-179 through 4-183). The freeway will be built in an area planned for urban growth as established in local jurisdictions’ land use plans for at least the last 25 years. The reference made to the increased rate of land conversion deals with the specific timing of development in areas planned for development.</p>
10	Land Use	<p>As stated on page 4-16 of the Final Environmental Impact Statement, land use impacts caused by the freeway may extend beyond the proposed right-of-way and would include issues of access, community cohesion, economics, air quality, noise, cultural resources, visual impacts, and farmlands. The compatibility of land uses with the action alternatives and the No-Action Alternative was assessed by considering land uses within a ¼-mile buffer of the action alternatives’ proposed right-of-way. The compatibility of a major transportation facility with existing land uses may have positive and negative consequences. These factors were disclosed when considering land use compatibility with the freeway.</p>
11	Biology, Plants, and Wildlife	<p>The Final Environmental Impact Statement discloses that construction and operation of any of the action alternatives would involve vegetation removal; would diminish habitat, foraging, and nesting resources for wildlife; and would continue the trend of increasing habitat fragmentation as urbanization continues around the South Mountains. As described throughout Chapter 4 of the Final Environmental Impact Statement, the study area for each environmental resource extends beyond the boundary of any single alternative’s footprint.</p>

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	accelerated habitat loss, ADOT greatly underestimates the impacts of this project and was again nonresponsive in the FEIS.
12	<p>The Errata states that the project would not provide new public access points to South Mountain Park (p. C40). However, no justification for this statement is provided. Will the sides of the freeway be fenced to prohibit the public from leaving the roadway? As is evident on many of the freeways and other roads that cut through natural areas in Arizona, vehicle and on-foot travel frequently occurs off of these roadways. Similarly, the multiuse crossing structures may provide additional access to previously undisturbed areas (see further discussion below).</p> <p><i>Limited knowledge of species in Study Area</i></p>
13	<p>ADOT did not adequately address Sierra Club concerns regarding its limited understanding of what species occur in the area. As we noted in our previous comments, information provided on potential impacts to species is misleading and inaccurate. We appreciate that additional surveys will be coordinated if design commences on this project, but further information should have been acquired prior to compilation of the EIS. Without this knowledge, much of the information provided in the FEIS regarding impacts to species is based on weak assumptions.</p>
14	<p>ADOT also inappropriately used HabiMap to determine species presence and potential impacts. In several of its responses to our comments regarding sensitive species, ADOT states that HabiMap indicates that the majority of the project area “has a moderate-to-low value for most” of these species (e.g., Errata, p. C42). However, this is an inaccurate statement and is also not the intent of HabiMap. These values are based on the <i>number</i> of Species of Greatest Conservation Need that may occur in an area. HabiMap does not rate the quality of habitat for those species, so the statement that the area has a certain value for “most” of the species is wholly erroneous. Related to this, HabiMap is not intended to justify or condemn a proposed project based on species richness in that area. By doing so, ADOT invalidates the purpose of and potential analyses related to HabiMap.</p>
15	<p>Related to the above, we also need to reiterate that the Heritage Data Management System (HDMS) is also not an appropriate tool to determine absence of species from an area. The HDMS is based on incidental observations or surveys results that have been reported to HDMS managers; it is in no way a complete list of species presence and cannot be used to ascertain species absence. In its responses to our comments, ADOT completely ignored these facts. We do appreciate that ADOT noted that incidental observations it recorded do not equate to absence of those species from the Study Area (Errata, p. C47), but it needs to recognize that about the HDMS as well.</p>
13	<p>In our comments, we requested that site-specific surveys be completed to more adequately determine what species may be present. In response, ADOT said that “delaying the survey until closer to [initiation of construction] will provide a more effective and efficient use of limited taxpayer funds” (Errata, p. C47). This does not address our comments related to this. The point of initial surveys is not to identify specific locations of individual animals but to, instead, understand species presence and the full implications of the project. Without this knowledge, only impacts to individual animals that are encountered could be mitigated, not population-wide impacts.</p>
16	<p>ADOT also did not respond to our question about whether or not any surveys have been conducted and, if so, what methods were used (Errata, p. C47). Related to this, however, we question the efficacy of planned surveys for some species. For example, ADOT says that if indications of bat roosting sites are found during surveys for Sonoran desert tortoises, additional surveys and mitigation measures may be implemented (Errata, p. C54). We question how surveys for tortoises can be used to determine presence</p>

Code	Issue	Response
12	Biology, Plants, and Wildlife	The freeway will be a completely access-controlled facility. Right-of-way fencing will prohibit motorists from leaving the freeway right-of-way to access adjacent land. One multifunctional crossing will be located coincident with an existing Maricopa County trail. The other multifunctional crossings along the freeway will facilitate limited pedestrian access from the Gila River Indian Community to culturally important places and will also serve wildlife. These crossing structures and associated fences will be designed to reduce the incidence of vehicle-wildlife collisions and to reduce the impact of the freeway on wildlife connectivity between the South Mountains, the Gila River, and the Sierra Estrella. The Arizona Department of Transportation will coordinate with the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and the Gila River Indian Community’s Department of Environmental Quality during the design phase regarding the potential for locating and designing wildlife-sensitive roadway structures.
13	Biology, Plants, and Wildlife	The analysis presented in the <i>Biological Resources</i> section of Chapter 4 of the Final Environmental Impact Statement and the Biological Evaluation completed in 2014 represent an appropriate analysis of existing conditions and potential impacts based on field surveys and available literature.
14	Biology, Plants, and Wildlife	While the HabiMap data were used to make a general observation of the quality of habitat in the Study Area, the determination of occurrence (known, likely, and unknown) was made based on field surveys of habitat and the review of available data by a qualified wildlife biologist. The determination was not made based on the HabiMap layers or scores as perceived by the commenter.
15	Biology, Plants, and Wildlife	Comment related to the Heritage Data Management System is noted. The system is only one source, of many, used to determine the occurrence of species.
16	Biology, Plants, and Wildlife	Field surveys were conducted by a qualified biologist to characterize habitat and the potential presence of species. The statement referenced on page C54 states that the surveys for bat roosting sites would occur during surveys for the tortoise “and other sensitive species.”

Code	Comment Document
	<p>of bats as these species occupy very different niches and microhabitats. Again, we urge ADOT to conduct surveys specific to the species that may occur in the area.</p>
17	<p>As noted in our previous comments, ADOT needs to identify impacts to individual species, including the Species of Greatest Conservation Need that are identified through HabiMap and HDMS examination. These tools are starting points to indicate potential species that may occur in an area. Site-specific surveys and analyses are then needed to assess presence, distribution, potential impacts, and suitable mitigation measures. ADOT failed to do so and failed to address our comments related to this and therefore was nonresponsive.</p> <p><i>Habitat connectivity/wildlife crossing structures</i></p>
18	<p>Sierra Club continues to have significant concerns that the proposed multifunctional crossings will not facilitate habitat connectivity and wildlife movement across the roadway. Language in the Errata indicates that use of these structures is intended to be limited to wildlife and tribal members (e.g., Errata, p. C43); however, such restrictions are not adequately noted in the FEIS. If such restrictions are intended, how does ADOT plan to ensure that other people, including the public, do not use these areas? Will they be gated and locked? If so, how would that permit wildlife movement? As is evidenced in other structures in the Phoenix area (e.g., Dreamy Draw), the public frequently uses such crossing structures. In fact, some of these areas have become popular with homeless persons and teenagers. Such activities would dissuade and may, in fact, prevent wildlife movement.</p> <p>In order to maintain habitat connectivity, we strongly urge ADOT to separate crossing structures intended for human use from those intended for wildlife use. Although ADOT points to some situations in which multiuse crossings may be effective, numerous other studies indicate that such structures may not be effective (see our previous comments as well as those submitted by the Arizona Game and Fish Department [AGFD]).</p> <p>ADOT also did not adequately address our comment related to the need for funnel fencing in conjunction with wildlife crossings. Instead, it states that “potential fencing” may be used to funnel wildlife to the crossing structures (e.g., Errata, p. C44). Why is such fencing only “potential”? As noted in our previous comments and by AGFD, such fencing is essential in order to minimize road mortality and maintain habitat connectivity.</p> <p>Finally, ADOT did not address our comment that construction of these crossing structures may not maintain connectivity if the surrounding landscape is developed, as is assumed in the FEIS. Our comment related to this is that, although it is not within ADOT’s purview to maintain connectivity in areas outside of its jurisdiction, it must be realistic in its discussion of impacts from the proposed action versus the No Action Alternative. By stating that this project will maintain connectivity (even though it assumes that the surrounding area will be developed), it artificially bolsters the proposed action and negates the No Action Alternative.</p> <p><i>Coordination/Outdated information</i></p>
19	<p>ADOT did not address our concerns regarding the lack of coordination with AGFD and other agencies when preparing the DEIS. In addition, much of the information it provides in its responses to our comments are from outdated information. For example, it uses communications from AGFD from 2006 in order to justify the lack of wildlife surveys that have been completed in the area (e.g., Errata, p. C45). As AGFD noted in its comments, additional data and information have become available since this time,</p>

Code	Issue	Response
17	Biology, Plants, and Wildlife	The analysis presented in the <i>Biological Resources</i> section of Chapter 4 of the Final Environmental Impact Statement and the Biological Evaluation completed in 2014 represent an appropriate analysis of existing conditions and potential impacts based on field surveys and available literature.
18	Biology, Plants, and Wildlife	<p>One multifunctional crossing will be located coincident with a Maricopa County trail. The other multifunctional crossings along the freeway will facilitate limited pedestrian access from the Gila River Indian Community to culturally important places and will also serve wildlife. The crossings will not be gated or locked to restrict human use; however, there are no specific trails or paths associated with the crossings. Even if the crossings for wildlife were separated and designed specifically for wildlife, there is no guarantee that humans would not use the crossings, similar to the Dreamy Draw example included in the comment. These crossing structures and associated fences, such as funnel fencing, will be designed to reduce the incidence of vehicle-wildlife collisions and to reduce the impact of the freeway on wildlife connectivity between the South Mountains, the Gila River, and the Sierra Estrella. The Arizona Department of Transportation will coordinate with the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and the Gila River Indian Community’s Department of Environmental Quality during the design phase regarding the potential for location and design of wildlife-sensitive roadway structures.</p> <p>The comment assumes that development patterns would be different if the freeway were not in place. The freeway will be implemented in a historically quickly urbanizing area (most noticeably in the Western Section of the Study Area). Historical and projected growth and the factors contributing to such growth are well-documented in the Final Environmental Impact Statement in Chapter 1, <i>Purpose and Need</i>, and in the Chapter 4 sections, <i>Land Use</i> and <i>Economic Impacts</i>, beginning on pages 4-3 and 4-56, respectively. The freeway will be built in an area planned for urban growth as established in local jurisdictions’ land use planning activities for at least the last 25 years (see the section, <i>Induced Growth</i>, beginning on page 4-182 of the Final Environmental Impact Statement). Additionally, the area in question has become much more fragmented during the environmental impact statement process and continues to experience fragmentation, independent of the project. It is not reasonable to assume this will not continue or that concerned entities will prevent further fragmentation because that has not occurred to date.</p>
19	Biology, Plants, and Wildlife	The information provided by the Arizona Game and Fish Department was reviewed and considered in the analysis presented in the section, <i>Biological Resources</i> , in the Final Environmental Impact Statement. An example includes the addition of movement areas to Figure 4-38 on page 4-126 of the Final Environmental Impact Statement. The updated information provided by the Arizona Game and Fish Department did not change the conclusions for biological resources. Based on the Arizona Game and Fish Department comments, changes were included in the Final Environmental Impact Statement to provide clarification.

Code	Comment Document
	<p>and it is important to use the most recent and best available data to make decisions. ADOT has failed to do so.</p> <p>Noise</p> <p>20 ADOT did not adequately address our comments regarding the impacts of noise. Specifically, it did not address potential impacts to recreationists and to wildlife in South Mountain Park. We again note that the mitigation measures proposed – namely, the noise walls – may have little impact in reducing the amount of noise experienced by recreationists and wildlife in the park. The noise walls will help reduce noise heard on the other side of the wall but may disperse that noise to higher levels, such as the hillsides where recreationists and wildlife will be. This is an important omission from the FEIS.</p> <p>Summary</p> <p>21 ADOT has not justified the need for this proposed freeway and has inaccurately and inadequately assessed and analyzed the potential impacts (direct, indirect, and cumulative) from selecting its action alternative. This project would have irreversible and irretrievable impacts on air quality, public health, wild lands, wildlife, and more. Further, ADOT has not analyzed the full range of reasonable alternatives for this project, as the law dictates. We strongly encourage ADOT to withdraw the proposed action, to select the No Action Alternative, and to, instead, invest in solutions that make sense for our region and our state.</p> <p>Thank you for considering our comments.</p> <p>Sincerely,</p> <p></p> <p>Sandy Bahr Chapter Director Sierra Club – Grand Canyon Chapter</p>
	<p>7</p>

Code	Issue	Response
20	Noise	<p>With regard to wildlife, noise impacts are disclosed on page 4-136 of the Final Environmental Impact Statement.</p> <p>As stated on page 5-3 of the Final Environmental Impact Statement, ¼ mile is the approximate maximum distance from which traffic noise would be disruptive to human or wildlife uses.</p> <p>In terms of noise analyses, several reasons support why the analysis did not extend beyond ¼ mile: noise impacts at 2,000 feet or greater from the freeway would be minimal (decibels would not be above minimum thresholds); the Federal Highway Administration Traffic Noise Model has limitations for predicting noise levels beyond approximately 500 feet; mitigation, such as noise walls, would not be effective for receptors at 2,000 feet or greater (and at elevated positions) away from the freeway; and, even if it were shown that noise levels are higher on the trail, the impacts would be temporary in nature because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway (no picnic areas appear to be located along this trail). The existing trails within the park nearest the freeway are 2,000 feet or more away (for example, the National Trail is 2,000 feet away and the Bursera Trail is 4,000 feet away).</p>
21		<p>Comments noted. Responses to specific comments are provided in the following pages.</p>

RESPONSES TO FREQUENTLY SUBMITTED PUBLIC COMMENTS

The Arizona Department of Transportation and Federal Highway Administration identified several recurring public comments. Comments that provided either support or opposition for the project were reviewed by the project team, which responded simply with a “comment noted.” Other substantive comments related to a number of topics were received. The nature of these comments is summarized below, immediately followed by a broad response to the issue. Again, the responses address issues that were commented on by multiple reviewers and address the majority of the comments submitted. Many of the responses to individual comments refer the commenter to a specific response (or responses) below for more details.

Below are examples of what the response to a frequently submitted comment looks like in the comment response document. In some instances, multiple “Issues” are combined into a single response that refers to the frequent responses. For each, the Code provides a numbered identifier that corresponds to the comment document, the Issue identifies the topic of the response, and the Response refers the commenter or reviewer to the page where the frequent responses can be located.

Code	Issue	Response
1	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Health Effects	
6	Biology, Plants, and Wildlife	

ISSUE: ACQUISITIONS AND RELOCATIONS

Frequent comment: *Commenters inquired about the process that will be undertaken by the Arizona Department of Transportation in the acquisition and relocation of their homes or businesses.*

Response: Land acquisition and relocation assistance services for the project shall be available to all individuals without discrimination in accordance with Title VI of the Civil Rights Act of 1964 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, which provides uniform, fair, and equitable treatment of people whose property is affected or who are displaced as a result of the project, including those with special needs. Advisory assistance services and compensation practices are described in detail in the Arizona Department of Transportation’s *Right-of-way Procedures Manual*, located at <azdot.gov/business/RightofWay_Properties/booklets-and-manuals>. For further discussion, see page 4-51 of the Final Environmental Impact Statement and Appendix 4-1. For questions on specific properties, contact the Arizona Department of Transportation Right-of-Way Group at (602) 712-7316.

ISSUE: AIR QUALITY

Frequent comment: *Commenters expressed the belief that the freeway will cause an increase in air pollution and that the freeway will worsen air quality.*

Response: Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the proposed freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. The roadside carbon monoxide and particulate matter (PM₁₀) analyses used the latest traffic estimates and emissions and pollutant dispersion models and were reviewed by the U.S. Environmental Protection Agency. The Final Environmental Impact Statement includes analysis at three different locations along the proposed project (Interstate 10 interchange, Broadway Road interchange, and 40th Street interchange), including worst-case locations based on traffic volumes, and additional locations to ensure coverage of all areas along the corridor. All locations meet the particulate matter (PM₁₀) National Ambient Air Quality Standards and are well below the carbon monoxide National Ambient Air Quality Standards, and the receptor diagrams in Figure 22 in the Record of Decision show that concentrations decrease rapidly as distance from the roadway increases. At the worst-case locations, nearly all of the concentrations reported are attributable to background concentrations; at the location with the absolute highest concentration for particulate matter (PM₁₀), 145 micrograms per cubic meter is the background concentration and only 3.8 micrograms per cubic meter will be added by the project.

For mobile source air toxics, the updated analysis showed that for the Study Area, constructing the freeway will have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement). Congestion relief resulting from the freeway will provide localized air quality emissions reductions on area freeways, arterial streets, and at interchanges, benefiting users of area highways and those living near or using congested roads. Additional details on air quality issues can be found in the frequent responses for *Health Effects* and *Children’s and Seniors’ Health*.

Some commenters expressed confusion or skepticism that construction of a large new freeway would result in a small change in emissions, as documented in the Final Environmental Impact Statement. As explained in the Final Environmental Impact Statement and response to comments, the Federal Highway Administration mobile source air toxics emissions assessments in the agency’s National Environmental Policy Act documents are designed to evaluate emissions changes within a study area including roadway segments where traffic volumes change as a result of the project. The U.S. Environmental Protection Agency’s risk estimates for mobile source air toxics pollutants are based on 70-year lifetime exposure; it is more likely that a person will be within the study area for 70 years than at a fixed location near the proposed corridor for 70 years. Thus, emissions changes in a study area are a reasonable indicator of potential changes in health risk.

The Federal Highway Administration acknowledges that emissions will be higher on average along the project corridor when the project is built, compared with the No-Action Alternative. However, emissions will likely decrease elsewhere in the Study Area. While the Federal Highway Administration did not calculate any site-specific emissions changes for the South Mountain Freeway or any other roadway segments, the *Traffic Overview* report provides an indication of where this could occur. For example, Table 19 in the *Traffic Overview* report shows that traffic volumes on nearly all sections of Interstate 10 analyzed will decrease with the project; Table 20 shows that traffic volumes on nearly all affected sections of arterial streets will also decrease. It is reasonable to assume that since traffic volumes decrease relative to the No-Action Alternative, mobile source air toxics emissions will also decrease. Tables 23 and 24 of the *Traffic Overview* report show that travel times will decrease for all representative trips, meaning that mobile source air toxics exposures for these travelers will also likely decrease (since they are spending less time in traffic, exposed to emissions). Thus, while people will be exposed to higher concentrations of mobile source air toxics during the portion of their 70-year lifetime that they are located adjacent to the project corridor, they will also be exposed to lower concentrations of mobile source air toxics while they are located elsewhere in the Study Area. Again, a study area analysis best captures the overall likelihood of changes in mobile source air toxics emissions and possible mobile source air toxics health outcomes attributable to the project.

Finally, to address the fact that emissions will be higher along the project corridor, the Final Environmental Impact Statement includes a summary of past health risk studies for similar projects. As explained in the Final Environmental Impact Statement and air quality technical report, all of these studies identified very low health risk, well below the U.S. Environmental Protection Agency’s “Action Level” for addressing risk. These studies also assumed long-term constant exposure to the roadways studied (24 hours a day for 70 years in most of the studies, 24 hours a day for 30 years in one study), even though these long exposure time frames are not representative of real-life conditions. The Federal Highway Administration did not receive any negative comments on the summary of these studies from the U.S. Environmental Protection Agency or other experts.

To summarize the Federal Highway Administration’s understanding of the likely air quality impacts from the project:

- 1) The carbon monoxide and particulate matter (PM₁₀) modeling analyses, conducted in close consultation with the U.S. Environmental Protection Agency, show that neither of these air quality standards will be violated in the vicinity of the project.
- 2) The mobile source air toxics emissions analysis for the applicable geographic area for 70-year health risks shows a small increase in emissions (about 1 percent) with the project built (compared to not building it), but large declines from today’s levels (about 80 percent) whether it is built or not.
- 3) While mobile source air toxics emissions will increase in the immediate vicinity of the corridor, the project-specific risk studies available to the Federal Highway Administration indicate that the potential risk is very low and is far less than the U.S. Environmental Protection Agency’s Action Level for addressing it.

ISSUE: ALTERNATIVES, ENVIRONMENTALLY PREFERABLE ALTERNATIVE

Frequent comment: *Commenters expressed that the No-Action Alternative is the environmentally preferable alternative.*

Response: Council on Environmental Quality regulations [40 Code of Federal Regulations Section 1505.2(b)] require a record of decision to identify the environmentally preferable alternative. The environmentally

preferable alternative is defined as the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources. Designation of the environmentally preferable alternative typically involves judgment and the balancing of some environmental values against others. The Council on Environmental Quality notes that comments on draft environmental documents (such as the Draft and Final Environmental Impact Statements for this project) can assist the lead agency in developing and determining environmentally preferable alternatives.

Although the No-Action Alternative might have less environmental impact, this alternative does not meet the project’s purpose and need. Mitigation measures have been added to the project’s Record of Decision based on comments received on the Draft and Final Environmental Impact Statements. The Selected Alternative is the environmentally preferable alternative that satisfies the project’s purpose and need. Although the Selected Alternative does not have the least impact in every environmental discipline, the Arizona Department of Transportation believes that this alternative best balances environmental effects and benefits. The Selected Alternative will meet the project needs as well as or better than the other alternatives, and, in the case of the E1 Alternative, was determined to be the only prudent and feasible alternative in the Eastern Section of the Study Area. The Selected Alternative will have similar environmental effects on natural resources, cultural resources, hazardous materials, and noise as the other action alternatives; will displace fewer residences; will have the lowest impact on total tax revenues of local governments; will have lower construction costs; will result in less construction disruption overall to Interstate 10 (Papago Freeway); will mitigate impacts and provide measures to minimize harm; represents all possible planning to minimize harm to resources afforded protection under Section 4(f); is favored by the majority of local governments; and will meet regulatory permitting requirements.

ISSUE: ALTERNATIVES, GILA RIVER INDIAN COMMUNITY ALIGNMENT

Frequent comment: *Commenters expressed a desire to locate the freeway on Gila River Indian Community land.*

Response: Tribal sovereignty is based on the inherent authority of Native American Tribes to govern themselves. States have very limited authority over activities within tribal land (see Final Environmental Impact Statement page 2-1). The Arizona Department of Transportation and Federal Highway Administration do not have the authority to survey tribal land, make transportation determinations directly affecting tribal land, or condemn tribal land through an eminent domain process.

While efforts to study project alternatives on Gila River Indian Community land were attempted (see Final Environmental Impact Statement Chapter 2, *Gila River Indian Community Coordination*), the Gila River Indian Community has long held a position of not allowing the freeway to be located on its land. For example, a coordinated referendum of Gila River Indian Community members to favor or oppose construction of the freeway on Gila River Indian Community land or to support a no-build option occurred in February 2012, and Gila River Indian Community members voted in favor of the no-build option. Moving forward, therefore, the freeway cannot be located on the Gila River Indian Community (see Final Environmental Impact Statement page 3-25). The Gila River Indian Community’s position regarding a “no-build” option was considered in the Draft and Final Environmental Impact Statements. That position is formally known as the No-Action Alternative and was evaluated in depth in assessments

of the impacts of the freeway on each resource. The Federal Highway Administration, Arizona Department of Transportation, and Maricopa Association of Governments will continue to coordinate with the Gila River Indian Community regarding concerns and potential mitigation for those concerns.

ISSUE: ALTERNATIVES, GILA RIVER INDIAN COMMUNITY NO-BUILD REFERENDUM

Frequent comment: *Commenters expressed a belief that the project team had not considered the Gila River Indian Community's vote for the no-build option.*

Response: The Final Environmental Impact Statement on page 2-4 acknowledges that the Gila River Indian Community Council passed Resolution GR-64-96 that strongly opposed any future alignment of the South Mountain Freeway on Gila River Indian Community land. In addition, the comments received from Gila River Indian Community Governor Gregory Mendoza (see letter dated July 11, 2013, on page B38 in Appendix 7, Volume III, of the Final Environmental Impact Statement and letter dated December 15, 2014, on page A24 in this Appendix A) confirm the Gila River Indian Community's position. A coordinated referendum of Gila River Indian Community members to favor or oppose construction of the proposed freeway on Gila River Indian Community land or to support a no-build option occurred in February 2012, and Gila River Indian Community members voted in favor of the no-build option. The environmental impact statement process allows the voter outcome to be taken into account as one of many factors to consider in terms of the National Environmental Policy Act decision making intent to promote a more informed decision with regard to the proposed action.

ISSUE: ALTERNATIVES, NO-ACTION (NO-BUILD) ALTERNATIVE

Frequent comment: *Commenters expressed a desire to select the No-Action (No-Build) Alternative as the Preferred Alternative.*

Response: As stated on page 3-40 of the Final Environmental Impact Statement, the No-Action Alternative would not satisfy the purpose and need of the freeway because it would result in further difficulty in gaining access to adjacent land uses, increased difficulty in gaining access to Interstate and regional freeway systems from the local arterial street network, increased levels of congestion-related impacts, continued degradation in performance of regional freeway-dependent transit services, increased trip times, and higher user costs. Further, the No-Action Alternative would be inconsistent with Maricopa Association of Governments' and local jurisdictions' long-range planning and policies. The No-Action Alternative was included in the Draft and Final Environmental Impact Statements for detailed study to compare impacts of the action alternatives with the consequences of doing nothing (as impacts can result from choosing to do nothing). The impacts associated with the No-Action Alternative are discussed in each section of Chapter 4, *Affected Environment, Environmental Consequences, and Mitigation*, in the Final Environmental Impact Statement. These impacts are also summarized in Table S-3 on page S-10 of the *Summary* chapter of the Final Environmental Impact Statement.

The comparison of traffic operational characteristics between the action alternative and the No-Action Alternative is presented in the Final Environmental Impact Statement, beginning on page 3-27. The analysis shows that the action alternatives will:

- reduce overall traffic on the arterial street system (see Figures 3-12 and 3-13)

- optimize travel on the region's freeway system (see Figure 3-12)
- reduce the capacity deficiency to levels better than experienced today (see Figures 1-12 and 3-14)
- reduce the duration of level of service E or F conditions in key areas of the region's freeway system (see Figure 3-15)
- improve travel times on trips within the Study Area and across the region (see Figure 3-17 and Table 3-8)
- provide improved regional mobility for areas projected to experience growth in the next 25 years (see Figures 1-7 and 3-18)

When all of this is considered in the realm of travel time savings for motorists in the region, the user benefits total approximately \$200 million per year (see Table 4-27).

ISSUE: ALTERNATIVES, NONFREEWAY ALTERNATIVES

Frequent comment: *Commenters expressed a desire for the Arizona Department of Transportation to invest in nonfreeway travel modes.*

Response: The study has considered a variety of transportation modes: transportation system management/ transportation demand management, mass transit (commuter rail, light rail, expanded bus service), arterial street improvements, land use controls, new freeways, and a No-Action Alternative. These alternatives alone or in combination would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the region. Mass transit modes such as light rail and an expanded bus system were reexamined in the Final Environmental Impact Statement and were eliminated from further study because even better-than-planned performance of transit would not adequately address the projected 2035 travel demand (see Final Environmental Impact Statement page 3-4). For example, the average daily ridership for the light rail system connecting downtown Phoenix and the Arizona State University campus was approximately 44,000 in 2014. This is only approximately 25 percent of the total daily vehicles projected to use the freeway in 2035. Two high-capacity transit corridors are being considered near the western and eastern extents of the Study Area, but such extensions would not adequately address the projected 2035 travel demand. A freeway/light rail combination would integrate a freeway and light rail system into a single transportation corridor (see Final Environmental Impact Statement page 3-6). Such a freeway/light rail system is planned at two locations: along Interstate 10 (Papago Freeway) and along State Route 51 (Piestewa Freeway). These two segments would connect to the light rail system currently in operation. With these two freeway/light rail segments already in planning stages, members of the public identified a similar opportunity along the South Mountain Freeway. Most freeway/light rail combinations, however, radiate from a central travel demand generator such as a business district or airport. No such systems are known to follow a circumferential route, as the freeway will. Furthermore, the additional right-of-way needed for light rail (generally, a 50-foot-wide corridor) would have substantial community impacts such as displaced residences and businesses and parkland impacts. Therefore, the light rail alternative and light rail and freeway combination would not be prudent and were eliminated from further study. The freeway mode was determined to be an appropriate response to the project's purpose and need.

The freeway is part of the *Regional Transportation Plan* for the Maricopa Association of Governments region. The *Regional Transportation Plan*, as described on pages 1-5 and 1-10 of the Final Environmental

Impact Statement, addresses freeways, streets, transit, airports, bicycle and pedestrian facilities, freight, demand management, system management, and safety. The freeway is only one part of the overall multimodal transportation system planned to meet the travel demand needs of the Maricopa Association of Governments region. As noted on page 3-4 of the Final Environmental Impact Statement, however, even better-than-planned performance of transit and other modes would not adequately address the projected 2035 travel demand.

ISSUE: ALTERNATIVES, RANGE OF REASONABLE ALTERNATIVES

Frequent comment: *Commenters expressed that they did not feel the study considered a range of reasonable alternatives.*

Response: In accordance with the National Environmental Policy Act, a range of reasonable action alternatives to carry forward for further analysis was determined through application of multidisciplinary criteria in a logical, step-wise progression. Alternatives were not disposed of or dismissed without a thorough evaluation using the multidisciplinary criteria outlined in the systematic alternatives development and screening process presented in Chapter 3 of the Draft and Final Environmental Impact Statements. This process, which occurred early in the environmental impact statement process, was revisited and validated in the Final Environmental Impact Statement (see page 3-2).

As discussed on page 5-18 of the Final Environmental Impact Statement, many alternatives were examined to avoid the South Mountains. However, none of these alternatives are feasible and prudent.

The alternatives development and screening process considered the ability of an alternative to minimize impacts on the human and natural environments (see page 3-3 of the Final Environmental Impact Statement). Throughout the process described beginning on page 3-3, environmental impacts are used to eliminate alternatives. In the evaluation of action alternatives (see text beginning on page 3-62 of the Final Environmental Impact Statement), environmental and societal impacts play a substantial role in the identification of the W59 and E1 Alternatives as the Preferred Alternative. In comparison with the other action alternatives studied in detail, the Preferred Alternative is the least harmful alternative.

ISSUE: ALTERNATIVES, W59 ALTERNATIVE VERSUS W101 ALTERNATIVE

Frequent comment: *Commenters expressed that the W101 Alternative would be a better connection point to Interstate 10 in the Western Section and expressed concerns that traffic operations along Interstate 10 will be adversely affected by the connection at 59th Avenue (W59 Alternative).*

Response: In preparing the Final Environmental Impact Statement, the Federal Highway Administration and Arizona Department of Transportation once again compared the W59 Alternative with the W101 Alternative (see Final Environmental Impact Statement beginning on page 3-68). This comparison examined overall transportation needs, consistency with regional and long-range planning goals, environmental and societal impacts, operational differences, estimated costs, and regional support and public input. The W101 Alternative would result in approximately 200 to 600 more displaced residential properties than the W59 Alternative. The W59 Alternative will have a nominal effect on the local tax base in Phoenix. The W101 Alternative would have a severe impact on the City of Tolleson’s tax base and would lead to a reduction in City-provided services. Right-of-way for the W101 Alternative would eliminate a substantial portion of the remaining developable land in Tolleson. The W101 Alternative would need the partial or

complete reconstruction of the State Route 101L (Agua Fria Freeway) and Interstate 10 (Papago Freeway) interchange and additional widening improvements to State Route 101L (Agua Fria Freeway). The total cost of the W101 Alternative would be \$490 million to \$640 million greater than the W59 Alternative. Resolutions passed by the City/Town Councils of Avondale, Buckeye, Gila Bend, Goodyear, Litchfield Park, Phoenix, and Tolleson supported an alternative near 55th Avenue (now closely represented by the W59 Alternative) and opposed the W101 Alternative. Following this reanalysis, the Federal Highway Administration and Arizona Department of Transportation identified the W59 Alternative as the Preferred Alternative in the Western Section.

In preparing the Final Environmental Impact Statement, the Federal Highway Administration and Arizona Department of Transportation reanalyzed the Western Section action alternatives’ effects on operations along Interstate 10 (see Final Environmental Impact Statement beginning on page 3-62). The analysis determined that the No-Action Alternative would result in the most sections along Interstate 10 operating at level of service E or F, and for the longest duration. The connection to Interstate 10 (Papago Freeway) at 59th Avenue will include substantial improvements (widening) along Interstate 10 to provide adequate operations on Interstate 10 in the area of the junction and to allow traffic moving to and from the South Mountain Freeway to enter and exit the Interstate 10 main line (see page 3-49 of the Final Environmental Impact Statement). The design of the Interstate 10 and South Mountain Freeway system traffic interchange at 59th Avenue has received preliminary acceptance from the Federal Highway Administration, subject to completion of the National Environmental Policy Act process.

ISSUE: BIOLOGY, PLANTS, AND WILDLIFE

Frequent comment: *Commenters expressed concerns about the impacts the freeway will have on plants and wildlife within and around the Phoenix South Mountain Park/Preserve area.*

Response: Within the context of overall vegetation, wildlife, and wildlife habitat, all action alternatives and options would result in a decrease in the amount of cover, nesting areas, and food resources for wildlife species caused by construction of the project. See the section, *General Impacts on Vegetation, Wildlife, and Wildlife Habitat*, beginning on page 4-136 of the Final Environmental Impact Statement, for additional details on potential effects on vegetation, wildlife, and wildlife habitat.

The Arizona Department of Transportation and Federal Highway Administration completed a Biological Evaluation containing an analysis of the project effects on listed and candidate species under the Endangered Species Act. The Biological Evaluation was completed in May 2014 following identification of the Preferred Alternative in the Draft Environmental Impact Statement. The Biological Evaluation was sent to the U.S. Fish and Wildlife Service, the Arizona Game and Fish Department, and the Gila River Indian Community Department of Environmental Quality. The U.S. Fish and Wildlife Service was asked for technical assistance with minimizing impacts on listed and candidate species prior to completion of the Final Environmental Impact Statement. In a letter dated July 18, 2014, the Gila River Indian Community provided comments on the Biological Evaluation for the freeway and expressed that the Gila River Indian Community holds all animals in the highest regard and recognizes animals as culturally important. The letter included a list of plant and animal species that are culturally important to the Gila River Indian Community. The Biological Evaluation for the freeway was revised to incorporate an evaluation of the identified species (see page 4-127 of the Final Environmental Impact Statement). The Arizona Department of Transportation and Federal Highway Administration have committed to continue coordination with the

Arizona Game and Fish Department, the Gila River Indian Community Department of Environmental Quality, and U.S. Fish and Wildlife Service regarding wildlife concerns as a result of the freeway’s implementation. The analysis of biological resources may be found beginning on page 4-125 of the Final Environmental Impact Statement. The Federal Highway Administration made “no effect” findings for all listed and candidate species except for the Tucson shovel-nosed snake and Sonoran desert tortoise. The Tucson shovel-nosed snake was subsequently removed from the Candidate species list in a decision by the U.S. Fish and Wildlife Service on September 23, 2014. Mitigation measures to conduct preconstruction surveys for the Sonoran desert tortoise, where appropriate and after consultation with the Arizona Game and Fish Department, were included in the Final Environmental Impact Statement (see page 4-138). These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

The freeway will be designed to protect and maintain opportunities for wildlife movement between the South Mountains, Gila River, and Sierra Estrella. These opportunities will be located in the region where the South Mountain Freeway will intersect the southwestern portion of the South Mountains. Some drainage structures incorporated into the roadway plans will be designed to accommodate multifunctional crossings in appropriate locations that will allow limited use by the Gila River Indian Community and will also serve wildlife. These crossing structures and associated fences will be designed to reduce the incidence of vehicle-wildlife collisions and to reduce the impact of the freeway on wildlife connectivity between the South Mountains, Gila River, and Sierra Estrella. The Arizona Department of Transportation will coordinate with the U.S. Fish and Wildlife Service, Arizona Game and Fish Department, and the Gila River Indian Community’s Department of Environmental Quality during the design phase regarding the potential for locating and designing wildlife-sensitive roadway structures.

ISSUE: CHILDREN’S AND SENIORS’ HEALTH

Frequent comment: *Commenters expressed concern that exposure to emissions from the South Mountain Freeway could adversely affect children’s and seniors’ health.*

Response: As noted throughout the Final Environmental Impact Statement, potential impacts on and subsequent mitigation for human health are disclosed and identified, as inherent in the environmental impact statement process. The Final Environmental Impact Statement incorporates an assessment of the potential impacts of the project on all populations, including children, in the Chapter 4 environmental consequences analyses. A discussion addressing children’s health was added to page 4-83 of the Final Environmental Impact Statement.

While there is ample evidence that *air pollution* has the potential for greater adverse impacts on children compared with the population at large, this does not imply that the project will have disproportionate impacts on children. The project itself will affect all near-road populations equally; it does not include elements that would lead to higher air pollutant concentrations near children compared with other receptors. The Final Environmental Impact Statement evaluates Clean Air Act criteria air pollutant concentrations in Maricopa County and the Phoenix area (see pages 4-75 to 4-77). With regard to air quality impacts, the Final Environmental Impact Statement addresses children’s and seniors’ health impacts within the broader discussion regarding health impacts under the National Ambient Air Quality Standards. Clean Air Act Section 109(b)(1) requires the U.S. Environmental Protection Agency to promulgate primary National Ambient Air Quality Standards at levels that allow an adequate margin of safety and that are requisite to protect the public health. As noted by the U.S. Environmental Protection Agency in its 2013 rulemaking

for particulate matter, Clean Air Act Section 109’s legislative history demonstrates that the primary standards are “to be set at the maximum permissible ambient air level ... which will protect the health of any [sensitive] group of the population” (78 *Federal Register* 3086 and 3090) (quoting S. Rep. No. 91-1196, 91st Cong., 2 Sess. 10 [1970]) (alterations in original). Accordingly, the Final Environmental Impact Statement’s National Ambient Air Quality Standards-based evaluation of criteria air pollutants includes a health-based review of sensitive populations, including children and seniors, given the National Ambient Air Quality Standards’ inherent consideration of those factors. Furthermore, the National Ambient Air Quality Standards-based assessment ensures adequate consideration of health-based issues as “[t]he requirement that primary standards provide an adequate margin of safety was intended to address uncertainties associated with inconclusive scientific and technical information ... and to protect against hazards that research has not yet identified” (78 *Federal Register* 3090).

Since the Final Environmental Impact Statement analysis of the National Ambient Air Quality Standards, conducted in consultation with U.S. Environmental Protection Agency, showed that no violations of the National Ambient Air Quality Standards would occur along the project, and since U.S. Environmental Protection Agency’s National Ambient Air Quality Standards protect children’s and seniors’ health with an adequate margin of safety, the project has no adverse impacts on children’s or seniors’ health.

ISSUE: COMMUNITY IMPACTS

Frequent comment: *Commenters expressed a concern that the freeway will adversely affect the livability of their neighborhoods.*

Response: As noted in Table 4-9 on page 4-27 of the Final Environmental Impact Statement, the South Mountain Freeway will visually and audibly intrude on the less-intensive, passive, residential character of the area. The magnitude of impact will be offset by the fact that the freeway will replace the existing four-lane Pecos Road. Pecos Road, although to a lesser degree than will occur with the freeway, now visually and audibly intrudes on the village. Further, the impact will not be “new” to the village, considering that Interstate 10 (Maricopa Freeway) and the Interstate 10/State Route 202L/Pecos Road system traffic interchange border the village on the east and that either or both are used regularly by village residents.

ISSUE: CRIME

Frequent comment: *Commenters expressed a concern that the freeway will increase crime in their neighborhoods.*

Response: While the City of Phoenix Police Department reported in 2005 that it did not have any statistics specific to crime adjacent to freeways, it did note that based on its experience there does not appear to be a correlation between crime rates and freeways.

ISSUE: CULTURAL RESOURCES

Frequent comment: *Commenters expressed a belief that the project team had not considered impacts on prehistoric sites or cultural heritage in the analysis.*

Response: Since the beginning of the environmental impact statement process, the Federal Highway Administration and Arizona Department of Transportation have been carrying out cultural resource studies and engaging in an ongoing, open dialogue with the Gila River Indian Community Tribal Historic

Preservation Office and other Tribes to understand the Native American’s way of life and to identify and evaluate places of religious, spiritual, and cultural importance to the Gila River Indian Community and other Tribes that may be adversely affected by the freeway. Such places may be referred to as traditional cultural properties. As a result of these discussions and of studies conducted by the Gila River Indian Community’s Cultural Resource Management Program, the Gila River Indian Community and other Tribes have identified traditional cultural properties that are eligible for listing in the National Register of Historic Places and that could be affected by construction of the freeway. The religious, spiritual, and cultural importance of the South Mountains is acknowledged in the Final Environmental Impact Statement in several locations, notably page 5-26. The project will accommodate and preserve (to the fullest extent possible from the available alternatives) access to the South Mountains for religious practices. For more discussion of traditional cultural properties, see the section, *Cultural Resources*, beginning on page 4-140 of the Final Environmental Impact Statement and pages 5-26 through 5-28.

Section 106 of the National Historic Preservation Act requires a government-to-government relationship between the federal government and Native American Tribes as described beginning on page 4-140 of the Final Environmental Impact Statement. Section 106 requires that federal agencies take into account the effects of their undertakings on historic properties. This process requires consultation with State Historic Preservation Officers and tribal authorities. Consultation has occurred with Gila River Indian Community government officials, the Tribal Historic Preservation Officer, the Cultural Resource Management Program, many different tribal authorities, and the State Historic Preservation Office. The consultation regarding all historic properties in the area of potential effects has resulted in concurrence from the Gila River Indian Community Tribal Historic Preservation Office, other tribal authorities, and the State Historic Preservation Office on National Register of Historic Places eligibility recommendations (including traditional cultural properties), project effects, and proposed mitigation and measures to minimize harm. This consultation has been ongoing and will continue until the commitments in the Record of Decision are completed.

ISSUE: DESIGN

Frequent comment: *Commenters questioned the elevation or grade of the freeway.*

Response: The freeway will have a rolling profile (see page 3-41 of the Final Environmental Impact Statement) and will be elevated to pass over arterial streets. To maximize the effectiveness of noise walls and to minimize costs, walls are normally constructed on the elevated grades with the freeway.

ISSUE: ECONOMICS, SOCIOECONOMICS

Frequent comment: *Commenters expressed a concern that the freeway will reduce the value of their homes or properties.*

Response: A review of the literature revealed few detailed and comprehensive analyses of the relationship between transportation infrastructure and residential property values (Transportation Research Record: Journal of the Transportation Research Board, No. 2174, Transportation Research Board of the National Academies, Washington, D.C., 2010, pp. 138-47; “Residential Property Values and the Build Environment; Empirical Study in the Boston Massachusetts Metropolitan Area”). A local case study concerning U.S. Route 60 (Superstition Freeway) found that 1) freeway construction may have an adverse impact on some properties but, in the aggregate, property values tend to increase with freeway development; 2) freeways

do not affect all properties’ values in the same way (proximity to the freeway was observed to have a negative effect on the value of detached single-family homes in the corridor but a positive effect on multifamily residential developments and most commercial properties); 3) the most important factor in determining negative impact on property values appears to be the level of traffic on any major roads in the proximate area, which implies that regional traffic growth is more significant than the presence of a freeway per se (Journal of the Transportation Research Board, No. 1839, Transportation Research Board of the National Academies, Washington, D.C., 2003, pp. 128-135; “Impact of Highways on Property Values: Case Study of Superstition Freeway Corridor”). The California Department of Transportation has studied this subject for a number of years. Its *Standard Environmental Reference Handbook, Volume 4, Appendix D, Transportation Effects on Property Value* concludes that while a majority of studies found that properties abutting the freeway do not appreciate as rapidly as other properties a little farther away from the freeway, there is a net gain in value in the general vicinity of the freeway attributable to increased accessibility to the regional freeway system. In other words, houses in both the abutting and the nearby zones appreciated more than comparable properties a few miles away from the freeway.

ISSUE: ENVIRONMENTAL JUSTICE

Frequent comment: *Commenters expressed a belief that the proposed project constituted an illegal action with respect to environmental justice.*

Response: The Arizona Department of Transportation and Federal Highway Administration, as the federal lead agency, have an obligation under the National Environmental Policy Act to assess whether the proposed action and its alternatives would lead to substantial adverse environmental impacts, disclose those impacts, and identify mitigation to reduce the impact to below a level of significance (and if such mitigation is unavailable, disclose that such an impact would occur but would not be mitigated). The section entitled *Environmental Justice and Title VI*, beginning on page 4-29 in the Final Environmental Impact Statement, presents acceptable methods, data, and assumptions to assess the potential for disproportionately high and adverse effects from the proposed action on environmental justice populations.

Based on the content of the section, no such effects would result from the action alternatives. Even if one were to reach a contrary conclusion and determine that disproportionately high and adverse effects would occur as a result of the freeway, there is substantial justification for the freeway. It is needed to serve projected growth in population and accompanying transportation demand and to correct existing and projected transportation system deficiencies (see Chapter 1, *Purpose and Need*). There is no feasible and prudent alternative to the use of the South Mountains, as discussed in Chapter 5, *Section 4(f) Evaluation*.

ISSUE: FREEWAY AWARENESS

Frequent comment: *Commenters expressed that they were not made aware of the potential project when they moved into an area located near the previously approved alignment.*

Response: As noted on page 4-13 of the Final Environmental Impact Statement, the City of Phoenix first documented a future major transportation facility to serve the southwestern part of Phoenix in a 1980 planning report, *Annexation Implications in the Area South of South Mountain Park*. The City of Phoenix recommended constructing a six-lane freeway interchange on Pecos Road and a six-lane street from Interstate 10 (Maricopa Freeway) west on Pecos Road and continuing northwest to 51st Avenue (City of

Phoenix 1980). In 1985, the Maricopa Association of Governments modified the proposal by proposing a future six-lane freeway on a similar alignment (instead of the six-lane street). The Maricopa Association of Governments proposal was included in the 1985 *Long-Range Transportation Plan*, and the evolved South Mountain Freeway has been included in adopted long-range plans ever since.

With the Study Area subject to continued land development projects, the proposed action will require acquisition of developed properties and relocation of property owners for right-of-way where there was once mostly vacant land. Public comments received from potentially affected property owners as part of the environmental impact statement process suggest the City of Phoenix, land developers, and Arizona Department of Transportation did not disclose the future freeway project. Review of previously published Arizona Department of Transportation, City of Phoenix, Maricopa Association of Governments, and developer documents confirms freeway project and alignment disclosure has occurred since 1980, when the Study Area was still primarily vacant land.

Since original adoption of the South Mountain Freeway alignment (an alignment similar to the W59 and E1 Alternatives) in 1984, the Arizona Department of Transportation has purchased some right-of-way in the Western and Eastern Sections (the original alignment and locations of property owned by the Arizona Department of Transportation in 2000 are shown in maps on page 4-12 and 4-13 of the Final Environmental Impact Statement). In the same time period, the City of Phoenix has approved six planned community districts adjacent to the eastern alignment. These developments are Lakewood, Foothills, Pecos Road, Goldman Ranch, Foothills Reserve, and South Mountain 620. Approvals for these require developers to inform potential buyers of conflicts with planned transportation projects such as the proposed action. These mechanisms include:

- **City of Phoenix responsibility** – Stipulations referring to the freeway alignment were included in the zoning cases for each of the developments, except for the Lakewood Planned Community District. The Circulation Master Plan for the Lakewood Planned Community District identifies the clean take line (the line where subdivisions are severed for the freeway and the remaining properties continue to function as intended) for the future freeway.
- **Developer responsibility** – Arizona real estate law requires developers to disclose adverse conditions such as construction of a future freeway in a public document [5 Arizona Administrative Code 650, R4-28-A1203]. Additionally, Arizona law states that subsequent purchasers have the right to “receive a copy of the public report” and “any contract, agreement or lease which fails to make disclosures . . . shall not be enforceable against the purchaser” (5 Arizona Revised Statutes § 32-2185.06). Developers typically disclose adverse conditions in the covenants, conditions, and restrictions document, which is provided to potential buyers who in turn are required to acknowledge they have received and read the covenants, conditions, and restrictions by signing documents provided during the closing period of the sale.
- **Arizona Department of Transportation responsibility** – The Arizona Department of Transportation uses the “Red Letter” process to coordinate planned transportation projects with proposed developments within local jurisdictions. Local jurisdictions are requested to notify the Arizona Department of Transportation of potential development plans within ¼ mile of established or proposed project corridors. The Arizona Department of Transportation assigns a Red Letter Coordinator to review the proposed development projects and to provide a written response explaining the transportation project’s potential effects on the proposed developments.

ISSUE: HAZARDOUS MATERIALS

Frequent comment: *Commenters expressed a concern that the study did not adequately address the possibility of a hazardous materials spill on the freeway.*

Response: According to 46 *Federal Register* 18026 (March 23, 1981), the environmental impact statement must discuss reasonably foreseeable actions. These are actions that are likely to occur or probable, rather than those that are merely possible. There are no requirements in 23 Code of Federal Regulations Part 771, Environmental Impact and Related Procedures, or in the Federal Highway Administration’s Technical Advisory T 6640.8A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents, to address releases of hazardous chemicals resulting from a transportation incident in National Environmental Policy Act documents for transportation projects such as the proposed action. Planning for emergency situations will be initiated as the project moves into design.

Issues related to a severe accident exist for many portions of the Phoenix metropolitan area. A fast and effective response is critical in the emergency response plans prepared by emergency service providers and is discussed on page 4-166 of the Final Environmental Impact Statement.

Arizona highways, as with most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The Arizona Department of Transportation has a few locations in the state with hazardous cargo restrictions, but these restrictions are based on emergency response issues or roadway design limitations specific to that location. For example, the Interstate 10 Deck Park Tunnel has certain hazardous cargo transport restrictions because of the limited ability for emergency responders to address a hazardous materials incident in the tunnel. The South Mountain Freeway is expected to operate under the same rules as other similar facilities in the state; transport of hazardous cargo is expected to be allowed (see text box on page 4-166 of the Final Environmental Impact Statement).

ISSUE: HEALTH EFFECTS

Frequent comment: *Commenters expressed concern that the South Mountain Freeway will be located within half a mile of schools and other sensitive locations, and that exposure to emissions from the South Mountain Freeway could lead to asthma, autism, and other adverse health effects.*

Response: Under the Clean Air Act, the U.S. Environmental Protection Agency is responsible for establishing National Ambient Air Quality Standards to protect public health and the environment from adverse effects of air pollutants. Health effects from air pollutants are based on the concentration of the pollutants and the duration of exposure. Concentrations vary with distance from a roadway based on many factors, including background (or ambient) levels of pollution from all sources; the number, speed, and type of vehicles on the roadway; wind speed and direction; topography; and other factors. For the freeway, modeling for carbon monoxide and particulate matter (PM₁₀) was conducted using worst-case (most congested or highest traffic) modeling locations at discrete receptor locations around each analysis location (primarily residences near the interchanges). The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards

or any required interim emissions reductions or other milestones (see discussion beginning on pages 4-75 and 4-76 of the Final Environmental Impact Statement, respectively).

Mobile source air toxics can also have adverse health impacts, but the U.S. Environmental Protection Agency has not established National Ambient Air Quality Standards for these pollutants. As a result, the Federal Highway Administration analyzes these pollutants using emissions analyses. The mobile source air toxics emissions analysis for the Study Area found little difference in total annual emissions of mobile source air toxics emissions between the Preferred and No-Action Alternatives (less than a 1 percent difference) in 2025 and 2035. With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement).

Many studies have investigated the prevalence of adverse health effects in the near-road environment. Given concerns about the possibility of air pollution exposure in the near-road environment, the Health Effects Institute has dedicated a number of research efforts toward investigating this issue. In November 2007, the Health Effects Institute published Special Report #16: Mobile-Source Air Toxics: A Critical Review of the Literature on Exposure and Health Effects. This report concluded that the cancer health effects attributable to mobile sources are difficult to discern because the majority of quantitative assessments are derived from occupational cohorts with high concentration exposures and because some cancer potency estimates are derived from animal models. In January 2010, the Health Effects Institute released Special Report #17, investigating the health effects of traffic-related air pollution. The goal of the research was to synthesize available information on the effects of traffic on health. Researchers looked at linkages between: 1) traffic emissions (at the tailpipe) with ambient air pollution in general, 2) concentrations of ambient pollutants with human exposure to pollutants from traffic, 3) exposure to pollutants from traffic with human-health effects and toxicological data, and 4) toxicological data with epidemiological associations. Overall, researchers felt that there was “sufficient” evidence for causality for the exacerbation of asthma (see page 25 of the air quality report [2014]). Evidence was “suggestive but not sufficient” for health outcomes such as cardiovascular mortality and others. Study authors also noted that past epidemiological studies may not provide an appropriate assessment of future health associations because vehicle emissions are decreasing over time. Finally, in 2011 three studies were published by the Health Effects Institute evaluating the potential for mobile source air toxics “hot spots.” In general, the authors confirmed that while highways are a source of air toxics, they were unable to find that highways were the only source of these pollutants. They determined that near-road exposures were often no different or no higher than background (or ambient) levels of exposure and, hence, no true hot spots were identified. These reports are available from the Health Effects Institute’s Web site at <healtheffects.org>. The Federal Highway Administration and U.S. Environmental Protection Agency provide financial support to the Health Effects Institute’s research work.

Another source of information is the U.S. Environmental Protection Agency’s recently released report on Children’s Health and the Environment:

The level of knowledge regarding the relationship between environmental exposures and health outcomes varies widely among the topics [presented in this report], and the inclusion of an indicator in the report does not necessarily imply a known relationship between environmental exposure and children’s health effects. The report provides data for selected children’s health conditions that warrant further research because the causes, including possible contributing environmental factors, are complex and not well understood at this point.

In the case of asthma, researchers do not fully understand why children develop the condition. However, substantial evidence shows exposure to certain air pollutants, including particulate matter and ozone, can trigger symptoms in children who already have asthma. Although the report found the percentage of children reported to currently have asthma increased from 8.7 percent in 2001 to 9.4 percent in 2010 and that minority populations are particularly affected by asthma, the severity of children’s asthma and respiratory symptoms has declined. The rate of emergency room visits for asthma decreased from 114 visits per 10,000 children in 1996 to 103 visits per 10,000 children in 2008. Between 1996 and 2008, hospitalizations for asthma and for all other respiratory causes decreased from 90 hospitalizations per 10,000 children to 56 hospitalizations per 10,000 children.

The report also looks at trends in other health conditions, such as Attention-Deficit/Hyperactivity Disorder (ADHD) and preterm births, for which rates have increased. There is no conclusive information on the role of environmental contaminants in ADHD or preterm births, and additional research is ongoing.

Finally, the Federal Highway Administration notes that while the incidence of some health effects (such as asthma, autism, and attention deficit/hyperactivity disorder) in the U.S. population appear to have been increasing, motor vehicle emissions have declined. This decline in mobile source air toxics emissions is documented in Figure 4-24 of the Final Environmental Impact Statement and for other pollutants at <epa.gov/ttn/chief/trends/>. This negative correlation between emissions trends and health effects trends illustrates the complexity of the issues.

In summary, the analyses for carbon monoxide and particulate matter (PM₁₀) indicated that concentrations for these pollutants will be in compliance with (or below) the U.S. Environmental Protection Agency’s health-based standards for these pollutants. As explained in the Final Environmental Impact Statement, the Federal Highway Administration does not conduct comparable analysis for mobile source air toxic pollutants, in part because the U.S. Environmental Protection Agency’s health risk guidelines for these pollutants are based on 70-year exposure, and it is extremely unlikely that anyone would be at a fixed location near the project for 70 continuous years. Instead, the Federal Highway Administration conducted a mobile source air toxic emissions analysis for the area affected by the project, and found that emissions in the project design year will be roughly 80 percent lower than current emissions, and that the difference between building and not building the project is only about 1 percent. Emissions will increase in the immediate vicinity of the project corridor if the project is built; to address this, the Final Environmental Impact Statement includes a summary of past health risk studies for similar projects, all of which identified very low health risk, well below the U.S. Environmental Protection Agency’s “Action Level” for addressing risk.

ISSUE: NOISE

Frequent comment: *Commenters expressed concerns about the increase in noise from the freeway.*

Response: The noise analysis conducted for and documented in the Draft and Final Environmental Impact Statements complied with the Federal Highway Administration’s regulations for conducting noise analyses in 23 Code of Federal Regulations § 772. The noise analysis was updated for the Final Environmental Impact Statement using the most recent Federal Highway Administration and Arizona Department of Transportation policy and traffic projections provided by the Maricopa Association of Governments. Discussion of this updated analysis begins on page 4-88 of the Final Environmental Impact Statement. No substantial differences between the analyses presented in the Draft and the Final Environmental

Impact Statements resulted. This report may also be found on the study Web site at <azdot.gov/southmountainfreeway>.

Without noise mitigation, noise levels from the freeway are predicted to range from 61 A-weighted decibels to 78 A-weighted decibels at the nearest homes, depending on the distance from the freeway. Noise mitigation was estimated to reduce those noise levels to a range of 55 A-weighted decibels to 64 A-weighted decibels for most of the areas (see Final Environmental Impact Statement beginning page 4-93). Because of topography, local street traffic, or other engineering constraints in a few areas, estimated noise levels will not be reduced as much and will be as high as 64 A-weighted decibels to 70 A-weighted decibels (see Final Environmental Impact Statement beginning on page 4-93).

Although not recognized by the Federal Highway Administration as mitigation, rubberized asphalt will be used as the top level of paving; it is discussed beginning on Final Environmental Impact Statement page 4-99.

ISSUE: PROJECT COSTS, TOTAL COST

Frequent comment: *Commenters claimed that the true cost of the freeway will be substantially higher than the cost presented in the Final Environmental Impact Statement.*

Response: As noted on page 3-59 and in the text box on page 3-60 of the Final Environmental Impact Statement, planning-level cost estimates are used in the preparation of environmental documents. Figure 3-36 summarizes overall planning-level cost estimates for each action alternative. These estimates include design, right-of-way acquisition, and construction. Costs will be updated during the design phase and will be reflected in the *Regional Transportation Plan* update process. Updating costs is critical to account for cost fluctuations for materials, land acquisition, and design refinements.

From October 28 through October 30, 2014, a formal cost estimate review was conducted in accordance with Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users guidelines. The official review determined a probability and range for the cost of the Selected Alternative in the expected year of expenditure and in current year dollars. The year of expenditure total cost at the 70 percent confidence level was \$1.9 billion. The costs associated with planned mitigation are included in the total project cost.

ISSUE: PURPOSE AND NEED, LACK OF SUPPORT

Frequent comment: *Commenters expressed opposition to the freeway based on a lack of need or the belief that it is not supported by local communities or that it will not be used by local travelers or regional commuters.*

Response: It is important and fiscally prudent to provide a new freeway in an area where it will be fully used. Of the projected 51 percent increase in population, 39 percent increase in housing units, and 69 percent increase in jobs between 2010 and 2035 in the Phoenix metropolitan area, nearly half of these increases are expected in areas that would be immediately served by the freeway (see Final Environmental Impact Statement page 1-21). When the Arizona Department of Transportation determines whether a freeway should be built, the agency must consider numerous factors, including local and regional transportation needs, project costs, and environmental considerations. Decisions regarding freeway projects are based on the transportation needs of the entire Phoenix metropolitan area as part of a comprehensive, multimodal,

regional approach. The South Mountain Freeway is a major component in the Regional Freeway and Highway System. Additionally, the freeway is an important component of past and current planning efforts. Maricopa County, Phoenix's villages (Laveen, Estrella, and Ahwatukee Foothills), Tolleson, and Avondale have all made transportation, land use, and economic planning decisions in a context of the freeway operating in the Study Area. Finally, the freeway will function as intended in the *Regional Transportation Plan*.

ISSUE: PURPOSE AND NEED, OLD PLAN OR USE OF OLD DATA

Frequent comment: *Commenters expressed concerns that the project is based on a plan from the mid-1980s and that the study used older data (prior to the economic downturn) to establish the purpose and need for the freeway.*

Response: The Maricopa Association of Governments is the local government agency responsible for traffic forecasting. The Maricopa Association of Government's travel demand model is a state-of-the-practice model that predicts traffic movement and is used by the Maricopa Association of Governments and Arizona Department of Transportation to determine the need for transportation projects. The model is calibrated to actual, observed traffic conditions and meets an advanced practice guideline by the Federal Highway Administration for similarly sized areas. The Federal Highway Administration and the U.S. Environmental Protection Agency approved the air quality conformity determination that includes the Maricopa Association of Governments regional travel demand model that produced the traffic projections used in the traffic analysis for the project. Key model inputs used to forecast travel demand included (see Table 3-7 on Final Environmental Impact Statement page 3-27):

- ▶ socioeconomic data based on the adopted general plans of Maricopa Association of Governments members, which includes projected growth in population, housing, and employment (including proposed commercial centers), along with economic forecasts and the existing and planned transportation infrastructure as identified by Maricopa Association of Governments members
- ▶ the anticipated average number of vehicle trips within the region (including those to and from the region's households) on a daily basis (this number is tracked regularly by the Maricopa Association of Governments)
- ▶ the distribution of transportation modes used by travelers in the Maricopa Association of Governments region (also tracked regularly by the Maricopa Association of Governments)
- ▶ the capacity of the transportation infrastructure to accommodate regional travel
- ▶ the future transportation infrastructure established using *Regional Transportation Plan*-planned projects and improvements and from known arterial street network improvements assumed to be made by the County, Cities, and private developers

In June 2013, the Maricopa Association of Governments approved new socioeconomic projections for Maricopa County. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. The conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 3, *Alternatives*).

ISSUE: PURPOSE AND NEED, TRUCK BYPASS

Frequent comment: *Commenters expressed a belief that the freeway will serve as a truck bypass.*

Response: Creating a truck bypass is not a goal of the freeway. The freeway is part of a transportation system developed to improve mobility in the region by increasing capacity and allowing traffic—including truck traffic—to access a segment of the “loop” system (see pages 1-21, 1-22, 3-1, and 3-3 of the Final Environmental Impact Statement) in the Phoenix metropolitan area. The South Mountain Freeway will be a commuter corridor, helping to move regional traffic. As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles. The Maricopa Association of Governments regional travel demand model projects that truck traffic will represent approximately 10 percent of the total traffic on the freeway, similar to what is currently experienced on other regional freeways such as Interstate 10, State Route 101L, and U.S. Route 60. As disclosed in the Final Environmental Impact Statement, it is expected that “true” through-truck traffic (not having to stop in the metropolitan area) will continue to use the faster, designated, and posted bypass system of Interstate 8 and State Route 85 (see page 3-64 of the Final Environmental Impact Statement).

ISSUE: SECTION 4(f) AND SECTION 6(f), PHOENIX SOUTH MOUNTAIN PARK/PRESERVE

Frequent comment: *Commenters expressed concerns about the impacts the freeway will have on the Phoenix South Mountain Park/Preserve or expressed that the park should be protected.*

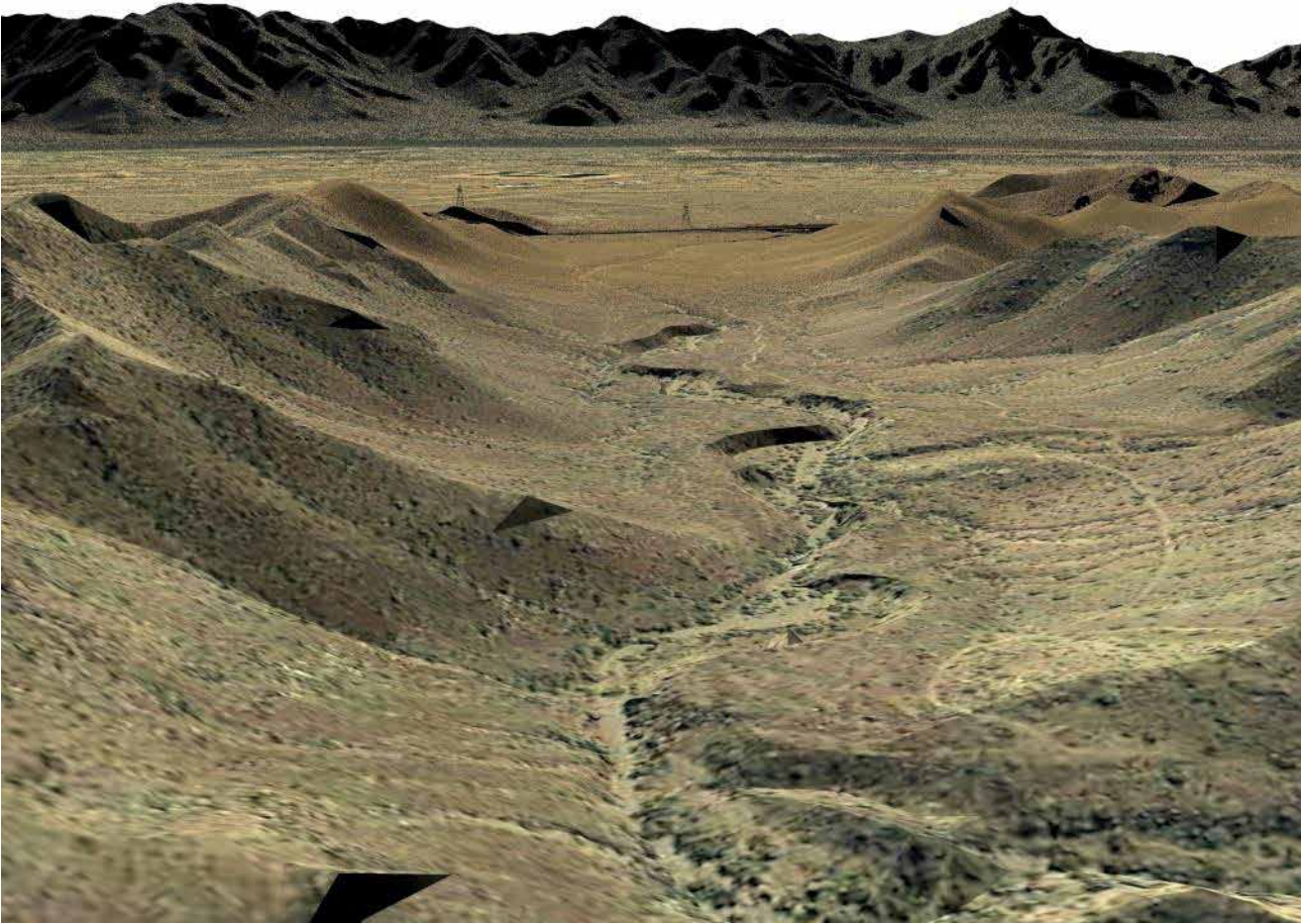
Response: The context and attributes of the South Mountains are described in the Final Environmental Impact Statement. The discussion of the Phoenix South Mountain Park/Preserve as a Section 4(f) resource recognizes that many prominent features of the park contribute to its value. These include its setting as one of the largest urban parks in the country, its function in the Phoenix Sonoran Preserve System, and many prominent features within the park, including its trails, which offer opportunities to over 3 million annual visitors for hiking, bicycling, horseback riding, and interacting with the natural Sonoran Desert adjacent to the metropolitan area. Sections of the freeway will be visible from certain vantage points within the park, such as along the Bursera Trail. The photo simulation below depicts the scale at which the freeway will likely be viewed. As part of the planning to minimize harm to the park, measures to minimize the effects of altering the views include:

- reducing the freeway’s footprint from the original 40 acres as proposed in 1988 to the 31.3 acres planned for under the current design
- skirting the park as much as possible to avoid bisecting the 16,000-acre park
- providing replacement lands to compensate for the use of 31.3 acres of the park
- using slope treatments, rock sculpting, native vegetation landscaping and buffering, and native vegetation transplanting to blend the appearance of the freeway and slope cuts with the surrounding natural environment, as feasible
- working with park stakeholders through the City of Phoenix in finalizing these improvements

The freeway will also generate noise that will be audible from certain points in the park, such as trails, as acknowledged in the FEIS; however, based on the distance of the freeway to the closest trail points, noise

levels are not likely to be above the noise abatement criteria levels for recreational activities. Trail users located 2,000 feet or more away from the freeway will hear an increased hum, but the decibel levels will not be above noise abatement criteria levels for recreational activities. While noise mitigation was evaluated to minimize harm, the use of mitigation, such as noise barriers, would have little effect for receptors 2,000 feet or more away from the freeway (and at elevated positions). Even if it were shown that noise levels are higher on the trail, noise impacts would be temporary because trail users would be moving along the trail and because only a short portion of the trail is in a direct line to the freeway.

The acreage of parkland to be converted to a transportation use is reported on page 5-14 in the section, *Direct Use*. It is reported that 31.3 acres—or just less than 0.2 percent of the parkland—will be converted to a transportation use (this is a reduction in the amount of use planned for in 1988). The text goes on to point out other concerns associated with the direct use reported, and text on page 5-14, in the sidebar, “*The South Mountains in Phoenix’s Sonoran Preserve System*,” describes the importance of Phoenix South Mountain Park/Preserve in the region. Beginning on page 5-23 in the section, *Measures to Minimize Harm*, measures are presented to be undertaken to address the use impacts, including land replacement, on properties adjacent to the park.



View from the Bursera Trail southwest across the valley between Main Ridge North and Main Ridge South, with the Sierra Estrella in the background. The freeway passes through the far western end of the ridges and is represented by the dark shading next to the towers for the high-voltage overhead power lines.

City of Phoenix planning efforts since the mid-1980s illustrate an awareness of the potential for the freeway to affect Phoenix South Mountain Park/Preserve. In 1989, the South Mountain Park Master Plan was adopted by the Phoenix City Council. The master plan shows the freeway alignment as adopted by the State Transportation Board in 1988. In 1990, the Phoenix Mountain Preserve Act was ratified by the Arizona Legislature. The Act did not apply to roadways through a designated mountain preserve if the roadway was in the State Highway System prior to August 15, 1990. The freeway was in the State Highway System prior to 1990. Records prior to the Act suggest a primary reason for the exception was to allow the freeway to go through Phoenix South Mountain Park/Preserve (see page 5-14 of the Final Environmental Impact Statement). The project team examined alternatives to avoid the park, but did not identify any feasible and prudent alternatives to avoid impacts. The proposed freeway was designed to skirt the edge of the 16,000-acre park without going on Gila River Indian Community land. The Arizona Department of Transportation continues to work with park stakeholders to minimize impacts and address concerns. Measures to minimize harm to the park were developed (see Final Environmental Impact Statement, starting on page 5-23). These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

The U.S. Department of the Interior reviewed the Final Environmental Impact Statement and commented, “The Department agrees that the South Mountain Park and Preserve (SMPP) is a Land and Water Conservation Fund (LWCF) assisted site that will be directly impacted by the subject project. These documents assess the direct use of park land for freeway purposes to be 31.3 acres. We agree with the conclusions stated. We note that the “*Measures to Minimize Harm*” on the Section 4(f) Statement pages 5-23, 5-24, and 5-25 have annotated a commitment to provide replacement land for the converted park land. The Department concurs with the assessment of the impacts to the LWCF-assisted resource and acknowledges the mitigation commitment.”

ISSUE: SECTION 4(f) AND SECTION 6(f), TRADITIONAL CULTURAL PROPERTIES

Frequent comment: *Commenters expressed that the South Mountains are sacred to Native American communities and should be protected from impacts from the freeway.*

Response: Cultural and religious places of importance, such as the South Mountains, are acknowledged in the Final Environmental Impact Statement in several locations, notably on pages 4-141 and 5-26. Since the beginning of the environmental impact statement process, the Federal Highway Administration and Arizona Department of Transportation have been carrying out cultural resource studies and engaging in an ongoing, open dialogue with the Gila River Indian Community Tribal Historic Preservation Office and other Tribes regarding the identification and evaluation of places of religious and cultural importance to Native Americans that may be adversely affected by the freeway. This consultation will continue until all commitments in the Record of Decision are completed. Such places are referred to as traditional cultural properties. As a result of these discussions and of studies conducted by the Gila River Indian Community’s Cultural Resource Management Program, the Gila River Indian Community has identified traditional cultural properties that are eligible for listing in the National Register of Historic Places and that could be affected by construction of the freeway. In certain cases, listing these properties on the National Register of Historic Places may afford them protection under Section 4(f) of the Department of Transportation Act of 1966. The traditional cultural properties identified are culturally important to other Native American Tribes as well. For more discussion

of traditional cultural properties, see the section, *Cultural Resources*, beginning on page 4-140 of the Final Environmental Impact Statement and pages 5-26 through 5-28.

While impacts on the South Mountains Traditional Cultural Property will be substantial and unique in context, they will not prohibit ongoing access and the cultural and religious practices by Native American Tribes. Mitigation measures and measures to minimize harm have been developed through a process of extensive consultation, analysis of avoidance alternatives, and development of mitigation strategies to accommodate and preserve (to the fullest extent possible from the available alternatives) access to the South Mountains for religious purposes. Text relating to this mitigation can be found on pages 4-38, 4-42, and 4-44 of the Final Environmental Impact Statement. Additionally, the section, *Mitigation*, beginning on page 4-158, presents several measures (e.g., multifunctional crossings, contributing element avoidance) to mitigate effects on cultural resources. The section, *Measures to Minimize Harm*, beginning on page 5-27, presents several measures to reduce effects on the South Mountains Traditional Cultural Property and other cultural resources. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

ISSUE: TITLE VI

Frequent comment: *Commenters expressed a belief that the proposed project constituted an illegal action with respect to Title VI of the Civil Rights Act of 1964.*

Response: The Arizona Department of Transportation and Federal Highway Administration have engaged all population segments to ensure access to the environmental impact statement process. Assisted by this involvement, analytical results indicate the proposed action would benefit all populations in the Study Area in general by reducing traffic congestion, enhancing accessibility, and supporting local economic development plans. There were many targeted efforts to include members of populations protected under Title VI of the Civil Rights Act of 1964 (with regard to race and national origin) in the conduct of the environmental impact statement process. In the Final Environmental Impact Statement, Chapter 6, *Comments and Coordination*, describes these efforts in detail and Chapter 2, *Gila River Indian Community Coordination*, describes the efforts to involve the Gila River Indian Community.

To optimize the opportunity for public participation in the public hearing on the Draft Environmental Impact Statement and, in particular, participation from identified populations protected under Title VI of the Civil Rights Act of 1964, the Arizona Department of Transportation offered free shuttle bus service to and from the public hearing located at the Phoenix Convention Center. Service was provided throughout the day (morning, noon, and evening trips) to and from 91st Avenue and Van Buren Street, 59th Avenue and Interstate 10, Laveen Southern Ridge Golf Club, the Gila River Indian Community’s Komatke Boys and Girls Club, the Gila River Indian Community Governance Center in Sacaton, and the 40th Street Park-and-Ride lot. In addition, parking vouchers and transit passes were provided at the public hearing for participants who drove or used transit services to attend the public hearing (see Chapter 6 of the Final Environmental Impact Statement for more detailed information). The public hearing was advertised in Spanish-language newspapers and radio stations, and public hearing handouts and comment forms were produced in English and Spanish. In addition, Spanish-speaking court reporters were present to take public comments in Spanish, and Native American language-speaking interpreters were available for those that requested this service. Following the public hearing, six community forums were held at the following locations: in the

Estrella, Laveen, and Ahwatukee Foothills villages of Phoenix; within the Gila River Indian Community; and in Chandler and Avondale.

In connecting the eastern, southeastern, and southwestern regions of the Phoenix metropolitan area, the Selected Alternative will provide improved access for all area residents to key employment areas to the north, south, and east along the Interstate 10 corridor and in central Phoenix. Improvements will be especially important given the projected growth and development in the southwestern Phoenix metropolitan area. Along with the general population, populations protected under Title VI of the Civil Rights Act of 1964 will benefit from these improvements. Accessibility to regional public and private facilities and services will be improved. Impacts in the Eastern Section of the Study Area will displace a largely nonminority population. Although the population in the Western Section of the Study Area is more diverse—with minority populations throughout— adverse impacts will not be predominantly borne by minority populations. Although no disparate adverse impacts on populations afforded protection under Title VI of the Civil Rights Act of 1964 will occur, mitigation measures are nonetheless provided for impacts associated with displacements and relocations and cultural resources (see Table 3, beginning on page 38, of the Record of Decision).

Land acquisition and relocation assistance services for the project shall be available to all individuals in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 Code of Federal Regulations Part 24). As part of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the Arizona Department of Transportation 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, be 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 would receive the same opportunities with regard to services, benefits, and financial aid. To ensure participation, informational meetings would be scheduled in convenient, accessible locations and at various times to ensure all interested persons the opportunity to attend.

With regard to impacts on places of spiritual importance to certain population segments, such as the South Mountains Traditional Cultural Property, that raise potential Title VI of the Civil Rights Act of 1964 concerns with respect to Native American Tribes, in particular, the Gila River Indian Community, extensive consultation, avoidance alternatives analyses, and mitigation measures are discussed throughout the Final Environmental Impact Statement. A sampling of these efforts is noted on page 4-38 of the Final Environmental Impact Statement. This consultation has been ongoing and will continue until all commitments in the Record of Decision are completed. These mitigation measures and measures to

minimize harm accommodate and preserve (to the fullest extent possible from the available alternatives) access to the South Mountains for religious practices (see Table 3, beginning on page 38, in the Record of Decision).

ISSUE: TRUCKS

Frequent comment: *Commenters expressed a belief that the freeway will be the primary route for heavy trucks originating in Mexico and that this will result in air quality impacts not considered in the study.*

Response: Trucks crossing from Mexico to Arizona are restricted to the commercial zones within 25 miles of the border. The Federal Motor Carrier Safety Administration is administering a United States-Mexico cross-border, long-haul trucking pilot program. The program tests and demonstrates the ability of Mexico-based motor carriers to operate safely in the United States beyond the municipalities and commercial zones along the United States-Mexico border (see <fmcsa.dot.gov/intl-programs/trucking/trucking-program.aspx>).

Petróleos Mexicanos (better known as Pemex), the Mexican state-owned petroleum company that serves all of Mexico, provides 15 parts per million in its sulfur diesel fuel in the border region, which is consistent with the U.S. Environmental Protection Agency requirements for American diesel fuel (see <transportpolicy.net/index.php?title=Mexico:_Fuels:_Diesel_and_Gasoline>).

Arizona highways, as are most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The South Mountain Freeway will operate under the same rules as other similar facilities in the state; truck traffic will be permissible (see text box on Final Environmental Impact Statement page 4-166).

The CANAMEX and Phoenix truck bypass (Interstate 8/State Route 85) routes are not mandatory for truck traffic; they are recommended. The Arizona Department of Transportation does not enforce these routes. It is not anticipated that these routes would be enforced as mandatory in the future.

Currently with the commercial zone restrictions, the way the border operations work is the Mexican truck carriers bring cargo to processing warehouses in the commercial zone. They then leave the trailer and the truck returns to Mexico. A United States truck carrier then picks up the load and transports it to its final designation. So, whether it is a Mexican truck carrier or United States truck carrier who transports the cargo to the final destination, it is not anticipated that the total number of trucks would change even if the commercial zone restrictions are lifted. Further, since as noted above, fuel sold by Pemex meets the same requirements for American diesel fuel, an increase of air pollutants is likewise not anticipated should the restrictions be lifted. The air quality analysis included projected truck traffic (for more details on the results of the air quality analysis, see response for *Air Quality* on page A370)

CITIZEN COMMENTS AND RESPONSES

Code	Comment Document
	<div><div><div>12</div></div><div><div>-----Original Message----- From: Denise Allen [mailto:dlallenhome04@yahoo.com] Sent: Saturday, November 22, 2014 10:16 AM To: Projects Subject: Freeway</div><div>I'm very concerned about the pollution this will cause to the Ahwatukee Foothills as well as the loss of value in our homes. No!!</div><div>Sent from my iPhone Denise Allen Registered voter</div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Economics, Socioeconomics	

Code

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/15/14	INCOMING CALL TIME: 1:19 PM
STAKEHOLDER: ZRITA ALLISON	ADDRESS: N/A
PHONE: N/A	EMAIL: N/A
CONTACT METHOD: HOTLINE	
REMARKS/QUESTIONS: Ms. Allison stated that the South Mountain Freeway will have negative impacts to the Ahwatukee community. It will impact 15 schools; remove a church and several hundred homes. She urged Phoenix to rethink its plan and come to other alternatives. She also noted the air pollution effects caused by freeways.	

Code	Issue	Response
1	Community Impacts	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Children's and Seniors' Health	
3	Acquisitions and Relocations	
4	Alternatives, No-Action Alternative	
5	Air Quality	

Code	Comment Document
1	<p>-----Original Message----- From: Jerry Allston [mailto:asujerry@gmail.com] Sent: Wednesday, November 19, 2014 2:33 PM To: Projects Subject: South Mountain Freeway</p> <p>We have lived in Ahwatukee for 31 years. I am all for the South Mountain Freeway! The idiots that bought and/or built in the freeway right-of-way have no voice in the matter. PARC is a group that thinks they are above it all and have come up with all types of bogus reasons not to build. Start moving dirt, git er done.</p> <p>Jerry and Pamm Allston</p> <p>Sent from my iPad</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p> <p>.</p>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div></div><div><p>From: Susan Anderton [mailto:anderton.susan@gmail.com] Sent: Saturday, November 22, 2014 3:39 PM To: Projects Subject: South Mountain Freeway</p><p>Please do not approve the South Mountain Freeway. Very concerned with increase in pollution in addition to opening up the "quiet side of the mountain" to unnecessary traffic and noise. Why not expand the road that crosses the reservation.</p><p>The money can be spent better somewhere else.</p><p>Susan Anderton</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Alternatives, Gila River Indian Community Alignment	

Code	Comment Document
	<div><div><div><div>1</div><div>2</div></div><div>3</div><div>4</div><div><div>5</div><div>6</div></div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div><div>7</div><div>12</div></div></div></div> <div><div><div><div>From:</div><div>Arlotti Family [mailto:arlotti@hotmail.com]</div></div><div><div>Sent:</div><div>Friday, November 14, 2014 10:52 PM</div></div><div><div>To:</div><div>Projects</div></div><div><div>Subject:</div><div>South Mountain Freeway</div></div></div><div><div>Dear AZDOT,</div><div><div>I feel you are misleading the public by neglecting to mention dangerous aspects of the proposed freeway. Creating a truck route along Pecos Road will be disastrous for the air quality of the adjacent neighborhoods and schools. As a Family Nurse Practitioner I am well aware of the prevalence of severe asthma and allergies among the Valley's population. Asthma is the number one reason for school absences. Building another freeway near schools and homes will increase the pollution, escalating rates of asthma and other cardiopulmonary illnesses, impacting the health of all and education of our children. Just because highways have been built near schools in other areas doesn't make it right to do it again, here. Two wrongs, in fact, do NOT make a right. You say the freeway is needed to ease traffic congestion, however you have spent millions of taxpayer dollars on an environmental impact statement that is using outdated information on population and traffic trends. You may be trying to persuade the public into thinking it will ease traffic, but all you are doing is moving the traffic which will negatively impact more neighborhoods and schools. Wells will be disrupted that fill many Ahwatukee lakes. We have already been contending with a selfish landowner who ruined a beautiful golf course and lake community. Your plan includes demolishing parts of 3 ridges, 200 feet deep, of the beautiful South Mountain Preserve and invading sacred, culturally sensitive Indian land. Countless animal habitats will be disrupted. Your plan deceptively involves paving an access road at the end of Chandler Boulevard and further diverting traffic through desert landscape and quiet nature trails. Finally, you aim to take away the very reason many of us moved here , that is, the tranquil landscape and the peaceful, out-of-the-way refuge that we call home.</div><div>I OPPOSE THE SOUTH MOUNTAIN FREEWAY!</div><div><div>Sincerely,</div><div><div>Jean Arlotti</div><div>1815 W. Glenhaven Dr.</div><div>Phoenix, AZ 85045</div><div>602-513-6959</div></div></div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Children’s and Seniors’ Health	
4	Health Effects	
5	Purpose and Need, Old Plan or use of Old Data	
6	Alternatives, No-Action No-Build Alternative	
7	Community Impacts	
8	Groundwater	<div>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38.</div> <div>The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</div>
9	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Section 4(f) and Section 6(f), Traditional Cultural Properties	
11	Biology, Plants, and Wildlife	
12	Freeway Awareness	

Code	Comment Document
	<div><div><div><div><div></div><div>1</div></div></div><div><p>From: Cesar Aparicio [mailto:cesar.aparicio@gmail.com] Sent: Wednesday, December 10, 2014 8:50 PM To: Projects Subject: Loop 202 South Mountain Freeway</p><p>Dear friends at ADOT,</p><p>Will like to be aware of any community meeting on the Loop 202 South Mountain Freeway for the rest of the year and next year to attend. Will appreciated you help on this matter.</p><p>Respectfully, Cesar</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div></div>

Code	Issue	Response
1		Comment noted. Commenter was added to the project’s contact list.

Code	Comment Document
	<p>From: Meg Astudillo [mailto:megastudillo@gmail.com] Sent: Saturday, November 15, 2014 6:58 PM To: Projects Subject: South Mountain Freeway Concerns</p> <p>Hello,</p> <p>I have recently moved to Ahwatukee, and I would like to voice my concern regarding the South Mountain Freeway project. I live in the Lakewood subdivision, less than a mile from the proposed site. My major concern is the air pollution, as the grade school my son is districted to attend would back up to the proposed freeway. This increased air pollution is very concerning with his current respiratory health issues.</p> <p>In addition, the limited traffic congestion relief is enough to offset the increased traffic congestion on Chandler Blvd.</p> <p>The needs in the southern part of the region would be better served by a highway farther south. The south Ahwatukee area contains too many residential areas for a major freeway this close. The pollution, hazmat risk, property damage, and decrease in property value lead me to strongly oppose the South Mountain Freeway.</p> <p>Thank you, Meg Astudillo</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

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- 23
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- 678

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Children’s and Seniors’ Health	
3	Health Effects	
4	Alternatives, No-Action No-Build Alternative	
5	Alternatives, Gila River Indian Community Alignment	
6	Hazardous Materials	
7	Acquisitions and Relocations	
8	Economics, Socioeconomics	

Code	Comment Document
1	<p>1 MS. BAREHAND: How about if I just talk from</p> <p>2 back here, and I think everybody can hear me.</p> <p>3 I'm just commenting. I think this -- this</p> <p>4 public forum is a little -- a little bit too late, you</p> <p>5 know. The decision is already made for us through</p> <p>6 council. And we all heard who made the motion and</p> <p>7 seconded it.</p> <p>8 I would urge all our voters from Gila River</p> <p>9 that vote to remember who was on council, who made these</p> <p>10 after your own wishes were ignored. We all voted against</p> <p>11 this. I don't know how many times it had to go through.</p> <p>12 And still they kept trying to push it through. And now</p> <p>13 it's going to be through. It's going to be a reality.</p> <p>14 And then they have the nerve to tell us that</p> <p>15 we want to come over here and ask questions, yet we can't</p> <p>16 ask any questions of the ADOT people? What good is this</p> <p>17 going to do? It's going to be recorded by court</p> <p>18 reporters? And then where's it going to go? In the</p> <p>19 archives? On microfilm? Who's going to know we're making</p> <p>20 these comments?</p> <p>21 Your council -- your governor-elect is here.</p> <p>22 The councilmembers are here. These people are the ones</p> <p>23 that we elected to represent each one of us. And yet do</p> <p>24 they at the district level?</p> <p>25 And it's up to us too. You all should be</p>
2	

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www.drivernix.com

Code	Issue	Response
1		Comment noted.
2	Public Involvement	The transcript of the meeting is included in Appendix C of this Record of Decision. Individual comments are included in Appendix A of this Record of Decision, along with project team responses.

Code	Comment Document
	<div><div><div>1 going to your district meetings. If you don't vote, then</div><div>2 you're doing a dissatisfaction to your children, your</div><div>3 grandchildren, and your great-grandchildren. We all sit</div><div>4 here and say, well, look at us. They're pushing us around</div><div>5 again. They're doing this. You know, all white people</div><div>6 see is desert land. It's nothing to them.</div><div>7 Land is the most important thing that we</div><div>8 have for our own people besides water. And you all know</div><div>9 that. And where is our water? We don't even have any</div><div>10 water anymore in our rivers. Go by -- go over Salt River.</div><div>11 You go over all the rivers, and they're all dry. And</div><div>12 where is that water going? Who is it benefitting? Not</div><div>13 us -- not us Native Americans.</div><div>14 So I would say that you remember who voted</div><div>15 on this, who passed this measure. And it's just sad</div><div>16 because we are against this, and yet it's going to happen</div><div>17 to us anyways, just as it has for years past, centuries</div><div>18 past. We're still getting -- I hate to use this</div><div>19 expression, but we're still getting the shaft. And it is</div><div>20 not through our own doing. It's through our council</div><div>21 representatives that represent us. What are they doing?</div><div>22 They're representing what they think is best for us.</div><div>23 Well, sometimes, I mean, it's sad to say that they don't</div><div>24 know what is best for us. We can only say that ourselves.</div><div>25 And that's all I have to say.</div></div></div> <div><div>Page 37</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1MS. KISTO: Thank you, Ms. Barehand.</div><div>2Anyone else like to provide a comment at</div><div>3this time?</div><div>4Sir, come on up.</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div>Page 38</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
1	<div><div>-----Original Message----- From: Patsy Bingham [mailto:patsc@cox.net] Sent: Saturday, November 22, 2014 2:44 PM To: Projects Subject: Pecos/202</div><div>I oppose Pecos Road becoming the 202, truck route, etc.</div><div>Patricia Bingham</div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<p>From: Brian Rockwell Sent: Wednesday, October 15, 2014 1:11 PM To: 'chadblostone@cox.net' Cc: Brock Barnhart Subject: sm202</p> <p>Mr. Blostone,</p> <p>Your email inquiry addressed to Tim Tait of ADOT Communications regarding fees associated with ADOT acquisition from the Foothills HOA has been referred to me for a response.</p> <p>State statute requires ADOT to establish current market value for any real property to be acquired for transportation purposes. This value is established for ADOT by an independent appraiser who considers all present conditions affecting value, and it is this value amount that is presented to the property owner as ADOT's offer to purchase. ADOT does not purchase personal property, although the costs to move personal property from land purchased by ADOT is covered by the Department's relocation assistance program. ADOT also pays all reasonable title and escrow fees related to its purchase, but ADOT is not authorized to reimburse legal fees that the property owner incurs that are associated with this purchase.</p> <p>Please feel free to contact me if you have more questions.</p> <p>R. Brian Rockwell Assistant Chief Right of Way Agent 205 S. 17th Avenue MD 612E Phoenix, AZ 85007 602-712-8787 Fax 602-712-3257 www.azdot.gov </p> <p>-----Original Message----- From: Chad Blostone [mailto:chadblostone@cox.net] Sent: Tuesday, October 14, 2014 1:10 PM To: Timothy Tait Subject: sm202</p> <p>hi tim - hope all is well. plz tell me if the foothills hoa will be reimbursed for reasonable legal fees associated with the taking of community association real and personal property. expenses associated with the eminent domain work only - not disputing the eis.</p> <p>if you aren't the guy to ask anymore plz forward this email.</p> <p>thx, chad blostone</p>

Code	Issue	Response
1	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div></div><div><p>-----Original Message----- From: Chad [mailto:chad.atc@gmail.com] Sent: Friday, December 26, 2014 12:39 PM To: Projects Subject: Loop 202</p><p>To whom it may concern-</p><p>My name is Chad Bohls an 8 year Ahwatukee resident. I oppose the proposed 202 freeway extension because our home is located in Foothills Paseo II off 40th St. And Pecos. We currently have a quiet family neighborhood that does not get a lot of traffic. I feel that the freeway traffic will bring in more riffraff, crime, pollution, etc. I also, anticipate our property value to tank due to being "freeway front property." Please reconsider an alternate route to ensure a healthy upbringing for my wife, 3 year old, and 1 year baby.</p><p>Sincerely, Chad Bohls</p><p>Sent from my iPad</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div></div>

Code	Issue	Response
1	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Crime	
3	Air Quality	
4	Economics, Socioeconomics	
5	Children’s and Seniors’ Health	

Code	Comment Document
	<div>November 18, 2014</div> <div>To whom it May Concern;</div> <div>As a member of PARC, I'm writing to urge ADOT to choose a "no build" ROD on the SMF for three reasons:</div> <div><div>1</div><div>1. NECESSITY- If the purpose of the SMF is to alleviate Phoenix freeway traffic -- which is mainly caused by commuters coming in and out of downtown from all over the Valley -- the current SMF alignment will do little to ease traffic, especially at bottlenecks like the Broadway Curve. In fact, it appears it will exacerbate congestion at the new interchange on I-10 in the West Valley.</div><div><div>2</div><div>2</div><div>3</div><div>2. Health & Safety - If the purpose of the SMF is to create a truck route/bypass, this alignment will attract more semi traffic into (instead of around) metro Phoenix, the country's sixth highest populated city. This will increase already unhealthy air pollution levels in the valley and expose Ahwatukee residents to toxic levels of air pollution and a potentially deadly scenario in the event of a hazmat spill.</div><div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>3. Cost - The estimated \$2 billion SMF price tag doesn't include actions that will need to be taken to protect the health and safety of Phoenix residents. Nor does it address the ecological issues that will arise from cutting through South Mountain, our nation's largest municipal park and sacred grounds to the Gila River</div></div></div></div>

Code	Issue	Response
1	Alternatives, No-Action No-Build Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, W59 Alternative Versus W101 Alternative	
3	Purpose and Need, Truck Bypass	
4	Air Quality	
5	Health Effects	
6	Hazardous Materials	
7	Project Costs, Total Cost	
8	Biology, Plants, and Wildlife	
9	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
10	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div><div></div><div>Indian Community.</div></div>
11	<div><div></div><div>The only justification of the SMF I've heard from ADOT is that Ahwatukee residents have known about the SMF all along. The fact that ADOT will not address significant risks that have been thoroughly researched and well documented is unacceptable - not to mention irresponsible and illegal.</div></div>
12	<div><div></div><div>I appreciate your consideration, and look forward to receiving a response from ADOT outlining the necessity of the SMF, along with the measures that will be taken to protect the health and safety of Phoenix residents should the project be approved.</div></div>
4	
6	<div><div></div><div>Sincerely, Wendy Brooks</div><div>Wendy Brooks 1362 W. Mulwood Dr. Phoenix AZ 85045 480.310-1410 wendy@breakthroughcm.com</div></div>

Code	Issue	Response
11	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
12	Purpose and Need, Lack of Support	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div></div><div><p>From: wendy@breakthroughcom.com [mailto:wendy@breakthroughcom.com] Sent: Saturday, November 22, 2014 2:15 PM To: Projects Subject: NO BUILD on the SMF</p><p>SMF Project Team - I'm writing to urge ADOT to vote 'no-build' on the SMF because in its current alignment it will not reduce Phoenix freeway traffic, it will attract more semi's into the Valley instead of around it, adding to an already unhealthy air pollution problem, and it will put tens of thousands of Ahwatukee residents at a significant health and safety risk that has not been adequately addressed in the DEIS or FEIS.</p><p>Wendy Brooks 1362 W. Muirwood Dr. Phoenix AZ 85045 wendy@breakthroughcom.com</p></div></div>
	<p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Alternatives, No-Action No-Build Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	
3	Air Quality	
4	Health Effects	
5	Hazardous Materials	

Code	Comment Document
	<div>Dec 1, 2016</div> <div>To Whom:</div> <div>Most people in Ahwatukee <u>do</u></div> <div><u>NOT</u> want the South Mtn Freeway.</div> <div>It would increase the traffic and</div> <div>congestion in this small town.</div> <div>It would increase pollution in this</div> <div>small town. Go further south</div> <div>on the Indian Reservation and</div> <div>cut over to LaVeen. Way south!</div> <div>Sincerely</div> <div>L. Budo</div>

Code	Issue	Response
1	Alternatives, No-Action No-Build Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Alternatives, Gila River Indian Community Alignment	

Code	Comment Document
	<p>From: Jeff Burgess [mailto:jeffreydavidburgess@gmail.com] Sent: Saturday, December 20, 2014 11:22 AM To: Projects Subject: South Mountain Freeway FEIS</p> <p>Dear South Mountain Freeway Project Team,</p> <p>I am writing to submit comments on your Final Environmental Impact Statement (FEIS).</p> <p>I am opposed to building new freeways to facilitate real estate development. It's the equivalent of taxing Maricopa County's existing citizens to subsidize homebuilders. It also encourages urban sprawl.</p> <p>But I believe the South Mountain Freeway is different. That's because I live in south Tempe and commute to downtown Phoenix every workday. Our mass transit options are limited, and so the traffic on the freeway, as you know, is very heavy. I can tell you from firsthand experience that one of the biggest causes of congestion on our freeways during rush hours is commercial semi truck traffic. I presume that many of these truckers are just passing through Phoenix on their way to or from California, as I don't think that any local trucker in his right mind would attempt to use our freeways during rush hours.</p> <p>Subsequently, I think the construction of the South Mountain Freeway would significantly reduce traffic congestion on the central Phoenix freeways during the rush hours because it would allow lots of commercial truckers to bypass the downtown area. This would also help to improve air quality.</p> <p>The new freeway, of course, should be designed to protect existing neighborhoods as much as possible. It should also be designed so that wildlife can continue to safely move between South Mountain Park and the Estrella Mountains.</p> <p>Sincerely, Jeff Burgess 1010 E. Citation Lane Tempe, AZ 85284</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>
1	
2	
3	

Code	Issue	Response
1	Neighborhoods/ Communities	Unplanned growth is often termed “urban sprawl.” Generally, this term is used in the context of rapid and uncontrolled urban growth onto previously undeveloped land—usually on the outskirts of an existing urban area. Projects like the freeway are often identified as contributors to urban sprawl. Freeway projects are often cited as making land at the urban fringe more accessible and, therefore, more attractive for development. However, examination of data comparing population and land use between 1975 and 2000 suggests major transportation projects like the freeway do not induce growth in the region (see Final Environmental Impact Statement pages 4-179 through 4-183). The freeway will be implemented in a historically quickly urbanizing area (most noticeably in the Western Section of the Study Area, although the nationwide recession that began in 2007 slowed growth). In the Eastern Section of the Study Area, the freeway will abut public parkland, Native American land, and a near-fully developed area—therefore, any contribution to accelerated or induced growth will be constrained. The freeway will be built in an area planned for urban growth as established in local jurisdictions’ land use plans for at least the last 25 years.
2	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	Biology, Plants, and Wildlife	

Code	Comment Document
1	<p>From: Matt Caggiano [mailto:mattcagg333@yahoo.com] Sent: Tuesday, December 02, 2014 1:40 PM To: Projects Subject: Please Do Not Build the South Mountain Freeway</p> <p>Hello,</p> <p>After reviewing the materials presented in the final EIS, I feel strongly that the South Mountain Freeway should Not be built.</p> <p>I feel the financial resources should be directed toward improving existing roads and improving public transportation and the light rail system.</p> <p>Thanks so much for listening to the public comments!</p> <p>Sincerely, Matthew Caggiano Ahwatukee Resident 425 W Mountain Sage Dr Phoenix, AZ 85045 602-821-0357</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Alternatives, Nonfreeway Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<p>Date: 11/25/15</p> <p>To: Arizona Department of Transportation</p> <p>Subject: South Mountain Freeway Comments</p> <p>As a resident of Ahwatukee I am opposed to placing the proposed South Mountain Freeway on the Pecos Road alignment. I am concerned with the pollution, noise, crime and cutting into South Mountain that has been identified by PARC (protectazchildren.org)</p> <p>If this road is supposed to be a truck bypass why does it still have to deal with some of the highest traffic congestion on the West Side of Phoenix? (I.e. 51st Avenue to well past the Loop 101) It would also have to deal with traffic on the East side of Phoenix around Firebird Raceway which is also very congested at times. The sensible alternative is to put the bypass COMPLETELY outside of Phoenix. For instance, I-10 to SR-85 to I-8 and the reverse would completely bypass Phoenix. To me, this option just seems too simple to not seriously consider.</p> <p>I am also very concerned with students attending Desert Vista High School as their main access route to the school would be cut off and traffic in the neighborhoods would increase to dangerous levels.</p> <p>What is the real reason for the proposed freeway siting – how much political influence is there by the trucking companies that would be using this route?</p> <p>If there has to be a Pecos Road alignment then I urge serious consideration for an open access Parkway. The parkway would be limited to passenger vehicles; trucks would NOT be allowed at all. A hybrid solution could be considered that would include both a Parkway and SR-85 truck bypass.</p> <p>I urge you to use your best judgment and reject the proposed freeway in its’ current form and location.</p> <p>Sincerely,</p> <p><i>Stephen V Chasse</i></p> <p>Stephen V Chasse 16611 S 3rd Street Phoenix, AZ 85048 schasse1@cox.net</p>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Crime	
4	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
5	Purpose and Need, Truck Bypass	
6	Alternatives, W59 Alternative Versus W101 Alternative	
7	Alternatives	An alternative that would run along Interstate 8 in Casa Grande to State Route 85 from Gila Bend to Interstate 10 was considered (see text on page 3-9 of the Final Environmental Impact Statement). State Route 85 is a four-lane, divided highway with limited-access control, and Interstate 8 is a four-lane, divided Interstate freeway with full access control. Existing signs at each terminus designate the route as a truck bypass of the metropolitan Phoenix area. This route would continue to be available for interstate and interregional travel, but it would not meet the proposed action purpose and need as part of a regional transportation network and, therefore, it was eliminated from further consideration.
8	Traffic	In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).
9	Alternatives	The concept of building an arterial street or a parkway was also considered. In the best-case scenario, a parkway would carry approximately 105,000 vehicles per day, well below the average daily traffic on the freeway, which will range from 117,000 to 190,000 vehicles per day (see Final Environmental Impact Statement page 3-19). As a result, the parkway facility would lack sufficient capacity to meet projected travel demand. The parkway facility would not adequately address the projected transportation system capacity deficiency, would not remove a sufficient amount of traffic from arterial streets, and, therefore, would not meet the project’s purpose and need. For these reasons, a parkway facility was eliminated from further consideration.

Code	Comment Document
	<p>From: Tamara Coffman [mailto:tamaracoffman@yahoo.com] Sent: Tuesday, November 25, 2014 7:02 PM To: Projects Subject: Comments: FEIS Proposed South Mountain Freeway</p> <p>To who it may concern:</p> <p>I am a member of PARC. I am strongly opposed to the South Mountain Freeway Expansion. My comments are below....sincerely Tamara Coffman</p> <p>* Enough is enough. ADOT you have wasted \$22M dollars and 10 years on anEnvironmental Impact Study that is woefully outdated, inaccurate and worst of all demonstrates only a few minutes improvement if built. Litigation will eventually stop this freeway but at what cost to the people of Phoenix and the metropolitan area. Please take responsibility and go back to the drawing board and look for other methods to solve traffic congestion. Putting more cars on the road won't do this...light rail will. And while you're at it...move your focus to the parking lot that downtown Tempe will become once the State Farm Complex is built. Fix the Broadway curve; fix the 7th street tunnel exits.</p> <p>* I live close to the Pecos Road alignment and purchased my home August 2011. This expansion was not disclosed by the seller, the real estate agents involved or the Club West Homeowners Association. I was informed by neighbors my home is in the path for potential destruction which was disclosed to original purchasers, but never to me.</p> <p>* There is no compelling case for this freeway to go through the South Mountain Corridor. This freeway was a dream 30 years ago and was modeled on gas, oil and driving habits from a time gone by. It will be proven that a freeway being built in 2016 it will increase pollution, destroy Arizona wildlife and destroy a mountain that is part of Native American Culture....Muhadag Do'ag (South Mountain) that is respected by the Gila River Indian Community as a Healing Mountain.</p> <p>* Intended or not, this freeway will be a major truck bypass. This brings extensive pollution, noise pollution and a potential for hazardous materials exposure on a road lined with personal homes and schools once an accident occurs. Ahwatukee is the world's largest cul-de-sac....there will be no place for me to exit, no place for the children to exit if there is a dangerous spill or hazardous explosion resulting from an accident. Today NO danger exist because no hazardous materials are transported on this road.</p> <p>* The FEIS models traffic flow and shows only a minor improvement of a few minutes when used...see table 3-8</p>

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Alternatives, Nonfreeway Alternatives	
4	Freeway Awareness	
5	Air Quality	
6	Biology, Plants, and Wildlife	
7	Section 4(f) and Section 6(f), Traditional Cultural Properties	
8	Purpose and Need, Truck Bypass	
9	Noise	
10	Hazardous Materials	

Code	Comment Document
12	<p>on page 3-34. This is not compelling enough to support a \$2B build. Rather than plowing though a housing community why not re-engineer the HORRIBLY planned Broadway curve and the 7th street tunnel. Fixing the Broadway Curve so cars don't have to cross in front of one another will improve traffic flow. I drive to the airport frequently and am fighting to get to 143 crossing over while cars coming off the 60 are fighting left to get on I-10. This will only get worse as 1,000 people move into jobs in downtown Tempe for the State Farm Expansion. I've also traveled using the 7th street exit. Why not build an upper exit on both sides for car to easily get into down town.</p>
13	<p>* There are significant questions in the design still left unanswered. No formal designs for the freeway have been submitted, I am unable to see any alignment and how this impacts my house. The community will lose desert landscape, biking and walking paths. The wells that feed the lakes will be destroyed. What is the plan to replace these water sources? And it is absolutely unbelievable that an 8-lane freeway will fit along the alignment. Today it is barely possible to drive the four lanes. Am i expected to reach out and touch the freeway in my backyard? Will this freeway be constructed so tightly with such narrow lanes that the level of accidents will increase.</p>
14	
15	
16	<p>* Once again Arizona will be known for a boondoggle. Please see the link below from the Sierra Club that SMF on the list of the worst projects. December 2010: The New Sierra Club Report Identifies How the Nation's Best and Worst Transportation Projects Will Move the US Beyond Oil, or Keep Us Shackled to the Pump South Mountain Freeway Makes the List of Worst Projects http://www.arizona.sierraclub.org/pr_and_alerts/pr_and_alerts_2012/alert_12-11-12.asp</p>
2	
3	<p>* Why not bring life to downtown tempe and phoenix with a proper light speed rail system. I would endorse that along Pecos road. We have to be the only major metropolitan city with no effective means of transportation besides polluting cars.</p> <p>Tamara Coffman</p>
<p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>	

Code	Issue	Response
12	Project Costs, Total Cost	<p>The Maricopa Association of Governments conducts regional transportation planning for Maricopa County and regularly evaluates the region’s priorities, given limited funding. The <i>2035 Regional Transportation Plan</i>, approved in 2014, identifies the South Mountain Freeway as one of the region’s top priorities. The priorities within the <i>Regional Transportation Plan</i> are determined using performance criteria such as public and private funding participation, the consideration of social and community impacts, the establishment of a complete transportation system for the region, the construction of projects to serve regional transportation needs, the construction of segments to provide connectivity on the regional system, and other relevant criteria for regional transportation.</p> <p>Currently, the Maricopa Association of Governments is studying short-term and long-term improvements along Interstate 10 and Interstate 17 to address the concerns identified in the comment (see The Spine Study: Interstate-10/ Interstate-17 Corridor Master Plan at: <azmag.gov/Projects>).</p>
13	Design	<p>The base alignments for the proposed freeway are shown in Figures 3-20 through 3-25 in the Final Environmental Impact Statement. More detailed drawings and a video simulation of the proposed freeway are available on the project Web site <azdot.gov/southmountainfreeway>. For questions on specific properties, contact the Arizona Department of Transportation Right-of-Way Group at (602) 712-7316.</p>
14	Community Impacts	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
15	Groundwater	<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38.</p> <p>The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</p>
16	Design	<p>The South Mountain Freeway’s eight-lane section is shown on Final Environmental Impact Statement page 3-58, with discussion and remarks that the freeway will be consistent with the design of other freeways (including lane width) in the region and thereby will improve driver expectancy and safety.</p>

Code

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 11-14-14	INCOMING CALL TIME: 9:51 PM
STAKEHOLDER: FLOYD CORBETT	ADDRESS:
PHONE: 480-706-8860	EMAIL:
CONTACT METHOD:	
REMARKS/QUESTIONS: Opposed to the freeway. Can't find anything he wants information on the website. Wants a call back has some questions.	

1

Code	Issue	Response
1	Public Involvement	Project team members responded to the call and helped direct the commenter to requested information available on the Web site: <azdot.gov/southmountainfreeway>.

Code	Comment Document
	<p>From: Krystal Correa [mailto:krystalmarie.correa@gmail.com] Sent: Tuesday, November 25, 2014 4:58 PM To: Projects Subject: South Mountain Freeway</p> <p>Hello,</p> <p>I recently moved from Phoenix, AZ to Seattle, WA. I lived in Phoenix for nearly seven years, and the community is still very near and dear to my heart. I am writing now AGAINST the freeway project because the FEIS is deficient. It does not take into account the history of the project and the opposition to it, and it does not really look at lack of good that will come out it.</p> <p>1 The Gila River Indian Community voted "no build" in 2012. This freeway has been in project for years at this point. GRIC does not want this freeway ANYWHERE, not just on their land. ADOT began purchasing parcels of land to build on that route before commissioning the EIS, which is a violation of EPA processes. They are planning to build the freeway within 1/2 mile of the GRIC since they can't override the sovereign vote, but that proximity still means the residents will be subjected to the environmental impacts. This is what environmental racism looks like.</p> <p>2</p> <p>3</p> <p>4 ADOT's own studies show that the 202 extension will only benefit one specific route and save ONLY 35 minutes. They have spent 22 million dollars on speculation and researched and haven't even broken ground yet - for 35 minutes to bypass Phoenix traffic. 22 million. On speculation. On research. This is not the whole value of this expansion by any means - it will be more.</p> <p>5</p> <p>6 Conversely, by their own research in the FEIS, if they DO NOT do the expansion, the traffic will not reach a level that is necessary until 2035. But that is only IF the growth of population continues to grow at 2012 rates. Between the Draft EIS and the Final EIS, no change in population growth figures were made, even though growth in the Valley has considerably slowed since then and we are slated to outgrow our Colorado River water allocation by 2020. It is reasonable, then, to assume that we will NOT reach that population growth at all.</p> <p>7</p> <p>8 This is not the first comment I have submitted to ADOT opposing this freeway. In 2013 I submitted a comment on the draft EIS that failed to be documented in the final version. It was a technical issue, but I want you to know that this is something that community members are willing to fight for on a long term basis, even from as far as Seattle. Don't build this freeway. The resources are not there, the environmental impact will be great, and you should NOT destroy sacred lands.</p> <p>-Krystal Correa</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Alternatives, Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Acquisitions and Relocations	The comment suggests the environmental impact statement process was biased by a history of property acquisitions within the Study Area. Advanced acquisitions in parallel to a National Environmental Policy Act environmental determination process is not unprecedented and is common practice. In this case, property acquisitions by the Arizona Department of Transportation for purposes of implementing the proposed action are done at risk as communicated to the agency by the Federal Highway Administration. If another alternative were to be ultimately selected, the agency would likely have to place the acquired properties on the market for sale and purchase. The Arizona Department of Transportation attempts to balance the risk against its mission of timely delivery of transportation infrastructure to the driving public. Further, Federal Highway Administration regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the selection of an alternative.
3	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Alternatives, No-Action Alternative	
5	Project Costs, Total Cost	
6	Socioeconomic Projections	In June 2013, the Maricopa Association of Governments approved new socioeconomic projections for Maricopa County. The purpose and need and analysis of alternatives were updated and reevaluated using these new socioeconomic projections and corresponding projections related to regional traffic. The conclusions reached in the Draft Environmental Impact Statement were validated in the Final Environmental Impact Statement (see Chapter 3, <i>Alternatives</i>).
7	Public Involvement	After release of the Final Environmental Impact Statement, the Arizona Department of Transportation was contacted by a stakeholder organization and told that the comments it submitted on the Draft Environmental Impact Statement were not included in the Final Environmental Impact Statement. The Arizona Department of Transportation conducted a thorough search of the entire e-mail system and found that 10 e-mail comments, including yours, had been inadvertently omitted from the Final Environmental Impact Statement. Based on this, the Federal Highway Administration, in conjunction with the Arizona Department of Transportation, published an omission notice in the <i>Federal Register</i> on November 7, 2014, and prepared an errata volume [Volume IV of the Final Environmental Impact Statement] to address these omissions.
8	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<p>From: Iliana Correa-Hernandez [mailto:i.correa-hernandez@prescott.edu] Sent: Monday, November 03, 2014 5:34 PM To: Projects Subject: NO LOOP 202</p> <p>To Whom it May Concern,</p> <p>1 2 I condemn ADOT’s decision to double down on the construction of the proposed freeway even after Gila River Indian Community members voted for a “no build” option in an official vote. This is inherent environmental racism. ADOT’s disregard for the objections of Akimel O’odham people from the Gila River Indian Community, and their democratic process, shows that ADOT is committed to lining developers and construction companies’ pockets, not respecting the decision making of the original inhabitants of this region.</p> <p>3 In addition, I am concerned about the extermination of wild horses and donkeys that the Final Environmental Impact Statement says there will be no suitable habitat available if the freeway goes through.</p> <p>Iliana Correa-Hernandez Prescott, AZ</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Alternatives, Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Title VI	
3	Biology, Plants, and Wildlife	The comment misstates the information presented on page 4-128 of the Final Environmental Impact Statement, which states that, “Although wild horses and burros are present on Community land and may occur adjacent to the E1 Alternative, field observations concluded no suitable habitat for wild horses or burros is or would be available within the action alternatives.” The conclusion drawn is that no suitable habitat for the horses and burros exists in this area, not that appropriate habitat will be destroyed by the freeway.

Code	Comment Document
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Mark A. Coryell
1676 West Satinwood Drive
Phoenix, Arizona 85045
24 October 2014

South Mountain Freeway Project Team
Arizona Department of Transportation
1655 West Jackson Street MD 126F
Phoenix, Arizona 85007

Friends

I am opposed to the construction of the South Mountain Freeway as proposed in the Final Environmental Impact Statement (FEIS) that was released by the Arizona Department of Transportation (ADOT) on 26 September 2014. I urge your agency, and the US Federal Highway Administration, to decide against building the South Mountain Freeway (SMF) in the upcoming Record of Decision. My home, my neighborhood, my health, and my quality of life will be seriously damaged by the proposed South Mountain Freeway.

My home is less than a quarter mile from this eight-lane freeway and a planned interchange at the current intersection of South 17th Avenue and Pecos Road.

There are many practical reasons why the South Mountain Freeways should not be built. But for me the intangible reasons not to build the SMF are equally important. I have come to love my home, my neighborhood, and my community in Ahwatukee Foothills deeply. I have lived in my home near the proposed freeway for over seven years. I have found a safe place to ride my bicycle enabling me to lose over 100 pounds. I have a quiet neighborhood with minimal pollution and traffic. Miles of hiking trails in South Mountain Park are within walking distance. The Sonoran Desert, relatively untouched by man's influence, creates a unique living environment unmatched in any other part of Phoenix. After many years of living in rental properties, some less than desirable, I found a comfortable home. All the beauty of my home will be gone forever if the South Mountain Freeway is built.


I have actively opposed the South Mountain Freeway since I purchased my home in April 2007. I have read both the Draft EIS and the Final EIS. I have participated in ADOT's public meetings on the South Mountain Freeway in Downtown Phoenix and at South Mountain College. I submitted comments opposing the South Mountain Freeway during the DEIS review period last year. I am an active member and contributor to Protecting Arizona's Resources and Children (PARC).

Code	Issue	Response
1	Acquisitions and Relocations	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Community Impacts	
3	Health Effects	
4	Air Quality	
5	Noise	
6	Biology, Plants, and Wildlife	

Code	Comment Document
7	Far beyond my concerns is the undeniable fact that the South Mountain Freeway is a fundamentally bad project. The South Mountain Freeway is based on assumptions and political influences that have consistently demonstrated to destroy and not enhance lives and communities. The South Mountain Freeway will make current environmental degradation and quality of life worse not just for Ahwahtukee but the entire region. Both the Draft and Final EIS provide inadequate and misleading information that fails to account for the damaging influences of urban sprawl, climate change, declining water sources, decreasing open space, and disappearing outdoor recreation opportunities.
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10	I do not stand alone in my opposition to the South Mountain Freeway.
11	In the comments submitted to the DEIS, in my 85045 zip code, 71% of my fellow residents oppose the SMF. In the nearby 85048 zip code 69% of residents are opposed to SMF. The Kyrene School District Board and the Tempe Union High School District Boards have both voted to oppose the South Mountain Freeway. Five Kyrene schools and Desert Vista High School are located within less than a quarter mile of the proposed SMF.
12	The US Environmental Protection Agency (EPA) called the DEIS for the South Mountain Freeway totally inadequate. The FEIS does not address the EPA's concerns. The FEIS predicts an increase auto traffic that is not supported by current trends and data.
10	The Sierra Club, the oldest conservation organization in the United States, has labeled the South Mountain Freeway one of the 50 worst public works projects in the USA. I am a member of the Executive Committee of the Grand Canyon Chapter in Arizona of the Sierra Club. Clearly, this freeway will not only destroy my neighborhood but it will also, in slicing through the west portion of South Mountain Park, permanently alter one of the greatest recreational and natural resources in Maricopa County.
13	The nearby Gila River Indian Community has voted to "Not Build" the South Mountain Freeway (SMF). The Community didn't vote to not build it on their land. The Community voted not to build the SMF at all. The FEIS dishonestly represents the Community's position. The FEIS justifies the Pecos Road alignment based on the Community's unwillingness to allow the SMF to be built on their land. The truth is that the SMF will desecrate South Mountain which is sacred to their religious beliefs. This fact is totally ignored in the FEIS which states the freeway would have "... no disproportionately high or adverse affects on indigenous populations".
14	
15	What will be gained by constructing the South Mountain Freeway? According to ADOT in the FEIS only two minutes of total travel time between Avondale and Mesa. Is two minutes worth more than two billion dollars? Clearly the Ahwatukee Foothills gains nothing from the SMF. It will not reduce travel time between the

Code	Issue	Response
7	Secondary and Cumulative Impacts	Unplanned growth is often termed "urban sprawl." Generally, this term is used in the context of rapid and uncontrolled urban growth onto previously undeveloped land—usually on the outskirts of an existing urban area. Projects like the freeway are often identified as contributors to urban sprawl. Freeway projects are often cited as making land at the urban fringe more accessible and, therefore, more attractive for development. However, examination of data comparing population and land use between 1975 and 2000 suggests major transportation projects like the proposed freeway do not induce growth in the region (see Final Environmental Impact Statement pages 4-179 through 4-183). The freeway will be implemented in a historically quickly urbanizing area (most noticeably in the Western Section of the Study Area, although the nationwide recession which began in 2007 slowed growth). In the Eastern Section of the Study Area, the freeway will abut public parkland, Native American land, and a near-fully developed area—therefore, any contribution to accelerated or induced growth will be constrained. The freeway will be built in an area planned for urban growth as established in local jurisdictions' land use plans for at least the last 25 years.
8	Climate Change	<p>Climate change is an important national and global concern. While the earth has gone through many natural changes in climate in its history, there is general agreement that the earth's climate is currently changing at an accelerated rate and will continue to do. Human-caused greenhouse gas emissions contribute to this rapid change. Carbon dioxide makes up the largest component of these greenhouse gas emissions. Other prominent transportation-related greenhouse gases include methane and nitrous oxide. Greenhouse gases trap heat in the earth's atmosphere.</p> <p>Because the atmospheric concentration of greenhouse gases continues to climb, our planet will likely continue to experience climate change-related phenomena (see Final Environmental Impact Statement pages 4-85 through 4-87). To date, no national standards have been established regarding greenhouse gases. Greenhouse gases are different than other air pollutants evaluated in federal environmental reviews because their impacts are not localized or regional due to their rapid dispersion into the global atmosphere. The affected environment for greenhouse gas emissions is the entire planet. In contrast to broad-scale actions such as those involving an entire industry sector or very large geographic areas, it is difficult to isolate and understand greenhouse gas emissions' impacts for a particular transportation project. Furthermore, presently there is no scientific methodology for attributing specific climatological changes to a particular transportation project's emissions. Under the National Environmental Policy Act, detailed environmental analysis should focus on issues that are significant and meaningful to decision making. The Federal Highway Administration has concluded, based on the nature of greenhouse gas emissions and the exceedingly small potential greenhouse gas impacts of the proposed freeway (as shown in Final Environmental Impact Statement Table 4-37 on page 4-86), that greenhouse gas emissions from the proposed freeway will not result in "reasonably foreseeable significant adverse impacts on the human environment" [40 Code of Federal Regulations § 1502.22(b)].</p>
9	Groundwater	Impacts on water are addressed in the <i>Water Resources</i> section of the Final Environmental Impact Statement, beginning on page 4-101, including groundwater and surface waters.

(Responses continue on next page)

Code	Comment Document
	<p>Ahwatukee Foothills and Sky Harbor Airport. The SMF reduces travel time between Ahwatukee Downtown Phoenix by one minute.</p>
16	<p>What are the real reasons that the South Mountain Freeway is being built? First, to provide a truck route that bypasses most of Phoenix. Second, to justify and perpetuate urban sprawl. The FEIS includes misleading language that claims that large trucks, despite what one might think, only consist of a small number of all highway traffic. This might be true of the other freeways in Phoenix but clearly this would not be true of the proposed SMF. Secondly, urban sprawl has consistently demonstrated that it encourages inefficient land use, encourages excessive use of fossil fuels, and will lead to a decline in public health and quality of life not only in the Ahwatukee Foothills but the entire region. The South Mountain Freeway will not improve air quality in downtown Phoenix. I doubt that ADOT can point to a single example of a freeway that actually improved air quality.</p>
7	
3	
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17	<p>Two billion dollars of ADOT's money, not to mention taxpayers' money, can be better spent on transportation that discourages urban sprawl, enhances environmental quality, and provides for a better and safer community. The South Mountain Freeway will not make the Ahwatukee Foothills, or the Phoenix Metro area, a better place to live. The South Mountain Freeway is the wrong project, in the wrong place, at the wrong time.</p>
18	<p>Mine is but one voice among the thousands that will speak both for and against the South Mountain Freeway. I hope that my voice will reverse a terribly wrong decision by ADOT and the Federal Highway Administration. I realize that is far more than I could ever expect to accomplish with this letter. Instead, I hope my voice, and the voices of those against the SMF, will lead you to more accurately examine the overwhelmingly negative consequences of building the South Mountain Freeway. Please, do not build the South Mountain Freeway.</p>
	<p>Sincerely  Mark A. Coryell</p>

Code	Issue	Response
10	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
11	Public Involvement	Comments and resolutions are noted.
12	Purpose and Need, Old Plan or Use of Old Data	In Maricopa County, daily vehicle miles traveled levels increased by almost 2 percent between 2011 and 2012, and the 2012 daily vehicle miles traveled approached the 2007 prerecession peak. (Source: the Arizona Department of Transportation's Multimodal Planning Division's Highway Performance Monitoring System Data for calendar years 2011 and 2012). Even if the trend of vehicle miles traveled "per capita" decreasing were to continue, the total vehicle miles traveled in the region will still increase along with increases in total population.
13	Alternatives, Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
14	Section 4(f) and Section 6(f), Traditional Cultural Properties	
15	Alternatives, No-Action Alternative	
16	Purpose and Need, Truck Bypass	
17	Project Costs, Total Cost	
18	Alternatives, Nonfreeway Alternatives	

Code	Comment Document
	<p>From: Mike D'Ambrosia [mailto:ufmiked@yahoo.com] Sent: Thursday, December 25, 2014 8:09 AM To: Projects Subject: 202 Extension</p> <p>Add me to the list of people and homeowners, not that those are important, that feel this road will deeply damage the little beauty and comfort we have left in this city. We already live in a concrete jungle and to want to exacerbate that is insane.</p> <p>Will a few commutes be reduced? Maybe, though study after study proves added roads don't alleviate traffic. They ENCOURAGE it.</p> <p>Will many other commutes be disturbed and lengthened? Without a doubt. Every resident headed east on what is now Pecos Rd will likely see a significant delay in their travel time due to traffic lights and pattern disruption.</p> <p>Will the environment be harmed? Again, without a doubt. Air quality is already a horrible problem here. Adding trucking routes in an area with schools and homes in such proximity is a disaster waiting to happen. That's not to mention the disruption of the water table (another resource we seem to care less about than the extra few minutes a trucker from Georgia spends on his way to California).</p> <p>Who benefits? Truckers and contractors who build the road while the citizens of this city lose.</p> <p>South Mountain is a treasure. A real unique place in an otherwise arid landscape and we want to ring it with pollution causing roads. What have we become? I weep for the tax base of Phoenix when we spend \$1.8B while simultaneously eroding the income from property taxes due to value destruction.</p> <p>Think about the future and the world you want to live in. Does it involve more trucking routes or a place where you can enjoy the landscape and breathe the air?</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

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Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Traffic	In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the proposed freeway (see Appendix 3-1 in the Final Environmental Impact Statement). Travelers from Ahwatukee may experience a shorter commute given the higher speeds and lack of signals along the freeway.
3	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Groundwater	Impacts on water are addressed in the <i>Water Resources</i> section of the Final Environmental Impact Statement, beginning on page 4-101, including groundwater and surface waters. The project would not directly affect the water table.
5	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
7	Economics, Socioeconomics	

Code	Comment Document
1	<p>-----Original Message----- From: sally darity [mailto:sallydarity@yahoo.com] Sent: Monday, December 29, 2014 11:24 AM To: Projects Subject: South Mountain Freeway comments</p> <p>I would like to bring to our attention the controversy surrounding one of the consultants for the DEIS for the South Mountain Freeway. You are already aware that traffic projections are affected by optimism bias and other factors causing errors. Some of the articles submitted to you by one or more of the PARC experts also highlighted the likelihood of inflating numbers in the interest of gaining contracts or otherwise benefiting financially. As pointed out by others, the response in the FEIS to the criticism about the use of the 2005 census data and then the "validation" of the projections based on the 2010 which was significantly different, was insufficient. Because the DEIS referenced the projections as coming from MAG, and no specific authors, it is difficult to know where the numbers come from and what method is used to create the projections. It is important to examine the role of Wilbur Smith Associates as a consultant on the project considering their history. I am not aware of anyone pointing out the problems surrounding the involvement of Wilbur Smith Associates (now CDM Smith). Wilbur Smith Associates (WSA) got involved in the South Mountain Freeway (SMF) back when the controversial Interwest Management, Inc was attempting to build SMF as a toll road. Interwest has met with various accusations of inflating revenue projections across the country, including in the case of the Southern Connector in South Carolina with which WSA was involved. The fact that the initial studies were done in the context of a toll road may increase the chances that the numbers were biased, and the fact that WSA became involved with the official ADOT studies and the justification for the project and EIS shortly after the toll road was dropped should be cause for concern if the numbers did not change much. Even updated information should be re-examined for bias, whether it be optimism bias or profit-driven or simple error. This information will be under public scrutiny in the near future. HDR was also involved in a toll road project for the road and so should also be under review as well. This is not only a problem regarding the very justification for the project. ADOT needs to examine the possibility that the transportation-related revenue projections, also done by WSA, which are used to schedule funding (from HURF and RARF) for the SMF P3, may also be over-estimated.</p> <p>Please view the following articles.</p> <p>Wilbur Smith Associates' Traffic and Revenue Forecasts: Plenty of Room for Error http://www.baconsrebellion.com/PDFs/2012/01/Wilbur_Smith.pdf</p> <p>http://usa.streetsblog.org/2014/11/20/the-great-traffic-projection-swindle/</p> <p>Carr Wrecks http://www.phoenixnewtimes.com/1997-04-10/news/carr-wrecks/full/</p> <p>Toll Road Kill? http://www.phoenixnewtimes.com/1997-06-05/news/toll-road-kill/full/</p> <p>No Two-Way Street www.denverpost.com/news/ci_3876477</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>
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Code	Issue	Response
1	Traffic	<p>Preparation of the environmental impact statement was undertaken as an independent, unbiased process in accordance with the National Environmental Policy Act.</p> <p>The 2007 Maricopa Association of Governments socioeconomic projections were used in the Draft Environmental Impact Statement because the 2013 Maricopa Association of Governments socioeconomic projections were not available until June 2013. The 2007 Maricopa Association of Governments socioeconomic projections documentation is available from the Maricopa Association of Governments upon request.</p> <p>The traffic projections used in the study were obtained from the Maricopa Association of Governments. The noted consultants were not involved in the preparation or validation of the traffic projections. The Federal Highway Administration and the U.S. Environmental Protection Agency approved the air quality conformity determination that includes the Maricopa Association of Governments regional travel demand model that produced the traffic projections used in the traffic analysis for the project.</p>
2		Articles reviewed.

Code	Comment Document
1	<p>From: Jerry D [mailto:jdavenport4329@aol.com] Sent: Saturday, November 15, 2014 6:19 PM To: Projects Subject: Loop 202 So Mountain</p> <p>Any one west bound on the <i>I-10 weekdays between 7 and 9 am between Pecos Road and I - 60 knows a 202 Loop is needed now. Traffic is stalled bumper to bumper, shoulder to shoulder spewing emissions to residences, schools and businesses along the way.</i></p> <p>Just take a look at the freeway from the Warner overpass and you will see what I mean. I cannot even use the freeway during this period, I have to use side streets to get to the airport or toward downtown.</p> <p>Jerry Davenport 44th st and Warner</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<p>ADOT Loop 202 South Mountain Freeway Study 1655 W. Jackson Street MD126F Phoenix, AZ 85045</p> <p>Dear ADOT ,</p> <p>Thank you for considering my public comments to the FEIS - 11/21/14.</p>
1	<p>1. This construction allegedly goes thru some type of Arizona state toxic site near Laveen or I-10 and there is documented and some undocumented toxins that will be disturbed. Please provide the levels of current toxins and the types and the impact to disruption of this site and impacts to washes, residents and salt river and animals and plants. This seems to me to be reasonable to have its own new section in FEIS for analysis and comments in any draft environmental impact study. Please explain why it is not detailed fully with size location proximity and remediation plans for this section of the project. Mixing and disturbing soil will inevitably mix up separate toxins which exist creating new unknown combined toxic impacts which may become airborne or reenter the soil or water. This needs expert study and assistance from State Superfund personnel and EPA for their independent analysis.</p>
2	<p>• The curve designed in the highway south of 85045 zip code near Calabrea Subdivision should be reviewed for the addition risk mitigation for truck and car crashes since it's a steep banked curve, The pitch slope and angles of this curve will contribute to a truck safety issue and will increase the risks of track accidents and hazardous material spills. This extra detail is all missing from FEIS which is designed to protect and inform the public about impacts. A 5 day Hazmat shelter for residents should be built near the edge of South Mountain north of Pecos.</p> <p>• FEIS may not have accurate and up-to-date 2012-2014 asthma and autism impacts growing in metro Phoenix nor updates to impacts of highway 51 health issues we see from folks living 1 mile for freeways. FEIS should go back and review current health impacts of existing AZ highways air quality and EPA air violations. The FEIS needs to model these impacts of the growth projections on worsening the air and health risks. Population growth alone will cause a severe worsening of health risks. Air quality may become worse than EPA standards in 43 ave, 51 ave zip, 85045, 85044, 85048, GRIC and Laveen.</p> <p>• Direct impact of autism is caused by highways too close to kids. Recent health studies in USA and evidence in 2013 should be added into the impact. Health impacts of Ahwatukee residents and those living in the Foothills Reserve.. The subdivisions impacts at Calabrea need to be restudied. Recent studies in Los Angeles, CA and Boston, MA showed and proved the health risks to children's and adults who live within 500 yards to one mile of a freeway. Their past and ongoing studies presented to government and health agencies show that there is an increase in childhood leukemia, childhood autism, heart and lung diseases caused by living in areas with increased fine particulate and ultrafine particulate matter. The residents of Ahwatukee and the Foothills subdivisions will be living within 300 yards of the freeway. This means the building of this freeway will knowingly cause significant health issues in residents and is not addressed in the FEIS. Knowingly causing health issues and harm to taxpayers is not ethical and needs to be fixed and addressed.</p> <p>• What input has been studied from the major health communities and agencies in Phoenix. Have you talked to hospitals and children's health advocate groups to get their facts and concerns on highway impacts to health in a desert community?</p> <p>• FEIS does not seem to mention hazmat transportation issues i.e. a risk of tanker accident from Mexico. FEIS must identify spill risk and build shelters for 5450 home owners, who have no on ramp to the highway and must rely only on surface streets to evacuate in case of hazardous spills. Residents are locked in by freeway on 2 sides and mountains on 2 sides meaning no escape route. EPA and NEPA guidelines need to be followed and ADOT and FEIS consultants work must be validated and re-audited to protect the citizens.. With a sharp curve in the highway at the end of Pecos and south Mountain traffic accidents are going to be more likely than on a straight highway. Why are there no real meaningful discussions or facts on this design flaw other than it will be addressed in the design phase.</p> <p>• Provide A+ quality sound barriers, with particulate trapping plants and attempt a below grade freeway design at the end of Pecos, to minimize the impacts to the remaining homes of Calabrea. Now that the FEIS states the design is an above ground rolling freeway this 8 lane will knowingly cause additional sound noise and air pollutants to drift into the 650 homes located at Calabrea and Foothills reserve.</p> <p>• Restrict some high sulfur diesel trucks from Mexico from using this SMF route and require them to use the official truck bypass I-85. Mexican trucks which are allowed into the US come with unrestricted emissions and should be banned, as well as, overnight trucks idling at new truck stops causing toxic drift into schools and play grounds.</p> <p>• Sound estimates of 30 decibels are not accurate for the projected traffic volumes from cars and trucks on an above ground freeway in a valley that echoes. Realistic decibel for sound nearing 50-100 decibels due to the valley and mountain echoes will be heard at more than 750 home owners. A concrete wall of 8-20 feet will not mitigate the sound and is not addressed in this FEIS until construction phase. Highways so close to homes and above ground will actually increase the sound with no remedy for homeowners reviewed. Sound pollution is an environmental impact.</p> <p>• Most other highways built in Phoenix are below ground with substantial sound reduction design. This is not addressed for those living in the Calabrea and Foothills subdivisions. We also will have additional hardships since we will need to take side street to access highway 10 and lose land to the ADOT project. We would respectfully ask our SMF section be reevaluated to include proper A+ quality sound walls..</p>
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Code	Issue	Response
1	Hazardous Materials	<p>The corridor analysis revealed sites that will need further assessment during the property acquisition phase of the project. The Arizona Department of Transportation employs a phased approach to site assessment that allows time for cleanup of any sites found to have hazardous waste issues. The project team concluded from the level of analysis conducted during the environmental impact statement process that the types of sites likely to be acquired contain common hazardous waste issues such as underground storage tanks, asbestos and lead paint in buildings, and other commonly found issues (see Final Environmental Impact Statement page 4-164).</p> <p>The Arizona Department of Transportation maintains a process for addressing these issues in accordance with all applicable environmental laws and regulations. Both the Van Buren Tank Farm and the West Van Buren Water Quality Assurance Revolving Fund site were identified and considered during development of the Draft and Final Environmental Impact Statements (see the Draft Initial Site Assessment prepared for the project on the project Web site: <azdot.gov/southmountainfreeway>). These sites are primarily groundwater-impact sites, and groundwater is found at a depth of over 60 feet below the footprint of the freeway. Given the separation distance between the adversely affected media (groundwater) and the construction zone (near surface in these locations), the project team determined that these sites will not pose a risk to construction or to the general public once the freeway is completed. This assessment has been clarified in the Final Environmental Impact Statement on page 4-165.</p>
2	Design	All elements of the freeway design are in accordance with the Arizona Department of Transportation <i>Roadway Design Guidelines</i> and the American Association of State Highway Officials <i>A Policy on Geometric Design of Highways and Streets</i> .
3	Hazardous Materials	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
4	Health Effects	
5	Air Quality	
6	Children's and Seniors' Health	
7	Noise	
8	Trucks	
9	Design	<p>Depressing the proposed Pecos Road sections would entail installing pump stations to drain the main line freeway. A depressed freeway would also need a drainage channel to capture the off-site flows to prevent their entering the freeway. Pump stations were not used because of the high cost of construction and maintenance needed for their operation. The preferred freeway configuration will have the E1 Alternative aboveground and the existing culverts extending to pass the drainage under the freeway. Pecos Road currently has numerous existing culvert crossings. Depressing the freeway in this area would eliminate the existing culvert crossings and potentially have adverse flooding impacts on adjacent properties. Extending the existing culverts or upsizing the culverts will maintain or improve drainage flows. This will ensure that there will be no adverse flooding impacts on adjacent properties. (See Final Environmental Impact Statement pages 3-15 and 3-18.)</p>

Code	Comment Document
5 10	<ul style="list-style-type: none">Ozone levels and already exceeding the parts per million set by EPA and the clean air act and not considered. New EPA enforcement standards must be considered to do a true FEIS. Also explaining that dust storms cause all this particulate violation is not accurate. Modeling of today's air levels needs to be updated and include winter spring, summer, fall and seasonal changes and wind drifts unique to the times of the year.Sound levels from traffic also vary during the winters. Study should have looked at the levels of particulates that get trapped currently in the valley edge of South Mountain Preserve in Ahwatukee.Congestion and future traffic counts not modeled correctly and congestion on west I 10 on ramps not designed correctly to handle traffic volumes. ADOTS past modeling results have been inaccurate and unrealistic. We deserve better and realistic quality data inputs into the study. 2012 and 2013 traffic pattern data not updated in the study. Must relook at peak traffic from April 2013 and look at current air quality EPA violations. Traffic count projections on the I-10 at Broadway curve are not correct and flawed. It should be noted that these numbers were required to be changed since the DEIS but are still inaccurate based on 3rd party independent experts.New ultrafine, fine particulate, Sulfur and benzene test stations should be set up to get accurate 2013 2014 air quality reading in Laveen, GRIC and Ahwatukee zip codes. These testing results along with 2012-2014 data need to be updated in the FEIS.In addition since your asking the public for final comment, you must provide all documents in bilingual and multi-lingual languages and mail notifications to home owners addresses since most residents do not even know what the process is nor read the newspaper. You have also failed to provide information to the minority, impoverished and indigenous groups in the path of this construction project. Several well documented scientific studies and findings (some of which were presented to the EPA during 2011-2014) are still omitted from the facts in the FEIS. This study area actually has more lanes and more traffic estimates than these past studies (and northerly wind drift in to high density populations) which proves that the facts in FEIS are factually in correct. Ignoring so many credential experts is a conflict of interest and should make FEIS data suspect.In 2005 a Joint air toxins study allegedly showed that there was a negative impact due to air toxins. This study found in 2005 it was not environmentally safe to proceed with the highway yet no one seems to have entered these old studies in the 2013 FEIS. The 2005 study needs to be analyzed and updated after 2012 / 2013 findings. To draw conclusions of air impact, with out doing this due diligence in a multi year NEPHA study is a an intent to cover up the facts and deny disclosures. If an old study on this says a freeway resulted in bad outcome, why is there now a revised 2013 FEIS study with a different conclusion and no disclosure of facts used in prior years DEIS?Please update and add to the 2013 FEIS a section with the 2005 /2006 / 2013 EPA / JATAP findings from monitoring stations. Also update the exact study and determine the current toxin levels impacting our citizens for GRIC and Ahwatukee and Laveen. We should have a right for this previous significant and environmental study to be added in the FEIS with updated analysis and commentary.A major cut thru and removal of some of the 3 to 5 ridges of South Mountain will certainly change the wind tunnel and wind patterns. Post freeway it may cause the wind , dust and pollution flows to be different. Please add a study of this impact to the homes in 85045. This will cause more air borne sulfur diesel, fine particulates and benzene to flow into the air and be trapped in zip codes 85045, 85048 and on GRIC and at the foot of south mountain trapped in and near where home owners live. The study does not seriously look at this impact with quality findings. FEIS also does not address the thousands of kids in schools that will be within 1/2 to 1/8 th of a mile of this impacted air flow. Trapped in stagnate air toxins will stay in and over homes, day cares , schools and churches creating an a direct cause and effect on environment impact. not disclosing these facts and projections is an intent to mislead the public. The NEPAH and clean air Act rules are clear and consistent on the topic as well as legal requirements before during and after freeway build plans.Where is the complete and inclusive pre-build updated air quality of the study area. Using air quality data outside the 85045 zip code and data in south Levine is not even pertinent the true environmental impact in the study area. Currently we are in risk for violations in this study area of EPA standards in and on GRIC and in 85045, 85048 areas in 2013. Air quality in Jan- May 2013 , May 15-21 ,22 23-28, 2013 seem to be extremely bad and may have exceeded EPA. 10 days in 2014 seem to have exceeded the minimum air quality level for particulate and toxic matter. In additional several days saw the particulate matter clouded up and remain trapped up against south mountain in Ahwatukee . This season phenomena was not detailed in the FEIS and should be considered as a current environmental impact . Better modeling is needed to determine what additional impact a freeway with 30000 new vehicles will do to adding to the toxic cloud.Levels above EPA toxic and fine particulate standards were exceeded in 2012, 2013 and 2104 at or near the 43rd ave EPA test monitor site. These 2012 and 2013 EPA & Clean air violations need to be put in the updated FEIS study. These numbers were omitted from the factual record, and from modeling, which is in direct disagreement with the FEIS's conclusions of improved air quality with the SMF build in recommended route. We formally request an air monitoring sensor near Pecos and 17th ave and pecos and 29th drive as well as on Indian reservation just south of Pecos rd and N. Chandler where high density housing exists.Detail and list the EPA sensor air violations for Jan 2012 thru November 2014..Air quality has become worse in 2103 and early 2014 yet this new data has not been integrated into the DEIS nor the FEIS. What impact will addition of the freeway cause and wont it violate the clean air act and violate the newest EPA air level standard. New construction and new commercial development was not added into air quality modeling. These known developments and truck depot expansion plans when not considered nor modeled into the FEIS data set.
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Code	Issue	Response
10	Air Quality	<p>As noted on page 4-76 of the Final Environmental Impact Statement, since ozone is a regional pollutant, there is no requirement to analyze potential impacts. The Maricopa Association of Governments is responsible for developing plans to reduce emissions of ozone precursors in the Maricopa area. The Selected Alternative is included in the <i>Regional Transportation Plan</i> that was determined by the U.S. Department of Transportation to conform to the State Implementation Plan on February 12, 2014.</p> <p>Since the release of the Draft Environmental Impact Statement, the Arizona Department of Transportation and the Federal Highway Administration have consulted extensively with the U.S. Environmental Protection Agency on the air quality analytical approach and methods used in the Final Environmental Impact Statement. This consultation has resulted in agreement on the analysis methodologies and the results of these analyses. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones.</p>
11	Purpose and Need, Old Plan or Use of Old Data	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
12	Alternatives, W59 Alternative Versus W101 Alternative	
13	Public Involvement	<p>The Arizona Department of Transportation and Federal Highway Administration developed and implemented comprehensive, inclusive, and adaptive public involvement strategies that exceed National Environmental Policy Act requirements for public engagement. This was in direct response to the importance of the freeway to the region's transportation network, anticipated impacts it will create, and the level of public concern regarding the freeway's effects on neighboring communities.</p>

Code	Comment Document
16	<ul style="list-style-type: none">FEIS needs to study the added commercial development planned on the highway route. As of 11/2014 several plans on development are public including business owners intended use of land leases on GRIC and truck stops and truck depots already planned.FEIS does not estimate accurately the 2012 -2016 growth in toxic air particles and increase in adverse human health counts and health symptoms that the doctors and hospitals see now up from 2008 - 2010 levels with little or no population growth. Note that Phoenix is one of the unhealthiest regions in the United States and continues to get worse due to high pollution, high toxins and close to freeway residential unit construction. Your freeway design increases harm to residents and needs to be reevaluated with current EPA health impact findings from the 2012, 2013 and 2014 studies. Along with new research findings published in the Journal of Medicine and Pediatrics. Sound medical results of this environmental impact study are not accurate or are omitted which suggests to the study area there is no health risk. This is inconsistent with scientific facts not entered in the FEIS.Additional analysis and research should be done on health impacts to current and future residents of Ahwatukee and its 13000 school kids. These children who's play area and day cares will be less than 1/2 of a mile from traffic on freeway will knowingly be harmed. There are many schools, parks and community centers who's health will deteriorate when a 8 lane highway will be built within 1000 feet of their locations. Who will compensate them for their health damages and loss of quality of life? What are the health impacts to elderly golfers near the freeway if environmental impacts disclosed are not accurate?Did the FEIS study even add in the additional traffic due to the building of the premium outlet mall at highway 10 and 202? This substantial increase in polluting traffic needs to be included in the study. ADOT and FEIS avoided these facts which will now need to be added to traffic congestion exiting the new highway.Blasting thru South Mountain will cause religious and racial discrimination and civil rights violations.Is it legal to destroy burial rights and petroglyphs and potential Indian artifacts in the line of demolition? If FEIS does not really go on Indian land and it does not protect their adjacent artifacts is it accurate and inclusive. FEIS should study all the true direct and indirect impacts to the highway after its built.Arizona's AIRFA law passed in 1978 is not being followed nor respected. I think there are also desert turtles, hammer head snakes, bald eagle nesting populations impacted and harmed by the zone of highway construction action.Truck traffic from Mexico and high sulfur diesel and benzene levels will be worse than study portrays. The DEIS clearly does not model the additional air pollution for this traffic, nor study serious fine and ultra fine particulates.No serious discussion or consideration in the FEIS of the 2005 monitoring of toxic chemicals (present air toxins) . This 2005 study conducted by EPA and ADEQ in joint effort with JATAP showed results reported in 2006 showed emission from traffic were already (in 2006) above the standard of 1 million chance of cancer in a life time of exposure in west and south phoenix and GRIC. This needs new data for 2007 2008 2009 2010 2011 2012 2013 since air and traffic are now worse. To not have DEIS and FEIS re-study and update this is may be unethical and flawed.Jatap monitoring already found (in 2005-2006) formaldehyde at 34 times the standards will be worse than 2005 levels and needs to be retested and modeled for the increase traffic and population.Benzene was discovered to already be at 8 times the standard, butadiene 1 and 3 7.5 times the standard, acetaldehyde at 3.4 times the standard, our residents are being exposed to these entire carcinogens not just one. DEIS must study the combined effects of these current carcinogenic mixed compounds on health. Everyone needs to seriously and legitimately study the new higher levels of all of the above thru 2013, then model and project the added compounds and impacts caused by the freeway construction which will make all the toxin levels higher. Study of mixed compounds and its new impact on health has not been addressed but is a known result. Experts need to be properly vetted and hired to render pro and con opinions of the combination of toxins and air particles (fine and ultra fine in a desert setting prone to dust storms) when mixed together and also identify where these hot spots are in highest concentration now and during construction and post construction with taking into consideration cutting of wind restricting South Mountain ridges.Specific environmental impacts to the 620 homes and residents at the end of Pecos and north of Pecos are not even in the FEIS study! This special area with 1/2 dozen subdivisions at the foot of south mountain and north of Indian reservation (Calabrea Sub division zip code 85045) has a separate and unique micro climate with current dust and air issues which requires a separate impact study section. Please include pollution and toxins being trapped at the foot and ridges of south mountain preserve and their current health impacts and post construction higher health impacts.Also identify and map the impact in construction zone size and destruction of zoned protected wildlife wash areas governed by Fish and Game. These many areas between homes in subdivisions and are currently federally or state protected areas where no planting removal or destruction is allowed. See signage along several of the walking paths (south of Shaugnessy and west of North Chandler boulevard) in the master communities and specifically detailed in the 2002-2005 Woodside master community plans. I do not see any facts or study in FEIS detailing the SMF construction area or amount of destruction area of these restricted lands. The current ADOT construction maps don't clarify the exact acres of these protected land that are going to be taken and bulldozed.Provide an updated map and remediation plan for the protected lands. How will you maintain the habitat during pre and post construction. How will the washed be impacted then protected as wildlife and cacti?Who will pay for the homeowners for sound proofing who are not being bought out. What compensation is given to residents who will have noise damage impacts within 1/2 mile of SMF?
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Code	Issue	Response
14	Air Quality	<p>Summary information about the findings of the Joint Air Toxics Assessment Project study is provided as background information in the Draft and Final Environmental Impact Statements, but the study itself is not relevant to the type of analysis done pursuant to the Federal Highway Administration's interim mobile source air toxics guidance, which is an emissions analysis. Monitored ambient concentrations of mobile source air toxics (the focus of the Joint Air Toxics Assessment Project) do not inform this type of analysis. While monitoring data can be useful for defining current conditions in the affected environment (to the extent that the monitoring data are current), they don't tell us anything about future conditions, or the impacts of the project itself, which is why an emissions analysis was performed. The mobile source air toxic analysis presented beginning on page 4-78 of the Final Environmental Impact Statement is an estimated inventory of mobile source air toxic emissions for the entire Study Area for 2025 and 2035. This approach was used because the inventory estimate accounts for changes in traffic and emissions on all roadways affected by a proposed project, and will, therefore, be a more reliable predictor of changes in exposure to mobile source air toxics. The Draft and Final Environmental Impact Statements present information and analysis about the proposed action and the enhanced conditions when compared against the No-Action Alternative, showing that the freeway will not cause substantial adverse effects. The Draft and Final Environmental Impact Statements account for the potential effects when considering both adverse and beneficial impacts. The Draft and Final Environmental Impact Statements provide in-depth discussion of potential air quality impacts of the proposed alternatives.</p> <p>The emission modeling developed for the proposed action showed that for the mobile source air toxics study area, there will be little difference in total annual emissions of mobile source air toxics emissions between the Preferred and No-Action Alternatives (less than a 1 percent difference) in 2025 and 2035. With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions (see discussion beginning on page 4-78 of the Final Environmental Impact Statement).</p> <p>The Final Environmental Impact Statement includes a summary of past health risk studies for similar projects, all of which identified very low health risk, well below the U.S. Environmental Protection Agency's "Action Level" for addressing risk (see page 4-79).</p>

Code	Comment Document
754	<div><div><div><div><div></div><div>7</div></div><div><div>5</div></div></div><div><div></div><div>4</div></div></div><div><ul style="list-style-type: none">All remaining home owners who live within 1/3 of a mile, should be given a free a noise proofing (sound dampening) package, as well as, fine and ultra fine particulate matter air filtrations systems. This is the least ADOT can do to offset the negative impact of tearing down homes in our communities and destruction of natural desert views. Home owners who need to protect their families, and should not have an intended undue harm and expense for remediation. Especially since this freeway will be above ground an unlike all the other freeways' In Adot's regional and metro transportation system. Why should E1 alternative be given less protection than other communities? It has been proven that these homes, which will remain in the study area near the SMF, need additional mitigation and risk reductions. The health impacts are now well documented and submitted in the public comments of DEIS and FEIS and to the EPA.<p>Thank your for your time and consideration.</p><p>cc/ rbgre attny</p></div></div>

Code	Issue	Response
15	Air Quality	Air quality depends on several factors such as the area itself (size and topography), the prevailing weather patterns (meteorology and climate), and the pollutants released into the air. Cuts through the South Mountains will produce microclimate differences similar to those produced by a series of buildings in a large city that produce localized wind tunnel effects. The mountain cuts, however, will not affect regional air quality. The Federal Highway Administration does not conduct hot-spot analyses for mobile source air toxics pollutants, in part because the U.S. Environmental Protection Agency's health risk guidelines for these pollutants are based on 70-year exposure, and it is extremely unlikely that anyone would be at a fixed location near the project for 70 continuous years. Instead, the Federal Highway Administration conducted a mobile source air toxics emissions analysis for the area affected by the project (see page 4-78 of the Final Environmental Impact Statement).
16	Socioeconomic Projections	The new socioeconomic projections approved by the Maricopa Association of Governments in June 2013 were developed in close coordination with the local jurisdictions of Maricopa County. The assumptions related to land use, occupancy levels, residential and commercial development plans, job centers, and other factors are updated regularly and form the basis for the model.
17	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
18	Title VI	
19	Cultural Resources	
20	Biology, Plants, and Wildlife	

Code	Comment Document
	<div data-bbox="428 352 913 441"><p>From: Dianne Douglas [mailto:Dianne.Douglas@asu.edu] Sent: Monday, December 08, 2014 9:44 AM To: Projects Subject: Comment on Loop 202 South Mountain Freeway</p></div> <div data-bbox="205 558 313 614"><div>1</div><div>2</div></div> <div data-bbox="428 518 1292 774"><p>I say Absolutely not on the Loop 202 South Mountain Freeway. I moved into the South Mountain community to enjoy the South Mountain Park and do not want this natural habitat ruined by vehicles, exhaust fumes, and accidents with the wildlife that live on the mountains. This is the last natural habitat in the city that you can go to get away from people and vehicles. If you take this away from us, then we will be forced to go outside of the city.</p><p>This is a sanctuary away from the busy world and it's home to many wildlife that have a purpose. All animals are individuals and they have feelings and thoughts and they suffer the pain and the joy that we do. They are entitled and they deserve an opportunity to live. We must stop kicking animals out of their habitat or killing them because we perceive them to be in our way, and learn to co-exist with them.</p></div> <div data-bbox="205 836 257 895"><div>3</div></div> <div data-bbox="428 800 1292 901"><p>NO on the Loop 202 South Mountain Freeway. I looked at homes on the south side of South Mountain and considered those because they were isolated from traffic. People who moved into that community did so because of the isolation. If they wanted to live by a freeway, they would have moved closer to it.</p></div> <div data-bbox="428 927 637 1030"><p>Dianne Douglas 2723 E Valencia Drive Phoenix, AZ 85042 602-268-7065</p></div> <div data-bbox="428 1056 1264 1106"><p>"The greatness of a nation and its moral progress can be judged by the way its animals are treated." Mahatma Gandhi</p></div> <div data-bbox="428 1197 1292 1262"><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Freeway Awareness	

Code	Comment Document
	<p>-----Original Message----- From: gdugan2@netzero.net [mailto:gdugan2@netzero.net] Sent: Monday, November 17, 2014 4:26 PM To: Projects Cc: PARCtheSMF@aol.com Subject: Comments on FEIS on South Mountain Truck Bypass Freeway</p> <p>ADOT,</p> <p>Your FEIS shows that you have never had any intent to honestly respond to the comments made on your original DEIS. It is nothing more than ADOT being a servant of the trucking industry. Your director wrote a column for the Arizona Republic trying to justify the reasons and cost of a future Interstate 11 highway stating that the future of Arizona is the efficient movement of freight through our state. No mention at all of moving people more efficiently. The South Mountain truck bypass freeway will be nothing more than a leg of the proposed Interstate 11 highway. Regarding the FEIS:</p> <p>1) No mention at all of any alternative forms of transportation ie. light rail. Cars and trucks only, even though study after study shows that people are driving less and less and will so in the future. 2) Table 3-8, page 3-34 shows that your claim that the South Mountain truck bypass freeway will only reduce congestion and travel time at the "Broadway Curve" on I10 by a couple of minutes., yet you continue to try and convince the general public that this truck bypass freeway will totally relieve the rush hour congestion there. Nothing more than a giant deception and lie. 3) You did not even try and address the EPA comments on your DEIS regarding air quality destruction over the South Mountain air shed. The air quality will be destroyed for thousands of school children who attend schools within a couple of miles of the proposed freeway, as well as the 70,000+ people who live in Ahwatukee, Foothills, Mountain Park Ranch, and Lakewood. This is why both the Tempe Union and Kyrene School Districts have come out opposed to this proposed truck bypass freeway. 4) Your initial "estimated" cost for this proposed freeway is \$2 Billion. That is approximately \$100 MILLION PER MILE!!! After you start mitigation on all of your non addressed problems and engineering problems, it will most likely double in cost to \$200 Million per mile. No other highway in America has ever cost nearly that much. 5) Mr. Tate stated in one of the public meetings held in Lakewood that "you will be able to keep your lakes; after all, it is called Lakewood". The FEIS states that if OUR well heads that supply water to OUR lakes in Lakewood and the Foothills and Club West are destroyed, ADOT will "replace" these water sources. From where? I want to know - potable, treated drinking water from the City of Phoenix? Treated waste water? Would you think a one time payment would be acceptable to us. NO WAY! I reside on one of the lakes and paid a large premium for this privilege. I would fight you in court for the rest of my life before accepting such a settlement. 6) The FEIS does not mention anything regarding concerns raised about the possibility of hazardous materials transported on this truck bypass freeway and how thousands of residents might be evacuated. This potential danger was questioned in comments on the DEIS. Do you think that just ignoring this problem will cause it to go away? 7) South Mountain Park "preserve", the largest city park in America, will have its beautiful western ridges destroyed - scared forever by this truck bypass freeway. What does "preserve" mean to you? It is also considered sacred to the Gila River Native American Nation. You feel that you can just ignore their sacred mountain for the benefit of the trucking industry and business men? 8) The northern end of this attaches to I10 in the middle of west Phoenix. The congestion and pollution there will be even worse than what it is now during rush hour. How will that mess be addressed in the future?</p> <p>This truck bypass freeway needs to be extended way out of the metro Phoenix area - west out along I8 to state route 85 east of Gila Bend.</p> <p>George R. Duganz Lakewood</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A. This freeway will not be part of Interstate 11.
2	Alternatives, Nonfreeway Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	Alternatives, No-Action Alternative	
4	Air Quality	
5	Children’s and Seniors’ Health	
6	Project Costs, Total Cost	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region. In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.
7	Groundwater	
8	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
9	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
10	Section 4(f) and Section 6(f), Traditional Cultural Properties	
11	Alternatives, W59 Alternative Versus W101 Alternative	

Code	Comment Document
	<p data-bbox="432 479 1333 562"> From: John Edmondson [mailto:john@theheadoffice.net] Sent: Monday, November 24, 2014 8:12 AM To: Projects Subject: Stop the SMF Importance: High </p> <p data-bbox="432 570 1333 620"> I don' t believe that ADOT addressed my original comments on the DEIS, which I find troubling. I am a member of PARC, and believe the FEIS is flawed in many ways - among them: </p> <p data-bbox="432 628 1333 891"> 1 It is clear to me from the study information in the FEIS that out of date information was used to determine the viability of transit improvements. Additionally the concepts of just looking at transit to and from the study area is flawed. The data used is from 2001 to maybe 2006. With the passage of the last 8 years, powerful indications exist that the South Mountain Freeway build is an unsatisfactory approach to the transit needs of the region. It should be incumbent upon ADOT to apprise the stakeholders of this fact, and advise an updated approach. ADOT has our theoretical "experts" in transportation, and as such have a duty and responsibility to the citizens of the state to seek the most effective transportation models for the future. The concept that the generals always fight the last war, ADOT appears to be driving the last transportation solution model, when more effective models exist to solve the transportation needs of the future. Because ADOT' s own studies show that South Mountain Freeway will not alleviate traffic, nor change commute times, the project should be immediately scrapped for a more effective approach. </p> <p data-bbox="432 901 1333 1048"> 2 Recent studies show the younger generations driving less, and living closer to their work, and a massive increase in telecommuting. A growing segment of the population recognizes that using mass transit is more effective use of their time and transportation dollars. Maricopa County currently has a particularly poor mass transit system, and with more effective routes across the valley, more people will use the transit system thus alleviating the stressed freeway system, and improving the air quality throughout the valley. </p> <p data-bbox="432 1056 1333 1171"> 2 Consider replacing the freeway with express bus routes from all areas of the valley to all other areas of the valley to connect to local feeders and expand the operating hours. Frequent routes and minimizing the stops for those who want to cross the valley would massively reduce traffic. An example would be express routes to the airport from every major location valley wide. Implementing a strategy like this while pursuing the construction of effective </p>

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Alternatives, Nonfreeway Alternatives	
3	Alternatives, No-Action Alternative	

Code	Comment Document
	<p>regional rail or light rail strategies would further the transportation effectiveness throughout the valley (and ADOT still gets to construct stuff – a win win). This concept can be implemented for less than the cost of the SMF – or be extremely robust for the cost of the SMF.</p> <p>ADOT, by its own admission, recognizes that the SMF is not going to change the transportation woes of the valley. Essentially ADOT is saying that we have to build a freeway because that is the only way we know to solve the problem ... even though it wont solve the problem. We are facing new issues; new technologies; and new generations who recognize that this planet is the only one we have to live on, so we should take care of it. Putting more carbon into the air by creating paths for more trucks to travel is taking us in the wrong direction. Lets focus on transporting as much as we can in the cleanest way possible – this is the future of transportation – not building 1950’ s technology (i.e. freeways). As a community we hire our political leaders to look forward. In turn, they employ subject matter experts, like employees of ADOT, to advise them of the right thing to do for all of the citizens. Because as has been pointed out by so many outside experts, the FEIS for the SMF is seriously flawed in so many ways, it is incumbent upon ADOT to immediately stop this process and take stock of what truly makes sense for those who will be so dramatically affected by the deadly increase in pollution in the study area, the gross hazardous material accident risk, and the obscene expense associated with a freeway that ADOT recognizes will not improve the traffic congestion for the rest of the valley. Let’ s do the right thing, and really focus on getting people out of their cars and build a TRANSPORTATION system for the next century, not that last one.</p> <p>John Edmondson Phoenix, AZ</p>
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Code	Issue	Response
4	Air Quality	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
5	Hazardous Materials	
6	Project Costs, Total Cost	

Code	Comment Document
	<p>From: Diane Eide [mailto:dbe1950@gmail.com] Sent: Thursday, October 16, 2014 9:33 AM To: Projects Subject: Loop 202 South Mountain</p>
1	I am very concerned about my house value - please read the attached.
2	<p>Can someone please contact me regarding the status of this area? Thank you</p> <p>Diane Eide 480-759-8490 3231 E Redwood Lane Phoenix, AZ 85048</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Economics, Socioeconomics	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Public Involvement	Commenter was contacted by members of the project team.

Code	Comment Document
	Loop 202
	32 nd Street Bridge
1	<p>I live in Lakewood very near the intersection of 32nd St and Pecos Rd. The Loop 202 debate has been going on for years but on Sept 26th the final EIS was released and I took note that this is becoming a reality. I read the information online and called ADOT to inquire about the impact the highway would have on my neighborhood. I learned that none of the houses in my area were in the right of way but I could not imagine how an 8 lane highway with a median, appropriate shoulders and a sound wall barrier could possibly fit in the existing space.</p> <p>After a another call to the right of way department at ADOT I earned that the highway will be elevated with a gradual incline beginning ¼ mile on either side of 32nd St with a 20 foot high bridge over the intersection. My comment about how this was a convenient way to get around right of way relocation was dispelled and I was immediately corrected. The representative said the bridge over the 32nd St intersection was to accommodate access to Pecos Storage from 32nd St.</p> <p>So in other words the neighborhood just to the east and the west of 32nd St and Pecos Rd will have their view obstructed and there will be high traffic noise generated by an elevated highway to accommodate a business. Needless to say I am appalled that the city is completely ignoring the residents who live and entertain and whose children play in the front yards and backyards along the highway in favor of one business establishment.</p> <p>In the EIS report Environmental Consequences section highlighting the Pecos Road Visual Impacts issue of an elevated highway is brushed over as minimal.</p> <p>Come and stand in my backyard. Unless the highway has no streetlights and no semis my view will be nothing but concrete and truck tops and the night sky will be lit up like a runway. The nighttime quiet solitude will be shattered by over the road truckers who drive all night.</p> <p>I love my house and my neighborhood but I would rather have the city take my house than have an elevated behemoth out my back door.</p> <p>The highway is inevitable and it is quite obvious that nothing will stand in its way no matter the environmental impact on residents who actually live in the area. Our quality of life the quality of the air we breathe and the value of our homes will suffer. This is not acceptable. ADOT needs a new plan.</p> <p>Diane Eide</p>
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2	3
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6	7
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Code	Issue	Response
1	Design, Noise	The freeway will have a rolling profile (see page 3-41 of the Final Environmental Impact Statement) and will be elevated to pass over arterial streets. To maximize the effectiveness of noise walls and to minimize costs, walls are normally constructed on the elevated grades with the freeway.
2	Visual Resources	<p>Light from the freeway will be produced from vehicle headlights and taillights and from fixed light poles at interchanges along the freeway. Nighttime users of the park and residents of Ahwatukee Foothills Village may see lines of seemingly crawling vehicles, each with lights front and back. Freeway lighting will be provided along the median of the freeway and at interchanges to achieve desired lighting levels for safety reasons. Any freeway lighting will be designed to reduce illumination spillover onto sensitive light receptors (such as residential and natural areas) (see page 3-58 of the Final Environmental Impact Statement).</p> <p>Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.</p>
3	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Community Impacts	
5	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Alternatives, Environmentally Preferable Alternative	
7	Air Quality	
8	Economics, Socioeconomics	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div></div><div><p>Estrella Elementary Kyrene School District 2620 E Liberty Lane Phoenix, AZ 85048 October 27, 2014</p><p>Mr. Timothy Tait, Assistant Communication Director AZ Department of Transportation 1801 W Jefferson St. Suite 120, MD E 700 Phoenix, AZ 85007</p><p>Dear Mr. Tait:</p><p>Can you please rethink the freeway through Ahwatukee? It just doesn't make sense to me that you would take down quite a lot of things. If you think about it you're taking down our church that just had almost \$2,000,000 dollars of water damage repairs from the monsoons, a lot of my friends' houses, and would you like it if a freeway was in front of your school? The only reason I'm mad is because Ahwatukee was a happy place until we got the horrible news that they were going to put a freeway through it and now everybody's worried that it's coming and coming FAST! It just doesn't make sense, to me at least. Somebody please stop this!</p><p>Sincerely,  Andy Ellis</p><p>P.S- it would be greatly appreciated for a response! :)</p></div></div>

Code	Issue	Response
1	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Freeway Awareness	
3	Community Impacts	

Code	Comment Document
	<div><div><div>1MR. ENOS: Hello. My name is Darius Enos,</div><div>2and I'm from Santa Cruz Village, well, actually, between</div><div>3Gila Crossing and Santa Cruz, at that cul-de-sac.</div><div>4My dad is building a -- like a mud house.</div><div>5And it's a very good example of sustainability that I</div><div>6don't -- I'm not sure if the tribe has looked into when</div><div>7fulfilling our housing needs. But it's for sustainable</div><div>8purposes. It's going to keep our -- our family cool in</div><div>9the summer, and it's going to keep us warm in the winter.</div><div>10And it's going to be a reproduction of how homes were</div><div>11built prior to what we call so-called progress.</div><div>12And I know that's been a theme that's been</div><div>13discussed is progress; it's coming. Well, did you know</div><div>14that with progress, it -- comes all these -- these bad</div><div>15statistics for our community? We say that manifest</div><div>16destiny's coming. It's happening. But all of these --</div><div>17these things, these diseases, these -- alcohol abuse,</div><div>18domestic violence, violence against women, the</div><div>19sexualization of women. We -- we don't really value who</div><div>20we are as O'odham and as -- as a people, as spiritual</div><div>21beings and -- that was placed in this desert.</div><div>22Why we don't really necessarily question why</div><div>23we're here, because we're participating in the economy.</div><div>24We're trying to feed our families. And yet originally, we</div><div>25had the water to -- to make our own gardens, to provide</div></div><div>Page 92</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
1	<div>1 for our own families. And we also had lawyers to defend</div> <div>2 those -- those gardens, whether it be from the Apaches,</div> <div>3 whether it be from Spaniards, whether it be from the</div> <div>4 Miligan.</div> <div>5 And -- and I want to commend the runners. A</div> <div>6 lot of you that are from here -- especially if you're from</div> <div>7 here, I'm very proud of you guys. Especially if you're</div> <div>8 young. You could be anywhere else. You could be watching</div> <div>9 cartoons. If it was me at that age, I'd be watching</div> <div>10 cartoons.</div> <div>11 The Dineh, Eric, thank you for being here.</div> <div>12 If you're from any other tribe. I think there's even a</div> <div>13 non-native running.</div> <div>14 So this particular issue, there's people</div> <div>15 that aren't even O'odham that are fighting this freeway.</div> <div>16 So it's not necessarily just an O'odham issue. But for</div> <div>17 the purposes of this forum, it is. But I just wanted to</div> <div>18 tell you guys that little tidbit and give you guys hope</div> <div>19 that, you know, it's not just us that are in opposition to</div> <div>20 this freeway.</div> <div>21 And the main thing I wanted to say was --</div> <div>22 was this quote, these statistics from this book called</div> <div>23 'Bird on Fire: Lessons From the World's Least Sustainable</div> <div>24 City.' And it's by a man named Andrew Ross. So -- so one</div> <div>25 of the quotes that -- that stood out -- I barely have,</div> <div>Page 93</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
2	<div>1 like, an example copy of the book. I haven't purchased</div> <div>2 the whole thing yet. So there's a lot more information</div> <div>3 on -- in this book, I'm pretty sure, that I haven't even</div> <div>4 tapped into yet.</div> <div>5 But one of the statistics was from 1990 to</div> <div>6 2007, Arizona added fossil fuel pollutants faster than any</div> <div>7 other state. The rate of increase was more than three</div> <div>8 times the national average.</div> <div>9 And if you guys think about what this</div> <div>10 freeway, what kind of impact does that have on our</div> <div>11 pollution? I think -- I'm not too sure Gila River has air</div> <div>12 quality awards for really good air quality, but what is</div> <div>13 that going to do to our -- our health?</div> <div>14 And there's also other -- by 2005, the</div> <div>15 Valley's infamous brown cloud was drawing the lowest</div> <div>16 national grades from the American Lung Cancer Association</div> <div>17 for air quality in both ozone and particulates. And in</div> <div>18 2010 we claimed the number one spot for dust pollution.</div> <div>19 So I don't know if that's something that's</div> <div>20 in the FEIS. But it's definitely something to consider.</div> <div>21 And I'm not sure why there isn't a FEIS for different</div> <div>22 communities, whether they be on reservation or off</div> <div>23 reservation. I don't have -- I don't -- honestly, I don't</div> <div>24 know if anyone has time to look at, you know, Buckeye's</div> <div>25 FEIS or Laveen's FEIS or Ahwatukee's FEIS. Our main</div> <div>Page 94</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
2	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	National Environmental Policy Act Process	The Final Environmental Impact Statement considers the potential impacts on all communities within a single document. Separate documents are not developed for each community.

Code	Comment Document
3	<p>1 concern is -- is our community. And why couldn't there be</p> <p>2 a separate FEIS for us to look at, whether it be on or off</p> <p>3 the reservation?</p> <p>4 So with that being said, that is -- I think</p> <p>5 that is a form of blatant racism. We're a marginalized</p> <p>6 community as it is. We -- like the elder, Mike</p> <p>7 Tashquinth, said, we've given a lot, in our history, to</p> <p>8 the non-natives. And we continue to do that today with</p> <p>9 casino revenue.</p> <p>10 So I think we're a very important</p> <p>11 population, and -- and -- we are. And I hope that people</p> <p>12 consider that when they're making their decisions, whether</p> <p>13 it be like the political vote or a political speech. But</p> <p>14 there's things that you can do that doesn't involve</p> <p>15 politics, like -- like Renee does or -- or Mike or the</p> <p>16 runners. They took their time out of their day to make a</p> <p>17 statement. They ran from Muhadagi Do'ag to here along the</p> <p>18 freeway and the potential freeway lines route. And I just</p> <p>19 wanted to give you guys hope, and remember that we did --</p> <p>20 we do continue to give a lot to the state of Arizona.</p> <p>21 And, you know, I've been here before. I've</p> <p>22 talked in front of people. I've been to a few council</p> <p>23 meetings. And I'm glad that Councilman Chris Villarreal</p> <p>24 stepped up and said that. I think a lot of us are</p> <p>25 wondering what is council -- what their position is with</p>
4	

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Code	Issue	Response
4	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
2	<div><div>1 the freeway, because they've -- you know, they've come up</div><div>2 here, and they've said it's -- it's -- they're just fine</div><div>3 listening to everybody, and they're not ready to make a</div><div>4 decision. They've said that here today. And so I'm glad</div><div>5 Council Villarreal said that -- that the position is to</div><div>6 defend our air quality. And I think we're all -- we'll</div><div>7 all hold you up to it.</div><div>8 And so thank you.</div><div>9 MS. KISTO: Thank you, Mr. Enos.</div><div>10 Anybody else?</div><div>11 Ma'am. Next we'll have Monique Rodriguez.</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>Page 96</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1 over there on our rez, now we're starting to get</div><div>2 sidewalks. And I was like -- it's cracking me up, because</div><div>3 I'm like, dang, now we're going to have sidewalks.</div><div>4 We're -- we're a rez, you know -- but, you know, so -- you</div><div>5 know, from our O'odham over there to over here, you know,</div><div>6 I just want to commend every one of you guys that are</div><div>7 standing up for what you believe is right for your</div><div>8 community and your land, you know. That's awesome. I'm</div><div>9 proud of each and every one of you guys.</div><div>10 MS. KISTO: Thank you, Mr. Eschef.</div><div>11 Anybody else? Please come up, make a</div><div>12 comment. You're more than welcome to.</div><div>13 Ms. Riddle is on her way back up.</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div>Page 45</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div></div><div><div><div><div></div><div></div><div></div></div><div><div><div>From:</div><div>Kelly Fam [mailto:kwandry3@cox.net]</div></div><div><div>Sent:</div><div>Sunday, December 28, 2014 9:07 AM</div></div><div><div>To:</div><div>Projects</div></div><div><div>Subject:</div><div>Family opposed to freeway</div></div></div><div><p>This very existence of this proses to expand the Loop 202 is a threat our own existence. It is a clear example of present day colonization. Furthermore, it is an enormous attempt on the side of the state to commit large-scale ecocide to everything natural which still exists within Phoenix. Thousands of families and all four O’odham tribes are under attack by this proposed freeway. This project needs to be shut down.</p><p>Thank you</p><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div></div></div>

Code	Issue	Response
1	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div><div><div>1</div><div>2</div></div><div><div>3</div><div>4</div></div><div><div>5</div></div><div><div>6</div></div><div><div>2</div></div><div><div>7</div></div><div><div>8</div><div>9</div></div></div> <div><p>From: Kelly Fam [mailto:kwandry3@cox.net] Sent: Sunday, December 28, 2014 9:44 AM To: Projects Subject: No build emphasis and Concerns about the (\$20 million) DEIS</p><p>I am concerned that the DEIS does not adequately identify:</p><ul style="list-style-type: none">the displacement of Gila River homes,does not identify an evacuation route in the event of a biohazardous accident,does not depict the loss of agriculturally zoned lands in the Laveen and Gila River areas, orvisually display prehistoric sites potentially impacted from construction.The DEIS clearly discriminates on the basis of religion and race. United States commission on civil rights defined religious discrimination in relation to the civil rights guaranteed by the Fourteenth Amendment to the United States Constitution.The modeling of air pollution impacts in the DEIS do not include the additional air pollution from truck traffic from Mexico. The DEIS briefly mentions the issue, but it claims it has no way to know what impact this would be. Toxic air is already an issue, but added risks are not mentioned.there is nothing in the DEIS that even mentions the hazmat transportation and risks issue.<p>ADOT needs to analyze these impacts and provide visuals such as aerial photography where needed.</p><p>I recommended that ADOT issue a revised DEIS that adequately addresses public health concerns. NO build is the only option.</p><p>Thank you</p><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div>

Code	Issue	Response
1	Acquisitions and Relocations	There will not be displacements of Gila River Indian Community homes.
2	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	Land Use	The existing land uses and zoned land uses are shown and the potential acreage of conversion to a transportation use are disclosed in the section, <i>Land Use</i> , beginning on page 4-3 of the Final Environmental Impact Statement. There will be no loss of agricultural land on the Gila River Indian Community.
4	Cultural Resources	Sensitive and confidential information regarding Native American sacred sites is not included in the Final Environmental Impact Statement, a public document, as a means of protecting them. This information is included in the technical reports prepared for the project and is kept confidential.
5	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Trucks	
7	Public Involvement	Aerial maps are available on the project Web site: <azdot.gov/southmountainfreeway>.
8	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
9	Alternatives, No-Action Alternative	

Code	Comment Document
	<div data-bbox="428 358 801 449"> <p>From: Kelly Fam [mailto:kwandry3@cox.net] Sent: Sunday, December 28, 2014 9:44 AM To: Projects Subject: No Build!</p> </div> <div data-bbox="205 534 313 860"> </div> <div data-bbox="428 532 1292 614"> <p>Laveen and Ahwatukee residents would ultimately be affected by air and noise pollution, as well as the inevitable devastation of numerous local businesses, homes and a church in the line of the proposed route.</p> </div> <div data-bbox="428 647 1292 870"> <p>The Sierra Club Report “The Best and Worst in Transportation Investments” listed SMF as one of the worst projects in the United States based on oil, environmental, health, economic, and land use impacts. The freeway would impose on a critical wildlife corridor for various threatened desert animals and fragile ecosystems unique to both the Estrella and South Mountain ranges.</p> </div> <div data-bbox="428 937 1292 1001"> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p> </div>

Code	Issue	Response
1	Air Quality	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Noise	
3	Acquisitions and Relocations	
4	Freeway Awareness	
5	Biology, Plants, and Wildlife	
6	Cultural Resources	

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Air Quality	
4	Economics, Socioeconomics	
5	Design	During construction of the South Mountain Freeway, traffic will be maintained along Pecos Road to the greatest extent practicable, similar to the construction process on other highways, such as Price Freeway. However, there will be necessary restrictions and periodic closures that will force east-west traffic to use alternative routes other than Pecos Road.
6	Project Costs, Total Cost	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<p>1 MS. FRANCISCO: Good morning. My name is</p> <p>2 Shelby Francisco, and I'm a resident here in District 6.</p> <p>3 I grew up with a asthmatic child, so I know</p> <p>4 what it is firsthand to have sick children. I don't think</p> <p>5 the community really realize that this freeway will have</p> <p>6 such an impact on our health that it's -- it's not a good</p> <p>7 thing.</p> <p>8 You know, it's convenient to jump on the</p> <p>9 freeway and go wherever we want to go. But it comes with</p> <p>10 a price. And our community has to remember that. And,</p> <p>11 you know, I'm sorry that the allottees are having trouble</p> <p>12 with expanding their services, but they should be afforded</p> <p>13 what services they want to produce on their lands. I,</p> <p>14 too, am an allottee in Queen Creek. You know, and if I</p> <p>15 wished to pursue it, I would.</p> <p>16 But I do not support the building of this</p> <p>17 freeway. Our district here put a resolution in place to</p> <p>18 not support it. So all the people that attend the</p> <p>19 district meetings, you're the ones that have the power.</p> <p>20 Go to your meetings. Be involved. Take that</p> <p>21 responsibility on yourself. There's nothing wrong with</p> <p>22 being on opposite ends of the spectrum. But if you want</p> <p>23 to make a difference, you need to be in your community</p> <p>24 meetings to do that.</p> <p>25 So I do not support the build. You know, we</p>
2	

Page 28

Driver and Nix Court Reporters - (602) 266-6525
www.drivernix.com

Code	Issue	Response
1	Children’s and Seniors’ Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	

Code	Issue	Response
3	Alternatives, Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div><div><div>1</div><div>2</div><div>3</div></div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div></div></div><div><div><div><div>From: fritzca [mailto:fritzca@q.com]</div><div>Sent: Tuesday, November 25, 2014 8:03 PM</div><div>To: Projects</div><div>Subject: Loop 202 South Mountain Freeway Comments</div></div></div><div><div>Top Ten Reasons NOT to Build 202 Freeway:</div><div>1. Creates truck route around Phoenix – producing disastrous air quality and possible hazardous spills</div><div>2. Adjacent to schools</div><div>3. Creates unhealthy conditions for those susceptible to asthma, allergies, and cardiopulmonary problems</div><div>4. Traffic congestion is only alleviated by 1 minute</div><div>5. ADOT used outdated data from more than 34 years ago</div><div>6. Water wells would be disrupted</div><div>7. Demolishes 3 mountain ridges to South Mountain Preserve, animal habitat, and sacred and culturally sensitive land</div><div>8. Elevated with only 2 on-ramps from Ahwatukee-Foothills</div><div>9. Devastating to quality of life, lowering property values</div><div>10. Dictating the life of our community by others with no ties or interest in our community</div></div><div><div>Carolyn S., Carolyn A., and Charles Fritz</div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Hazardous Materials	
4	Children’s and Seniors’ Health	
5	Health Effects	
6	Alternatives, No-Action Alternative	
7	Purpose and Need, Old Plan or Use of Old Data	
8	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
9	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Biology, Plants, and Wildlife	
11	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document

Code	Issue	Response
12	Design	<p>The project team analyzed the belowground option, also called the depressed freeway option. The analysis indicated that depressing the freeway would increase the cost of construction and right-of-way acquisition, displace additional residences, create the need for additional pump stations and detention basins, and still need the installation of noise barriers. Because the belowground option would result in substantially greater costs and residential displacements, this option was eliminated from further study (see Final Environmental Impact Statement pages 3-15 and 3-18).</p> <p>The freeway will include four traffic interchanges in Ahwatukee Foothills Village: 40th Street, 24th Street, Desert Foothills Parkway, and 17th Avenue.</p>
13	Economics, Socioeconomics	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
14	Purpose and Need, Lack of Support	

Code	Comment Document
	<div><div><div>1234567839</div></div><div><p>-----Original Message----- From: Donald Fuller [mailto:donjaneazco@gmail.com] Sent: Saturday, November 22, 2014 8:31 PM To: Projects Subject: Freeway</p><p>Dear ADOT</p><p>We are two of the nearly 8,000 who have commented negatively regarding the 202 extension. This demonstrates the sincerity of the concerns expressed by the thousands of residents who would be affected.</p><p>We are against having an eight lane freeway in our back (and front) yards with 18 wheelers roaring and polluting our relatively quiet and clean air.</p><p>Has anyone considered the devastation that would result in destroying thousands of residences and a place of worship serving hundreds of our neighbors and chopping a chunk off a mountain sacred to our Native American brothers?</p><p>Would not the expense of the removal and compensation paid to all the residents and churches be greater than offering the Indian owners a generous compensation to build on the desert wasteland that exists there now? And why were building permits even allowed through this area ... even in recent months to Pecos and 17th Avenue?</p><p>We purchased the property here to get away from the big city and to enjoy the quiet and unspoiled foothills of South Mountain. Now, we may be faced with years of disruption with bulldozers and jackhammers and debris and racket, plus acres of interchanges.</p><p>The uprooting of our homes and churches and mountain preserve will be catastrophic.</p><p>Gratefully,</p><p>Don and Jane Fuller, Ahwatukee Residents 2502 E. Glenhaven Dr. Phoenix, AZ 85282 donjaneazco@gmail.com</p><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div></div>

Code	Issue	Response
1	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Pollution	
3	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A. The project will result in the displacement of 168 single-family homes.
4	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Section 4(f) and Section 6(f), Traditional Cultural Properties	
6	Alternatives, Gila River Indian Community Alignment	
7	Freeway Awareness	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>While the City of Phoenix has some ability to control development through its zoning ordinances, the City of Phoenix does not have the authority to stop private land from being developed. The Arizona Department of Transportation was able to acquire large tracts of land along the Pecos Road alignment in the 1980s, but funding shortfalls kept the Arizona Department of Transportation from acquiring all of the needed land. Developers were aware of the potential freeway and made the decision to develop the land despite the risk that the freeway would eventually be built. Information related to freeway awareness and the responsibilities of the City of Phoenix, developers, and the Arizona Department of Transportation related to disclosure of the planning for the freeway is presented on page 4-13 of the Final Environmental Impact Statement.</p>
8	Temporary Construction Impacts	Temporary construction impacts and mitigation to minimize harm during construction are disclosed beginning on page 4-173 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.
9	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code

Comment Document

From: Kathie Gallagher [mailto:kathieg20@gmail.com]
Sent: Tuesday, November 25, 2014 5:40 PM
To: Projects
Subject: OUR FUTURE AND THE FUTURE OF MANY CREATURES

My Family and I Join With the Tribal Nations and the people of Ahwatukee and the future generations ,not to mention the environment !

WE ARE STRONGLY APOSED TO CREATING A TRUCK ROUTE
ALONG PECOS ROAD!!

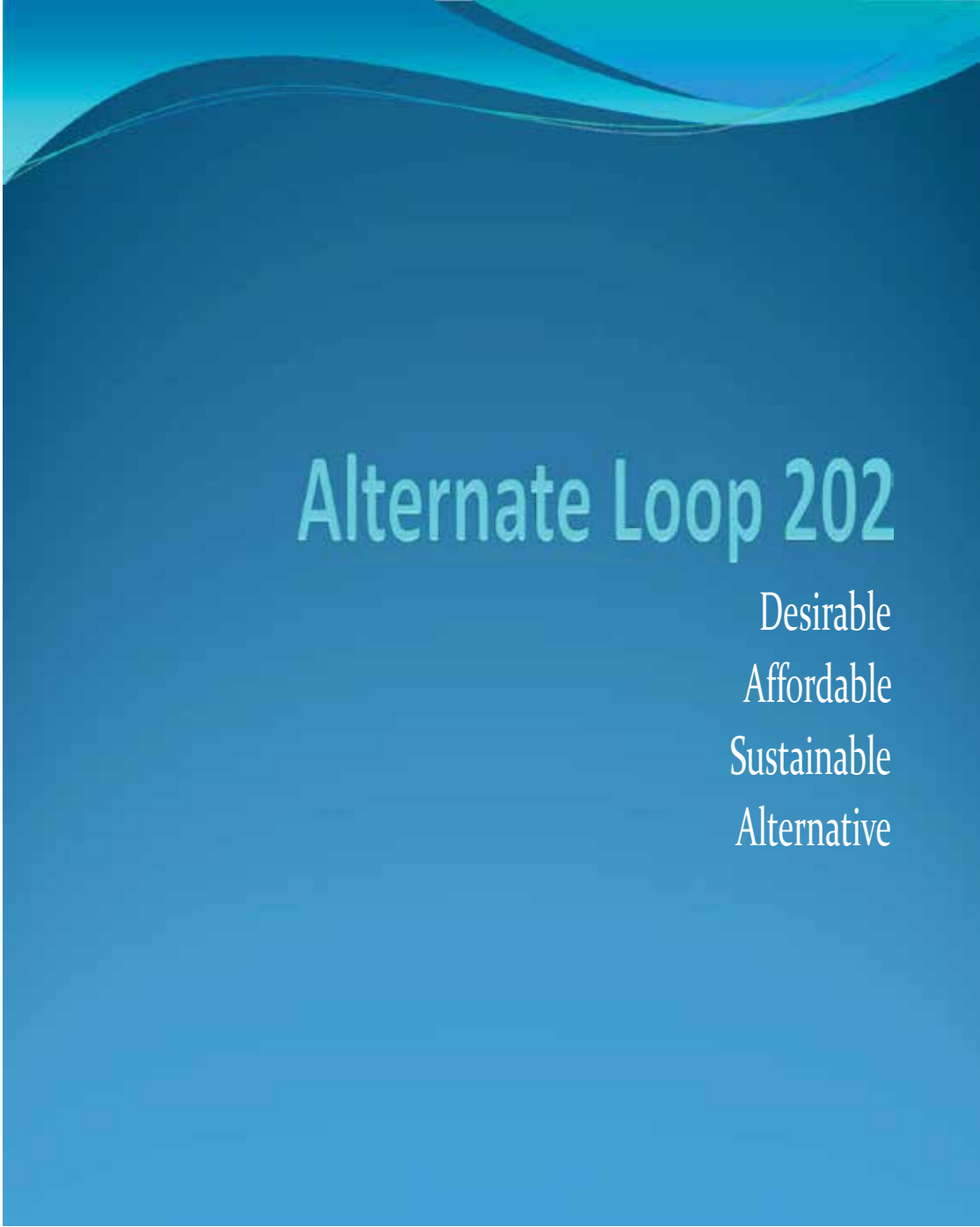
Kathie Gallagher

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Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<p>From: Ddgangemi [mailto:ddgangemi@aol.com] Sent: Thursday, November 20, 2014 1:21 PM To: Projects Subject: Loop202 Proposed Sount Mountain Freeway Pecos Road</p> <p>This input was previously submitted with a corrupted file attached. A new file has been attached, Please submit this with your public feedback .</p> <p>Debby Gangemi</p> <p>Please include our comments to protest this Freeway being built. We support PARC(protectazchildren.org) who is opposing the proposed Freeway also.</p> <p>The original plan for this was in 1985 before the community was built .</p> <p>No successful business would use plans from 1985 for obvious reasons. They would not be a business today if they used analysis from 1985 to guide them in 2014. The landscape has changed, look at alternative routes than make sense for 2014 and beyond.</p> <p>Attached is a alternative to make the Pecos road a parkway.</p> <p>Please choose another route that takes into account the future, not the past.</p> <p>Sincerely,</p> <p>Debby Gangemi Jerry Lamb</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>
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2	


Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives	In the best-case scenario, a parkway would carry approximately 105,000 vehicles per day, well below the average daily traffic on the freeway, which will range from 117,000 to 190,000 vehicles per day (see Final Environmental Impact Statement page 3-19). As a result, a parkway would lack sufficient capacity to meet projected travel demand. A parkway would not adequately address the projected transportation system capacity deficiency, would not remove a sufficient amount of traffic from arterial streets, and, therefore, would not meet the project’s purpose and need. For these reasons, a parkway was eliminated from further consideration.

Code	Comment	Document
		

Code	Issue	Response


Code	Comment Document
	<div><h3>Existing Proposal</h3><ul style="list-style-type: none">Current Proposal Places Multi-Lane Multi-Use Especially Industrial/Commercial Traffic Corridor:<ul style="list-style-type: none">❖ Over Confluence of the Salt and Gila River Watersheds.❖ Disrupts existing Residences and Tribal Heritage Lands❖ Enables Environmental Hazard Risks in Residential Areas❖ Requires Removal of Existing I-10/Pecos/101 Interchange❖ Requires Construction of 8/10 Lane Interchange</div>

Code	Issue	Response
3	Surface Water	Alternative crossings of the Salt River were studied as part of the environmental impact statement process and are discussed beginning on page 4-116 of the Final Environmental Impact Statement. Impacts resulting from the freeway crossing the Salt River will be addressed in a Clean Water Act Section 404 permit. Washes, streams, rivers, and wetlands delineated as waters of the United States, or jurisdictional waters, are regulated by the U.S. Army Corps of Engineers through use of Section 404 permits. When avoidance of waters of the United States is not practicable, minimization of impacts would be achieved, and unavoidable impacts would be mitigated to the extent reasonable and practicable. The permitting process for Section 404 requires Clean Water Act Section 401 certification. This certification is regulated by the Arizona Department of Environmental Quality for waters of the United States, except on tribal land, where it is regulated by the U.S. Environmental Protection Agency. For construction of the freeway, the Arizona Department of Transportation and its contractors will be required to comply with Sections 401 and 404 of the Clean Water Act and ensure that permit conditions and mitigations will be met during construction. The general and special conditions of the Section 404 Individual Permit will minimize impacts on waters of the United States to the extent practicable.
4	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Cultural Resources	
6	Hazardous Materials	
7	Design	The Interstate 10/Pecos Road/State Route 202 Loop system traffic interchange was constructed to be able to accommodate the freeway and will not have to be removed.

Code	Comment Document
	<div></div> <div><h3>Existing Proposal</h3><ul style="list-style-type: none">• Up-Sized 1983 City Plan in Current 2013 Environment<ul style="list-style-type: none">• Phoenix City has Outgrown Initial Proposal• Ignores Trend to Commuter Rail and Alternative Transportation• Is Inadequate for Commercial Traffic and Residential Traffic as Well</div>


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- 8
- 9

Code	Issue	Response
8	Alternatives, Nonfreeway Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
9	Alternatives	The freeway will be capable of accommodating both residential and commercial traffic, just as all existing freeways in the Phoenix metropolitan area do. The Maricopa Association of Governments regional travel demand model forecasts approximately 10 percent truck traffic on the South Mountain Freeway in 2035 (see Final Environmental Impact Statement page 3-64). This forecast truck traffic is based on existing traffic studies and projected socioeconomic data. This percentage is similar to current conditions on Interstate 10 between Loop 101 and Interstate 17 and on U.S. Route 60.

Code	Comment Document
	<div><div>Existing Proposal</div><div><div>Alternatives studied in the Draft Environmental Impact Statement</div></div></div>

Code	Issue	Response

Code	Issue	Response
10	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
11	Alternatives	The freeway is part of a transportation system developed to improve mobility in the region by increasing capacity and providing alternatives to allow traffic to bypass already congested routes (see Final Environmental Impact Statement pages 1-21, 1-22, 3-1, and 3-3). Like other “loop” freeways in the Phoenix metropolitan area, the South Mountain Freeway will be a commuter corridor, helping to move local traffic between the eastern and western portions of Maricopa County. The alignment proposed in the comment is similar to freeway alignments proposed for State Route 303L south of Interstate 10 and the Hassayampa Freeway (as described in the Maricopa Association of Governments Interstate 10/Hassayampa Valley Roadway Framework Study and the Interstate 8/Interstate 10 Hidden Valley Transportation Framework Study). The alignment would be similar to the State Route 85/Interstate 10 Alternative evaluated for the project. The reasons this alternative was eliminated from further study are presented on page 3-9 of the Final Environmental Impact Statement.
12	Alternatives	The alignment proposed in the comment would be located primarily within Gila River Indian Community land. The Gila River Indian Community has not given permission to study in detail alternatives on its land. Tribal sovereignty is based in the inherent authority of Native American Tribes to govern themselves. While this notion of sovereignty is manifested in many areas, generally Native American land is held in trust by the United States. Native American communities have the authority to regulate land uses and activities on their lands. States have very limited authority over activities within tribal land (see page 2-1 of the Final Environmental Impact Statement). From a practical standpoint, this means that the Arizona Department of Transportation and Federal Highway Administration do not have the authority to survey tribal land, make land use (including transportation) determinations directly affecting tribal land, or condemn tribal land for public benefit through an eminent domain process.

Code	Comment Document
	<div><h3>Creative Proposal</h3><ul style="list-style-type: none">• Creative Proposal Provides<ul style="list-style-type: none">❖ Commercial Commerce Option.<ul style="list-style-type: none">❖ Places Commercial Traffic in less developed areas❖ Residential Option Supporting Ahwatukee Tax Base.<ul style="list-style-type: none">❖ Similar to the Piestewa Fwy❖ Commuter Rail Option for Sports, Entertainment & Downtown Access.❖ Eliminate I-10 Stack Road Construction Re-work.❖ Supports Az. Sustainability Initiatives❖ Potential Overall Project Cost Savings❖ Potential for Future Phoenix Growth</div>

Code	Issue	Response

Code

Comment Document

1

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 9/15/14	INCOMING CALL TIME: N/A
STAKEHOLDER: DAN GARCIA	ADDRESS: N/A
PHONE: 602-549-6829	EMAIL: N/A
CONTACT METHOD: HOTLINE CALL	
CALLER REMARKS/QUESTIONS: Mr. Garcia called to inquire when the freeway construction will begin.	

Code	Issue	Response
1	Project Development Process	This Record of Decision allows final design and construction to begin. Construction could begin as early as the end of 2015. Please see the project Web site for updates (<azdot.gov/southmountainfreeway>).

Code	Comment Document
	<p>-----Original Message----- From: Barbara Geidel 2 [mailto:bgeidel@cox.net] Sent: Monday, November 24, 2014 6:02 PM To: Projects Subject: I oppose South Mountain Freeway as a member of PARC</p> <p>Greetings,</p> <p>As an Ahwatukee resident and a member of PARC, I strongly oppose the building of the South Mountain Freeway. I specifically live in Lakewood, an area that would be negatively affected by this freeway.</p> <p>My child attends Horizon Community Learning Center at 48th St. and Frye Road. There is scientific evidence, found by PARC, that my child, and the 13,000 other students in Ahwatukee, would be at increased risk for respiratory ailments and retarded lung development. This is simply not acceptable. For myself and my husband, as we head into our "senior" years, PARC found that we would have a significantly higher risk of heart attack or death. This is where we wanted to retire, not be living amid the dangers of living right next to an unneeded freeway.</p> <p>As currently proposed, South Mountain Freeway would be a major bypass for trucks. We do not need another truck bypass, especially not one in Ahwatukee or the Phoenix metropolitan area. There is the clear danger of trucks transporting hazardous materials (hazmats) through Ahwatukee, known as "the world's largest cul-de-sac." Evacuation in a timely manner would be difficult, if not impossible. In the case of a chlorine, the results of a spill would most certainly be deadly for Lakewood residents in Ahwatukee. The transportation of hazmats through or by Ahwatukee and Lakewood is unacceptable.</p> <p>The proposed South Mountain Freeway would destroy 3 ridges of South Mountain, which is in the South Mountain Preserve. We want this land "preserved" as it was intended to be. South Mountain is sacred land to several Native American tribes in Arizona. This freeway would be completely disrespectful to their culture. In addition, South Mountain is part of the largest municipal park in the country - it should be honored and preserved as the crown jewel it is.</p> <p>As a resident of Lakewood, the well that feeds our lakes would be destroyed. I can only assume that the cost of replacing this well, plus the ones in the Foothills and Club West golf courses, would be passed onto the taxpayers like me. This is not acceptable.</p> <p>This region is much different than it was 30 years ago when the freeway plan was conceived. The FEIS has not adequately addresses the annual injuries, deaths, and property destruction that will occur in my neighborhood. The health implications and potential cancer deaths from elevated levels of certain air pollutants is being dismissed by FEIS - this approach to human conditions and suffering is unacceptable.</p> <p>FEIS claimed that the South Mountain Freeway would improve travel time by only a couple of minutes on Page 3-34, Table 3-8.This is no justification for the expense and potential harm of this freeway. I strongly oppose the building of the South Mountain Freeway near my home in Lakewood, Ahwatukee.</p> <p>Barbara Geidel</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Children’s and Seniors’ Health	
3	Purpose and Need, Truck Bypass	
4	Hazardous Materials	
5	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
6	Section 4(f) and Section 6(f), Traditional Cultural Properties	
7	Groundwater	<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</p> <p>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.</p>
8	Community Impacts	Mitigation measures to minimize the impact of the freeway on the remaining residents are presented throughout Chapter 4 of the Final Environmental Impact Statement. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.
9	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Health Effects	
11	Air Quality	
12	Alternatives, No-Action Alternative	

Code Comment Document

From: Murray Gifford [mailto:murraygifford@gmail.com]
Sent: Wednesday, October 15, 2014 12:31 PM
To: Projects
Subject: Fwd: Proposed New Pecos Road Freeway.....Ahwatukee....South Mountain Freeway

1

We are contacting you concerning the above mentioned subject as we are taxpayers and property owners in Ahwatukee....and "dead set" against its proposed Pecos Road location and construction...

One email below from a member of Phoenix City Council advises us to contact you in this regard... He also does not want to see the project built there as well...

The second email below from me sets out a number of reasons (common sense and technical) as to why we (along with 80,000 other people living in Ahwatukee) do not want the freeway to be built in that proposed location...

Respectfully submitted....

Thank you...

Murray A. Gifford

Code	Issue	Response
1		Comments and responses appear on following pages.

Code	Comment Document
2	<p>Sent from my iPad</p> <p>Begin forwarded message:</p> <p>From: council.district.6@phoenix.gov Date: October 15, 2014 at 8:49:00 AM MDT To: "Murray A. Gifford" <murraygifford@shaw.ca> Subject: Re: Proposed New Pecos Road Freeway.....Ahwatukee....South Mountain Freeway</p> <p>Hello Murray,</p> <p>Thank you for contacting the District 6 office. Councilman DiCiccio is on record as opposed to the proposed loop 202 extension and in favor of an alternative. Your comments would be worth sending directly to ADOT at projects@azdot.gov or by telephone at (602) 712-7006. They are soliciting residents feedback for the proposed expansion until the end of November.</p> <p>Thank you,</p> <p>George Maynard Council District 6 Councilman DiCiccio</p> <p>From: "Murray A. Gifford" <murraygifford@shaw.ca> To: Council District 6/PCC/PHX@PHXENT, Date: 10/14/2014 03:21 PM Subject: Proposed New Pecos Road Freeway.....Ahwatukee....South Mountain Freeway Sent by: Murray Gifford <murraygifford@gmail.com></p> <p>Dear Mr. DiCiccio,</p> <p>Our family are property owners close to the PROPOSED new Pecos Road Freeway in Ahwatukee and are most anxious to see that this project not be built in this location.</p> <p>We understand that Phoenix City Council is to vote next council meeting to approve or turn down approval of the PROPOSED Freeway Design and Plan as presented by the Arizona Department of Transportation (ADOT)... At this point, I believe it's the technical approval or disapproval of the (FEIS), the Final Environmental Impact Statement for the South Mountain Freeway (SMF)...We would therefore appreciate your support for voting no to this plan not proceeding for the following reasons:</p>

Code	Issue	Response
2		Introductory information reviewed.

Code	Comment Document
3	<ul style="list-style-type: none">The location of the proposed Pecos Rd-South Mountain Freeway was originally considered some 25 years ago when the community of Ahwatukee was in its infancy...if built then, there would be no community disruption or horrendous problems that are faced today if the proposed project is allowed to proceed there because designers then would have taken the Freeway into consideration and not allowed schools, playgrounds, and residential construction so close to the Freeway....i.e., there are 80,000 people now living in Ahwatukee which was not considered 25 years ago...WRONG LOCATION FOR TODAY's TIMES!!There are certainly other locations where the Freeway could go... and much much less cost to construct... <p>The following technical reasons were obtained by professional consultants in highway design, and environmental and quality of life issues...hired by PARC (Protecting Arizona's Resources and Children) an Ahwatukee taxpayer's and homeowners group organized to stop the SMF from proceeding...</p> <ul style="list-style-type: none">The SMF fails to improve on traffic congestion anywhere in the Phoenix area,The SMF would create a dramatic increase in Phoenix truck traffic both on the new SMF truck bypass and on the I-10 in the West Valley,The SMF would deteriorate air quality beyond allowable limits,The SMF would bring proven health dangers for students attending schools near the proposed freeway, specifically 15 schools with over 13,000 students,The SMF would cause unnecessary destruction of both plant and animal habitats within South Mountain and destruction of wilderness areas revered by Phoenix citizens, along with the desecration of land sacred to Native American populations,The SMF would create significant, new dangers of hazardous material transport within highly populated and highly vulnerable areas,The SMF would fail to provide any significant benefits for the outrageous cost,ADOT's proposal for the SMF shows a complete disregard for the laws that are meant to protect our environment and our citizens. <p>Regards,</p> <p>Murray Gifford</p>
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8	<ul style="list-style-type: none">The SMF fails to improve on traffic congestion anywhere in the Phoenix area,The SMF would create a dramatic increase in Phoenix truck traffic both on the new SMF truck bypass and on the I-10 in the West Valley,The SMF would deteriorate air quality beyond allowable limits,The SMF would bring proven health dangers for students attending schools near the proposed freeway, specifically 15 schools with over 13,000 students,The SMF would cause unnecessary destruction of both plant and animal habitats within South Mountain and destruction of wilderness areas revered by Phoenix citizens, along with the desecration of land sacred to Native American populations,The SMF would create significant, new dangers of hazardous material transport within highly populated and highly vulnerable areas,The SMF would fail to provide any significant benefits for the outrageous cost,ADOT's proposal for the SMF shows a complete disregard for the laws that are meant to protect our environment and our citizens. <p>Regards,</p> <p>Murray Gifford</p>
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13	<ul style="list-style-type: none">The SMF fails to improve on traffic congestion anywhere in the Phoenix area,The SMF would create a dramatic increase in Phoenix truck traffic both on the new SMF truck bypass and on the I-10 in the West Valley,The SMF would deteriorate air quality beyond allowable limits,The SMF would bring proven health dangers for students attending schools near the proposed freeway, specifically 15 schools with over 13,000 students,The SMF would cause unnecessary destruction of both plant and animal habitats within South Mountain and destruction of wilderness areas revered by Phoenix citizens, along with the desecration of land sacred to Native American populations,The SMF would create significant, new dangers of hazardous material transport within highly populated and highly vulnerable areas,The SMF would fail to provide any significant benefits for the outrageous cost,ADOT's proposal for the SMF shows a complete disregard for the laws that are meant to protect our environment and our citizens. <p>Regards,</p> <p>Murray Gifford</p>
14	

Code	Issue	Response
3	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Freeway Awareness	
5	Alternatives, Range of Reasonable Alternatives	
6	Alternatives, No-Action Alternative	
7	Purpose and Need, Truck Bypass	
8	Air Quality	
9	Children's and Seniors' Health	
10	Biology, Plants, and Wildlife	
11	Section 4(f) and Section 6(f), Traditional Cultural Properties	
12	Hazardous Materials	
13	Project Costs, Total Cost	
14	National Environmental Policy Act	
		The Arizona Department of Transportation and Federal Highway Administration respectfully disagree with this comment. The environmental impact statement process followed the National Environmental Policy Act and Federal Highway Administration's implementing regulations for conducting social and economic evaluations. The impacts associated with the proposed action are appropriately disclosed in the Final Environmental Impact Statement.

Code	Comment Document
	<p>From: ivy green [mailto:theivygreen@gmail.com] Sent: Tuesday, November 25, 2014 8:21 PM To: Projects Subject: Please do not build the 202 expansion</p> <p>Hello,</p> <p>My name is Ivy and I am an Arizona Native. I pay taxes and live in this state year round. My Family has been in this state for about 5 generations, and I have friends whose families have been in the area for thousands of generations. I am opposed to the 202 expansion.</p> <p>1 South Mountain has been part of the landscape since before the first people arrived, and to desecrate it by removing large chunks to make room for a road is cutting off our nose to spite our face. My Grandmother, my Mother, and myself have all hiked this mountain. I was married to my husband there. Many enjoy this mountain as is. I don't want my tax dollars wasted on this ill- conceived project, we have enough freeway in Phoenix already.</p> <p>2 Also, on a practical note, I Find that this expansion is cumbersome and unnecessary. Even as a property inspector, who drives all over the valley during the day for my work, this would not cut down my commute in any significant way, and would cost the state tax money that would be better spent on schools.</p> <p>3 Finally, and most importantly, this mountain is culturally significant to many First Nation people in the area. Imagine someone building a freeway through your church, synagogue, mosque, temple, yoga studio, gym, etc. Sounds excessive and mean-spirited, right? Well in the interest of treating people fairly, we should respect the wishes of those who see this place as sacred.</p> <p>Thank you for your time in reading my letter.</p> <p>Sincerely,</p> <p>Ivy Green</p>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div data-bbox="519 455 1333 495"> <p> From: Monica Green [mailto:greenmonica@live.com] Sent: Tuesday, November 25, 2014 2:32 PM To: Projects Subject: NO on S.Mnt 202 via Ahwatukee-PARC Importance: High </p> </div> <p data-bbox="519 495 1333 522">To Whom it May Concern,</p> <p data-bbox="519 522 1333 653">Please take into consideration the decision you are making. Allowing a P3 development of a by-pass truck freeway on Pecos Road is not the answer to traffic congestion along I-10. I live in Ahwatukee and work downtown in development. This is such a bad and poor use of the land that has been in protest for over 30 years. It truly isn't necessary and development and change in the valley needs to be so much more than just "building to build" without regard for the impact that it truly makes on our community.</p> <p data-bbox="519 653 1333 677">Simply put, you will see a max exodus of middle to high income families leave the area.</p> <p data-bbox="519 677 1333 743">It is something that will impact the community in more ways than you can imagine! We will uproot our families and have to give up the schools that we've worked so hard on committing to making better. The pollution and transient nature of the area is something that we simply will refuse to live in.</p> <p data-bbox="519 743 1333 810">Please don't allow this to happen. Ahwatukee exists for a reason, it's not an "urban" community nor has it ever intended to become one.</p> <p data-bbox="519 810 1333 834">Is this really what you want? Please consider PARC and our strong opposition to this.</p> <p data-bbox="519 834 1333 858">Simply put, you will see a max exodus of middle to high income families leave the area.</p> <p data-bbox="519 858 1333 925"><i>"The real tragedy of the South Mountain Freeway is that ADOT has wasted over \$22 million and more than a decade to promote a \$2 billion freeway that even ADOT admits won't ease any traffic-congestion issues."-AZ REPUBLIC</i></p>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Freeway Awareness	
4	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A. There is no evidence that the freeway will cause people to leave the area. The regions' benefits will remain, and improved access to residences and businesses will make them more desirable.
5	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Purpose and Need, Lack of Support	
7	Project Costs, Total Cost	
8	Quoted statement	It should be noted that the statement in quotations is from a letter to the editor by a member of the public that was published in <i>The Arizona Republic</i> , not from the editors or any representatives of <i>The Arizona Republic</i> .

Code Comment Document

From: Ralph Guariglio - REALTOR [mailto:kokonuto@cox.net]
Sent: Friday, December 26, 2014 6:31 PM
To: Projects
Subject: SMF-Loop 202

If this freeway is truly meant to be a bypass for all the truck traffic around Phoenix, then that route already exists. Route 85, west of Phoenix, is already signed as the bypass and only needs to be widened. It would save children's lives (read: long term health issues), save taxpayers millions, if not billions of dollars, be easier and much quicker to build, save people's homes and be a boon to the economy of Gila Bend, since access would be so much quicker and easier.

This really is a no-brainer. Stop fighting to **be** right and do what **is** right.

Thank you,

Ralph "Don't Make A Move Without Me" Guariglio
REALTOR


AZRC Realty, LLC

480-241-7622

kokonuto@cox.net

www.HomesByRalph.com

Oh, by the way, please think of me whenever the subject of **Real Estate** comes up!



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Code	Issue	Response
1	Purpose and Need, Truck Bypass	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The study considered an alternative that would run along Interstate 8 in Casa Grande to State Route 85 from Gila Bend to Interstate 10 (see text on page 3-9 of the Final Environmental Impact Statement). State Route 85 is a four-lane, divided highway with limited-access control, and Interstate 8 is a four-lane, divided Interstate freeway with full access control. Existing signs at each terminus designate the route as a truck bypass of the metropolitan Phoenix area. This route would continue to be available for interstate and interregional travel, but it would not meet the proposed action purpose and need as part of a regional transportation network and, therefore, was eliminated from further consideration.</p>
2	Children's and Seniors' Health	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
3	Project Cost, Total Cost	
4	Alternatives, No-Action Alternative	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div></div><div><div><div><div>From: Rusty Crerand</div><div>Sent: Tuesday, December 30, 2014 8:00 AM</div><div>To: Projects</div><div>Subject: Loop 202 S. Mt. #1436376443</div></div><div><div>12/29/2014 9:02:19 PM</div><div>While I can see a need to constantly improve on the freeway system, this addition is obviously very misguided. I understand that this route has been planned for many years, but it seems that the powers that be are proceeding with a plan which was conceived years ago without regard to how things have changed. While I feel it cannot be said enough that this project will ruin what has attracted us and the many residents of Ahwatukee - the quaintness, the beauty, the peace of being secluded from a large metropolitan city, this is not the purpose of this comment. What has not been discussed is the fact that in meeting the goal of guiding people around Phoenix, by accomplishing this, there will be a significant loss of revenue for the City of Phoenix. By people being diverted around the city, they will no longer need to stop within to make purchases such as gas and supplies. I agree that we need to constantly approve our freeway system, but just because this was part of an overall plan which was developed many years ago, does not mean it is the best plan in todays environment. As a citizen of the citizen of Phoenix and Ahwatukee I do not agree with this plan and believe an alternative should be explored.</div><div><div>Angela Hallums</div><div>ahallums@hotmail.com</div></div><div><div><div>Rusty Crerand</div><div>Constituent Services Officer</div><div>206 S. 17th Ave.</div><div>MD 118A Room 101</div><div>Phoenix, AZ 85007</div><div>602.712.7856</div><div>dcrerand@azdot.gov</div></div><div><div><div>ADOT</div><div>Communications</div></div></div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div><div>.</div></div></div></div></div></div>

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Community Impacts	
3	Economics	The freeway will be entirely located within the City of Phoenix, so motorists that use the freeway will not be diverted around the city. Other potential economic impacts are discussed beginning on page 4-56 of the Final Environmental Impact Statement.
4	Alternatives, Range of Reasonable Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<p>From: Sandy H. [mailto:sandy.hamilton.az@gmail.com] Sent: Friday, December 05, 2014 9:13 AM To: Projects Subject: Comment on SM Freeway Errata</p> <p>Comment on Sierra Club objections regarding fossil fuel waste:</p> <p>People work where they work. The proposed freeway would actually result in less fossil fuel used because the drive to and from work would be more efficient on the freeway rather than the stop and go drive by way of surface streets.</p> <p>It is a very efficient use of our land.</p> <p>-- Sandy Hamilton DeLex Realty (602) 888-0267 www.LaveenLiving.net www.LaveenLiving.com</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<p>Circle Trail system is illustrated in the following maps: http://www.maricopa.gov/parks/MaricopaTrail/pdf/2014maps/regional-trail-11x17.pdf http://www.srpnet.com/water/canals/distances.aspx</p> <p>I am a member of PATH International, a nonprofit organization with 800 equine therapy centers around the world. My affiliation with this organization is the program for Wounded Warriors who use America's trails for the treatment of their Post-Traumatic Stress Disorder afflictions. The PATH International programs are helping reduce the numbers of veteran suicides, now at a level of <u>22 suicides every day</u>. Trails provide the serenity, safety, and outdoor environment that are healing these veterans. The Phoenix VA Hospital can utilize the South Mountain Park trail systems as one of the closest areas for veterans' equine therapy treatment. The 202 South Mountain Freeway would negate the value of the South Mountain Park trail system for Wounded Warrior program treatment. For information about the "Horses for Heroes" national program at PATH International, please see: http://www.pathintl.org/ For statistical information, please see the Veteran's Administration 2010 report on veteran's suicides: http://www.va.gov/opa/docs/Suicide-Data-Report-2012-final.pdf The specific section in this report is: Suicide among Veterans – As Reported on Death Certificates Among cases where history of U.S. military service was reported, Veterans comprised approximately 22.2% of all suicides reported during the project period. If this prevalence estimate is assumed to be constant across all U.S. states, an estimated 22 Veterans will have died from suicide each day in the calendar year 2010.</p> <p>Trail Connectivity is also one of my deepest concerns. The most pertinent information relating to the trails and shared non-motorized paths guidelines in South Mountain Park is provided in Section 4(f), item 15, Trails and Shared Use Paths of the FHWA environment guidelines for America's freeways and highways, in the following document: www.environment.fhwa.dot.gov/4f/4fpolicy.asp Questions 15A and 15B specifically address the interruption of existing and designated shared use paths, which include the Maricopa Trail, National Trail, and Sun Circle Trail that share the same pathway in South Mountain Park. Furthermore, the National Trail is a designated National Recreational Trail with all the inherent protections provided by the FHWA. Please see the guidelines provided in Questions 15A and 15B below: 15. Trails and Shared Use Paths Question 15A: Do the requirements of Section 4(f) apply to shared use paths or similar facilities? Answer: FHWA must comply with 23 CFR 774.13(f) when determining if a Section 4(f) approval is necessary for the use of a trail, path, bikeway, or sidewalk. If the publicly owned facility is primarily used for transportation and is an integral part of the local transportation system, the requirements of Section 4(f) would not apply since it is not a recreational area. Section 4(f) would apply to a publicly owned, shared use path or similar facility (or portion thereof) designated or functioning primarily for recreation, unless the official(s) with jurisdiction determines that it is not significant for such purpose. During early consultation, it should be determined whether or not a management plan exists that addresses the primary purpose of the facility in question. If the exceptions in 23 CFR 774.13(f) and (g) do not apply, the utilization of the <i>Programmatic Section 4(f) Evaluation for Independent Bikeway or Walkway Construction Projects</i> should be considered if the facility is within a park or recreation area. Whether Section 4(f) applies or not, it is FHWA's policy that every reasonable effort should be made to maintain the continuity of existing and designated shared use paths and similar facilities.²³</p> <p>Question 15B: The National Trails System Act permits the designation of scenic, historic, and recreation trails. Are these trails or other designated scenic or recreation trails on publicly owned land subject to the requirements of Section 4(f)? Answer: FHWA must comply with 23 CFR 774.13(f) when determining if a Section 4(f) approval is necessary for the use of a trail, path, bikeway, or sidewalk. National Scenic Trails (other than the Continental Divide National Scenic Trail) and National Recreation Trails that are on publicly owned recreation land are subject to Section 4(f), provided the trail physically exists on the ground thereby enabling active recreational use.</p> <p>For further information regarding the protection of National Recreational Trails, please contact: Christopher B Douwes Community Planner</p>
5	

Code	Issue	Response
5	Section 4(f) and Section 6(f)	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
4	<p>Recreational Trails Program Transportation Alternatives Program Federal Highway Administration FHWA HEPH-10 Rm E74-474 1200 New Jersey Ave SE Washington DC 20590-0001 Phone: 202-366-5013; Fax: 202-366-3409 Christopher.Douwes@dot.gov</p> <p>My additional concerns include the significant impacts to the wildlife corridors that connect South Mountain Park to other regional mountain and lake parks within the Valley, including the Estrella, White Tank, and Lake Pleasant Regional Park preserves to the west, and the San Tan, Usery/Superstition, and McDowell Mountain Park preserves to the east. Many wildlife species in the Valley have travel ranges of 50 or more miles, and the 202 South Mountain Freeway would add just one more hazard to the natural habitats of these indigenous fauna. The roadway crossings of these wildlife animals continue to be a cruel, gruesome and transportation safety concern to all freeway and highway users. Major concerns are detailed in this document: http://www.fhwa.dot.gov/environment/critter_crossings/main.cfm The noise environmental effects of freeways and roadways on wildlife are detailed in this document: http://www.fhwa.dot.gov/environment/noise/noise_effect_on_wildlife/effects/index.cfm And the resulting environmental impacts on the vegetation and ecosystem many of these wild animals need to survive are detailed in this document: http://environment.fhwa.dot.gov/ecosystems/begmgt.asp</p> <p>Many years ago, I gave my word that I would protect our Phoenix Mountain Preserves to the four women volunteers who worked so hard to save our Phoenix Mountains: Dottie Gilbert, Ruth Hamilton, Maxine Lakin, and Penny Howe. Only one of these remarkable women is now alive, and I feel my strong commitment to these true visionaries would be desecrated by the 202 South Mountain Freeway.</p> <p>Attached is an archival copy of the 1986 article in the <i>Paradise Valley Voice</i>, documenting the historic day that Governor Bruce Babbitt (and later U.S. Secretary of the Interior) signed the charter amendment into law that established the permanent boundary around the Phoenix Mountain Preserve.</p> <p>Long before this, in the early part of the 20th century, South Mountain Park's boundaries were established through a designation that was originally a Recreation and Public Purposes Patent from the General Land Office awarded to the City of Phoenix. The Master Title Plats will have the exact date this occurred. What is discouraging to me is the blatant letter of support for the ADOT 202 South Mountain Freeway from the San Francisco office of the U.S. Department of the Interior, dated July 24, 2014, signed by Patricia Sanderson Port, Regional Environmental Officer. Does U.S. Interior Secretary Jewell understand the implications of this support for a taking of established preserve lands for the purpose of a freeway? Does this sacrilege of the Department of the Interior's historic lawful jurisdiction over our nation's designated preserves mean nothing to the future protection of America's designated preserved public lands?</p> <p>Furthermore, regarding this U.S Department of Interior letter, there is a glaring lack of specificity, designation or identification of Preserve "replacement land" prior to project design, decision or action by ADOT on this project. It is ludicrous to consider making any planning decisions on the taking of Preserve lands for this project not knowing exactly what "substitution property" would be designated to comply with the intent of the Land and Water Conservation Fund Act. I totally disagree with and am astonished by the ADOT Code 1, Section 4(f) and Section 6(f) (document page 85) response.</p> <p>To conclude, I strongly oppose the construction of the 202 South Mountain Freeway for the reasons enumerated and further defined in this letter. The disadvantages of this project far outweigh the advantages, and the destruction of the South Mountain Park/Preserve lands and the Park's environmental treasures can never be regained if this ill-advised, unnecessary ADOT project proceeds.</p> <p>Thank you for this opportunity to express my concerns and opposition. My contact information is provided in my signature box below.</p> <p>Best regards,</p> <p>Jan Hancock</p>
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Code	Issue	Response
6	Section 4(f) and Section 6(f)	As discussed on page 5-23, the replacement land will be identified in coordination with the City of Phoenix. This action will take place after the Record of Decision (see Table 3, beginning on page 38, of the Record of Decision).
7	Alternatives, Environmentally Preferable Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	

Code	Comment Document
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Code	Comment Document
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Code	Comment Document
	<p>From: Barbara Hanser [mailto:babbsee@gmail.com] Sent: Tuesday, November 25, 2014 2:05 PM To: Projects Subject: South Mountain Freeway</p> <p>TO WHOM IT MAY CONCERN: I am highly opposed to the implementation and construction of the South Mountain Freeway/bypass.</p> <p>1 In light of the major environmental impact on our Valley, this project should never have left the drawing board. More importantly, why consider costly</p> <p>2 construction of a non-essential Freeway when our state has a serious deficit/budget problem at this time?</p> <p>NOTE TO ADOT: SCRUB THIS USELESS PROJECT NOW AND FOREVER!!!!!!</p> <p>Barbara Hanser 4625 East Euclid Avenue Phoenix, AZ 85044</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Alternatives, Environmentally Preferable Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Lack of Support	

Code	Comment Document
	<p>From: Kim Healy [mailto:kim@healycare.com] Sent: Tuesday, November 18, 2014 8:16 AM To: Projects Subject: South Mountain Freeway Project</p> <p>I am writing this email to oppose the proposed South Mountain Freeway project. There are many reasons the project as proposed is a bad idea, but these are among the most important:</p> <p>1</p> <p>2 3 4</p> <p>5</p> <p>6 7 8</p> <p>9</p> <p>10 11 12</p> <p>-- Kim Healy-Franzetti Resident of Lakewood 3801 E. Amberwood Drive Phoenix, AZ 85048</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	
3	Hazardous Materials	
4	Community Impacts	
5	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
6	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Health Effects	
8	Children’s and Seniors’ Health	
9	Project Costs, Total Cost	
10	Alternatives, No-Action Alternative	
11	Alternatives, Gila River Indian Community Alignment	
12	Alternatives, Range of Reasonable Alternatives	

Code	Comment Document
	<p>From: Kim Healy [mailto:kim@healycare.com] Sent: Tuesday, November 18, 2014 8:28 AM To: Projects Subject: South Mountain Freeway Opposition</p> <p>I am writing this email to oppose the proposed South Mountain Freeway project. There are many reasons the project as proposed is a bad idea,</p> <p>1</p> <p>2 3</p> <p>4</p> <p>5</p> <p>6</p> <p>7 8</p> <p>I struggle to think the only reason this project continues is due to city commitments to developers that were committed this road on the other side of the mountain. It is unfortunate but it seems that this project is headed for a legal battle.</p> <p>9</p> <p>10 11</p> <p>The years of consistent opposition to this project clearly demonstrates it is a bad idea. There is no reason to build a bad project simply because has been planned. It would be far better to take a fresh look at this issue and -- if justified -- build the project in a new, different, and more sensible location.</p> <p>--</p> <p>Ray Healy, Resident 3801 E. Amberwood Drive Phoenix, AZ 85048</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	
3	Hazardous Materials	
4	Economics, Socioeconomics	
5	Groundwater	<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</p> <p>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.</p>
6	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Health Effects	
8	Children’s and Seniors’ Health	
9	Alternatives, Gila River Indian Community Alignment	
10	Purpose and Need, Lack of Support	
11	Alternatives, Range of Reasonable Alternatives	

Code	Comment Document
5	3. Building the freeway in the proposed location would unjustifiably impose significant harm on home owners in South Phoenix without significantly helping others. Real estate values will drop dramatically. The freeway also threatens the two lakes in the Lakewood community, which rely on pumps located in the proposed freeway right-of-way. Destroying the lakes would devastate those who currently live along them.
6	
7	4. Building the freeway in the proposed location will impair the air quality in South Phoenix neighborhoods. That decreases the quality of life for all who live there and threatens the health of children, the elderly, and those who have respiratory problems.
8	
9	
10	5. Although the planned freeway project offers little if any benefit to the people of Phoenix and Maricopa County, the costs will almost certainly be much higher than presently projected. The potential benefits therefore no longer justify the extensive cost of the planned project.
11	
12	At this point, the only feasible option for a South Mountain Freeway project is a project much further south than the currently-planned route. If nothing else, the long history of consistent opposition to this project also demonstrates it is a bad idea. There is no reason to build a bad project simply because has been planned. It would be far better to take a fresh look at this issue and – if justified – build the project in a new, different, and more sensible location.
1	
13	

Code	Issue	Response
5	Economics, Socioeconomics	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Groundwater	
		<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</p> <p>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.</p>
7	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Health Effects	
9	Children’s and Seniors’ Health	
10	Alternatives, No-Action No-Build Alternative	
11	Project Costs, Total Cost	
12	Alternatives, Gila River Indian Community Alignment	
13	Alternatives, Range of Reasonable Alternatives	

Code	Comment Document
	<p>I would welcome the opportunity to discuss this matter further with the Arizona Department of Transportation. Please do not hesitate to contact me if you would like to do so.</p> <p>John C. Hendricks Partner Meagher & Geer, P.L.L.P 8800 N. Gainey Center Drive, Suite 261 Scottsdale, Arizona 85258 DIRECT: 480-624-8569 FAX: 480-222-6685 jhendricks@meagher.com www.meagher.com V-Card</p> <p>24-Hour Catastrophic Loss Emergency Hotline: 1-877-635-8663</p> <p>NOTICE: The foregoing message (including all attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, is CONFIDENTIAL and may also be protected by ATTORNEY-CLIENT or other PRIVILEGE. If you are not the intended recipient of this message, you are hereby notified that any retention, dissemination, distribution or copying of this communication is strictly prohibited. Please reply to the sender that you have received this message in error; then delete it. The U.S. Treasury Department requires us to advise you that this written advice is not intended or written by our firm to be used, and cannot be used by any taxpayer, for the purpose of avoiding any penalties that may be imposed under the Internal Revenue Code. Written advice from our firm relating to Federal tax matters may not, without our express written consent, be used in promoting, marketing or recommending any entity, investment plan or arrangement to any taxpayer, other than the recipient of the written advice. Thank you.</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response

Code	Comment Document
	<div><div><div><div>1</div><div>2</div><div>3</div></div><div><div>4</div></div><div><div>2</div></div><div><div>5</div><div>6</div><div>7</div></div><div><div>8</div><div>9</div><div>10</div></div><div><div>11</div></div></div><div><p>From: Scott Herrmann [mailto:sherrmann@goprocure.com] Sent: Saturday, September 27, 2014 9:46 AM To: Projects Subject: Bad design kills endangered species</p><p>Hey ADOT –</p><p>This is so wrong that I cannot believe you think it’s Ok. Not only are you ruining t a mountain preserve by taking off three ridges and more than 30 acres of protected land, your also creating noise and pollution that will never go away. Build this Freeway West of the city from I8 north to I10 west of the 303 loop or connect it there.</p><p>Why the HELL would you build this trashy noise maker in Ahwatukee and think that it is OK? Why?</p><p>People, schools, churches, endangered species, tribal sacred ground all ruined for trucking and transportation and the Union Pacific Railroad, and will not ease traffic because the same traffic jams will occur where this connects at 56th avenue or there about.</p><p>Pull your head out of the cavern it’s in and move this freeway WEST! Way West outside of tukee and the metro area. We will never see the top of south mountain in 20 years if you build this and ruin our community ?</p><p>Scott Herrmann Director Mobile Solutions Direct: 480.706.7030 sherrmann@goprocure.com IMPORTANT NOTICE: This message is intended only for the use of the individual or entity to which it is addressed. The message may contain information that is confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately and destroy all copies.</p><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div></div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Air Quality	
4	Alternatives	The Interstate 8/State Route 85 Alternative is in place today and will be in place in the future as an alternative route for motorists to use to bypass the entire Phoenix metropolitan area. The alternative serves that purpose, but provides no benefits to support regional travel within the Phoenix metropolitan area. For this reason, it was eliminated from further study.
5	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Children’s and Seniors’ Health	
7	Biology, Plants, and Wildlife	
8	Cultural Resources	
9	Purpose and Need	Creating a distribution system for the railroad is not a goal of the freeway. The freeway is part of a transportation system developed to improve mobility in the region by increasing capacity and allowing traffic—including truck traffic—to access a segment of the “loop” system (see pages 1-21, 1-22, 3-1, and 3-3 of the Final Environmental Impact Statement) in the Phoenix metropolitan area. The South Mountain Freeway will be a commuter corridor, helping to move local traffic. As with all other freeways in the region, trucks will use it for the through-transport of freight, for transport to and from distribution centers, and for transport to support local commerce. Nevertheless, the primary vehicles using the freeway will be automobiles.
10	Alternatives, W59 Alternative Versus W101 Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
11	Alternatives, Range of Reasonable Alternatives	

Code Comment Document

From: Scott Herrmann [mailto:sherrmann@goprocura.com]
Sent: Thursday, December 04, 2014 5:14 PM
To: Projects
Cc: Pat Lawlis
Subject: South Mountain Freeway Comment from a PARC member

The SMF will cause relentless noise and pollution let alone the devastation of the natural areas of South Mountain park. This freeway will take away too much from this environment, that will never be replaced. The gains made by the private trucking and transportation industry should not take away our quality, the solitude, sanctuary and peacefulness of life in Ahwatukee.

ADOT wake up and [listen to the people who live here](#) - not the voices of trucking commerce who don't give a damn about anything except their own greed and profits. This is an unnecessary freeway it will NOT alleviate traffic problems anywhere. I hope when you read this you pause and *think about the environment*.

So why am I writing this comment about the South Mountain Freeway Project? Because I want you to remember this when it's built:

ADOT & the Federal Highway Administration you will wipe out endangered species and crush flora and fauna-

ADOT & the Federal Highway Administration you will destroy historic lands and sacred tribal grounds-

ADOT & the Federal Highway Administration you start an endless stream of noise and pollution - that will never go away- you may even be the reason for a HAZMAT natural disaster in my neighborhood-

ADOT & the Federal Highway Administration you ruin a sanctuary of an area we love and call home- To all employees of ADOT & the Federal Transportation System IF you build it, I know you'll be haunted by your decision until your last day on Earth. Sleep with that!

Scott Herrmann
PARC Member
 Direct: 480.706.7030
sherrmann@goprocura.com

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Code	Issue	Response
1	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
4	Purpose and Need, Truck Bypass	
5	Community Impacts	
6	Purpose and Need, Lack of Support	
7	Purpose and Need, Environmentally Preferable Alternative	
8	Biology, Plants, and Wildlife	
9	Cultural Resources	
10	Section 4(f) and Section 6(f), Traditional Cultural Properties	
11	Hazardous Materials	

Code	Issue	Response
1	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
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3	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
4	Alternatives	The Interstate 8/State Route 85 Alternative is in place today and will be in place in the future as an alternative route for motorists to use to bypass the entire Phoenix metropolitan area. The alternative serves that purpose, but provides no benefits to support regional travel within the Phoenix metropolitan area. For this reason, it was eliminated from further study.
5	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Crime	While the City of Phoenix Police Department reported in 2005 that it did not have any statistics specific to crime adjacent to freeways, it did note that based on its experience there does not appear to be a correlation between crime rates and freeways.
7	Biology, Plants, and Wildlife	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
8	<p>life that will never recover from your freeway.</p> <ul style="list-style-type: none">• Sacred grounds of tribal nations will also be effected
3	<p>Did you know Section 4(f) of the Transportation Act mandates “the rejection of any project that requires the use of preserves and park land” unless: there is no feasible or prudent alternative... or such a project includes all possible planning to minimize harm to a park and preserve. You have done neither.</p> <p>Just because private entities think that this path is a good idea it’s not. Your paving paradise for the profits of Swift Transportation and Union Pacific Railroad. I hope you all choke on the pollution this will cause.</p> <p>I, as a member of PARC Protecting Arizona’s Resources and Children, realize you will vote and pass your own record of decision and leave us all with a ruined community> I want to point out, you will be legally challenged by PARC and Others. I have copied some PARC members and Mayor Greg Stanton and representative Sal DiCiccio so they realize what is happening to our community, before the first bulldozer moves the precious earth of South Mountain. Although they won’t say they oppose the freeway, I still wish they would as their supporters in this area are keeping tabs on their lack of a opinion. Maybe now they will generate one because it must be soon.</p> <p>I hope that you realize your building something no community member wants.</p> <p>Thank you for your time.</p> <p>Scott Herrmana herrmann8r@msn.com</p> <p>Rusty Crerand Constituent Services Officer 206 S. 17th Ave. MD 118A Room 101 Phoenix, AZ 85007 602.712.7856 dcrerand@azdot.gov</p>

Code	Issue	Response
8	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Issue	Response
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2	Air Quality	
3	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
4	Alternatives	The Interstate 8/State Route 85 Alternative is in place today and will be in place in the future as an alternative route for motorists to use to bypass the entire Phoenix metropolitan area. The alternative serves that purpose, but provides no benefits to support regional travel within the Phoenix metropolitan area. For this reason, it was eliminated from further study.
5	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Crime	While the City of Phoenix Police Department reported in 2005 that it did not have any statistics specific to crime adjacent to freeways, it did note that based on its experience there does not appear to be a correlation between crime rates and freeways.
7	Biology, Plants, and Wildlife	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
8	recover from your freeway. Sacred grounds of tribal nations will also be effected
3	<p>Did you know Section 4(f) of the Transportation Act mandates “the rejection of any project that requires the use of preserves and park land” unless: there is no feasible or prudent alternative... or such a project includes all possible planning to <u>minimize harm to a park and preserve</u>. You have done neither.</p> <p>Just because private entities think that this path is a good idea it’s not. Your <i>paving paradise for the profits of Swift Transportation and Union Pacific Railroad</i>. I hope you all choke on the pollution this will cause.</p> <p>I, as a member of PARC Protecting Arizona’s Resources and Children, realize you will vote and pass your own record of decision and leave us all with a ruined community> I want to point out, you will be legally challenged by PARC and Others. I have copied some PARC members and Mayor Greg Stanton and representative Sal DiCiccio so they realize what is happening to our community, before the first bulldozer moves <u>the precious earth of South Mountain</u>. Although they won’t say they oppose the freeway, I still wish they would as their supporters in this area are keeping tabs on their lack of a opinion. Maybe now they will generate one because it must be soon.</p> <p>I hope that you realize your building something no community member wants. Do the right thing and stop the madness and the South Mountain freeway Loop 202.</p> <p>Thank you for your time.</p> <p>Scott Herrmann Director Mobile Solutions</p>  <p>Direct: 480.706.7030 sherrmann@goprocura.com www.continulink.com www.goprocura.com</p> <p>IMPORTANT NOTICE: This message is intended only for the use of the individual or entity to which it is addressed. The message may contain information that is confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately and destroy all copies.</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
8	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code

Comment Document

From: SCOTT R HERRMANN [mailto:herrmann8r@msn.com]
Sent: Friday, November 14, 2014 3:37 PM
To: Projects
Subject: Stop the SMF Freeway AZ DOT

123

4

56

Please stop thinking about a loop of South Mountain.
It will only disturb us living in Ahwatukee and create noise, pollution, waste, upset and kill wildlife, native plant species and the land itself. Removing mountain ridges is not acceptable in a preserve like South Mountain Park

If you build this and if you read this... hopefully you'll be haunted the rest of your living days by the poor decision that will not help a single individual. It only helps the trucking companies and union pacific railroad who want it built. Screw them too, they can rot in their graves as well.

Stop the madness
Scott Herrmann
480 706 7030

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Code	Issue	Response
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2	Air Quality	
3	Biology, Plants, and Wildlife	
4	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
5	Purpose and Need, Lack of Support	
6	Purpose and Need, Truck Bypass	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>5</div><div>4</div></div><div><p>From: Scott Herrmann [mailto:sherrmann@goprocura.com] Sent: Thursday, October 16, 2014 11:50 AM To: Projects Cc: Pat Lawlis; mayor.stanton@phoenix.gov; council.district.6@phoenix.gov; herrmann8r@msn.com; howard@shankerlaw.net Subject: a PARC member Comment on Final Environmental Impact Statement for the Loop 202 South Mountain Freeway</p><p>I am not sure you know what you are building and how it will ruin one of Arizona great communities here in Phoenix. Ahwatukee, the Foothills and the Club West communities and many others will all suffer from this Loop 202 South Mountain Freeway.</p><ul style="list-style-type: none">Let’s begin with Noise, it will grow exponentially versus what we have today, a quiet community virtually void of traffic noise.Pollution, trucks and cars running circles around a mountain top, cause the air to stagnate and eventually cover the top of the mountain with permanent pollution.<u>What part of Mountain Preserve do you not understand?</u> A preserve is PROTECTED environment that is not supposed to be used for a freeway. Why not move the freeway west along the highway 19 path and your connection west is built? Or just leave well enough alone, your facts are wrong and traffic, pollution and haz mat models are based upon wrong</div></div>

Code	Issue	Response
1	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
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Code	Comment Document
6	<p>information too.</p> <ul style="list-style-type: none">• We do not want to have access to the west side of Phoenix, via a freeway which will only cause additional crime in our great communities. We have an almost secure cul-de-sac effect today that will be ruined with this freeway as you will open up a crime corridor to the west side.• Many animals who will get crushed, plus extremely fragile and diverse plant life that will never recover from your freeway.• Sacred grounds of tribal nations will also be effected
7	
8	
3	<p>Did you know Section 4(f) of the Transportation Act mandates “the rejection of any project that requires the use of preserves and park land” unless: there is no feasible or prudent alternative... or such a project includes all possible planning to <i>minimize harm to a park and preserve</i>. You have done neither.</p> <p>Just because private entities think that this path is a good idea it’s not. Your <i>paving paradise for the profits of Swift Transportation and Union Pacific Railroad</i>. I hope you all choke on the pollution this will cause.</p> <p>I, as a member of PARC Protecting Arizona’s Resources and Children, realize you will vote and pass your own record of decision and leave us all with a ruined community> I want to point out, you will be legally challenged by PARC and Others. I have copied some PARC members and Mayor Greg Stanton and representative Sal DiCiccio so they realize what is happening to our community, before the first bulldozer moves <u>the precious earth of South Mountain</u>. Although they won’t say they oppose the freeway, I still wish they would as their supporters in this area are keeping tabs on their lack of a opinion. Maybe now they will generate one because it must be soon.</p> <p>I hope that you realize your building something no community member wants.</p> <p>Thank you for your time.</p> <p>Scott Herrmann Director Mobile Solutions 20+ years living in Ahwatukee Direct: 480.706.7030 sherrmann@goprocure.com</p> <p>IMPORTANT NOTICE: This message is intended only for the use of the individual or entity to which it is addressed. The message may contain information that is confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately and destroy all copies.</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
6	Crime	While the City of Phoenix Police Department reported in 2005 that it did not have any statistics specific to crime adjacent to freeways, it did note that based on its experience there does not appear to be a correlation between crime rates and freeways.
7	Biology, Plants, and Wildlife	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<p>From: Jacci Hodges [mailto:jacci.hodges@gmail.com] Sent: Wednesday, November 19, 2014 7:24 PM To: Projects Subject: South Mountain Freeway</p> <p>I am a resident of Ahwatukee, a registered voter who votes, a parent, a teacher, and a concerned citizen. The South Mountain Freeway should never be built. Please consider the negative long term effects this freeway will have on my community.</p> <p>Thank you.</p> <p>Jacqueline Hodges</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Issue	Response
1	Alternatives, W59 Alternative Versus W101 Alternative	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The connection to Interstate 10 (Papago Freeway) at 59th Avenue will include substantial improvements (widening) along Interstate 10 to provide adequate operations on Interstate 10 in the area of the junction and to allow traffic moving to and from the South Mountain Freeway to enter and exit the Interstate 10 main line (see page 3-49 of the Final Environmental Impact Statement).</p>
2	Alternatives	<p>While the Selected Alternative will be located near the fuel tank farm, the Arizona Office of Homeland Security and the City of Phoenix have concurred that the project and the fuel tank farm could coexist (see page S-13 of the Final Environmental Impact Statement).</p>

Code

Comment Document

South Mountain Freeway comment deadline extended to Dec. 29

12/04/2014

South Mountain Freeway comment deadline extended to Dec. 29
Addendum to Final Environmental Impact Statement now available for review

With the Arizona Department of Transportation and the Federal Highway Administration issuing an addendum – called an Errata – to the Final Environmental Impact Statement for the proposed South Mountain Freeway, the comment period has been extended to Dec. 29 for final comments before a Record of Decision is issued in 2015.

Of the more than 8,000 comments received during the public review period for the South Mountain Freeway Draft Environmental Impact Statement, it was noted that 10 comments submitted in 2013 were inadvertently not relayed to the study team for incorporation into the Final Environmental Impact Statement, which was released Sept. 26. As a result, the Arizona Department of Transportation and the Federal Highway Administration issued a “Notice of Omission” in the Federal Register and published an Errata to the Final Environmental Impact Statement.

The Errata contains the 10 comments and formal responses to those comments; it will be available for a 30-day public review period. The Errata can be found at these 18 locations:

- Phoenix Public Library – Cesar Chavez; 3635 W. Baseline Road, Laveen; 602.262.4636
- Phoenix Public Library – Desert Sage; 7602 W. Encanto Blvd., Phoenix; 602.262.4636
- Phoenix Public Library – Ironwood; 4333 E. Chandler Blvd., Phoenix; 602.262.4636
- Phoenix Public Library – Burton Barr; 1221 N. Central Ave., Phoenix; 602.262.4636
- Chandler Sunset Library; 4930 W. Ray Road, Chandler; 480.782.2800
- Sam Garcia Western Avenue Library; 495 E. Western Ave., Avondale; 623.333.2565
- Tolleson West Public Library; 9555 W. Van Buren St., Tolleson; 623.936.2746
- Tempe Public Library; 3500 S. Rural Road, Tempe; 480.350.5500
- ADOT Environmental Planning Group; 1611 W. Jackson St., Phoenix; 602.712.7767 (call for appointment)
- Gila River Indian Community District 1 Service Center; 15747 N. Shegoi Road, Coolidge; 520.215.2110
- Gila River Indian Community District 2 Service Center; 9239 W. Sacaton Flats Road, Sacaton; 520.562.3450/520.562.3358/520.562.1807
- Gila River Indian Community District 3 Service Center; 31 N. Church St., Sacaton; 520.562.2700
- Gila River Indian Community District 4 Service Center; 1510 W. Santan St., Sacaton; 520.418.3661/520.418.3228
- Gila River Indian Community District 5 Service Center; 3456 W. Casa Blanca Road, Bapchule; 520.315.3441/520.315.3445

Code	Issue	Response

Code

Comment Document

- Gila River Indian Community District 6 Service Center; 5230 W. St. Johns Road, Laveen; 520.550.3805/520.550.3806/520.550.3557
- Gila River Indian Community District 7 Service Center; 8201 W. Baseline Road, Laveen; 520.430.4780
- Gila River Indian Community – Ira Hayes Library; 94 N. Church St., Sacaton; 520.562.3225
- Gila River Indian Community Communications & Public Affairs Office; 525 W. Gu U Ki Road, Sacaton; 520.562.9851

A Record of Decision is expected in early 2015. The final decision on construction of the freeway is a cooperative effort involving ADOT, the Federal Highway Administration and the Maricopa Association of Governments as the regional planning agency. The corridor is part of a comprehensive, voter-approved regional plan developed by the Maricopa Association of Governments, and ADOT serves as the agency responsible for implementation of that plan, with the Federal Highway Administration providing the oversight required to use federal transportation funds. For more information, visit azdot.gov/SouthMountainFreeway, email projects@azdot.gov, call 602.712.7006, or write to ADOT Community Relations, 1655 W. Jackson St., MD126F, Phoenix, AZ 85007.

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Code	Issue	Response

Code	Comment Document
1	<p>11/14/14</p> <p>To Whom it May Concern:</p> <p>I was raised in the Ahwatukee Foothills by a single mother. We moved there because we loved the area, the community, the peace and quiet there.</p> <p>I am now 25 years old and my mom is so upset about the 202 SMF maybe being built as it will ruin the entire area + community there.</p> <p>I have to agree as she showed me where this proposed freeway would go. It's way too close to the schools there. Kids should be able to play outside in fresh air, not not polluted by trucks + fumes, noises + cars nearby. The air here is already pretty bad - why would ADOT want to make it worse?</p> <p>Not to mention blasting out part of South Mountain. This proposed freeway was planned 30 years ago. Do they care about the homes they would destroy, the community church, or how this will truly affect our →</p>

Code	Issue	Response
1	Community Impacts	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Children's and Seniors' Health	
3	Air Quality	
4	Noise	
5	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
6	Purpose and Need, Old Plan or Use of Old Data	
7	Acquisitions and Relocations	

Code	Comment Document
8	<p>Community? I don't think so. I think it's greed driven, all about the money. What a sad "Way of the World" ADOT has gone. They need to be honest. let us live live in peace + in clean fresh air. Go build a freeway somewhere else where it won't ruin lives. My mom says if they build it she will move. Thanks for your consideration of this matter.</p> <p>Jenny Hermes</p>

Code	Issue	Response
8	Alternatives, Range of Reasonable Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<p>-----Original Message----- From: Brent Honn [mailto:Brent.Honn@fphcare.com] Sent: Thursday, December 04, 2014 10:35 PM To: Projects Subject: Loop202</p> <p>Any thoughts of having light rail down the middle of the west portion from I10 to just north of gila river reservation. This will link with west light rail that follows I10 to downtown. Thinking building in conjunction w freeway will be quicker and much less expensive.</p> <p>Sent from my iPad</p> <p>This e-mail and any attachments may contain confidential information. If you are not the intended recipient (or have received this e-mail in error) please notify the sender immediately and destroy this e-mail. Any unauthorized copying, disclosure or distribution of the material in this e-mail is strictly forbidden.</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Alternatives, Nonfreeway Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment	Document
	<hr/> <p>From: blair@houghton.net [mailto:blair@houghton.net] Sent: Tuesday, November 25, 2014 11:58 PM To: Projects Subject: Loop 202 South Mountain Freeway Final EIS Comments</p>	
1		
2		
3		
4	<p>The findings of the EIS are in parts conflicting, in parts purely specious, and have apparently been guided to reach the single goal of making the project as expensive as possible (and thus as lucrative as possible for the builders of the freeway) while avoiding meaningfully engaging the GRIC. As the GRIC has voted for a "no-build" option, it is clear they do not see a net benefit in building the freeway, and have eschewed interest in attempting to benefit from it. The residents on the other side of the boundary have also expressed little indication of benefit from it. It's clear that nobody served locally by this road will obtain any benefit from it. When the road was putatively approved, it was envisioned to have been completed almost two decades ago, at far less cost, with far less impact. The project has since grown vastly in scope and direct deleterious impact to residents. Further, the voters' choice at the time was to take the entire regional system or leave it, giving them no chance to make a detailed choice as to any particular segment, only to "approve" them all or lose those that were clearly necessary. It's reasonable to expect that some of the segments would have fallen below the line of approval if they were given a chance to place the line at will. And given that this is the last, most expensive, least utilitarian segment in the system, it is logical that this would be the segment farthest below that line. I do not believe that the people currently approve of this part of the project, despite what was voted on a long time ago. The money would be far better spent elsewhere, not least because more will have to be spent to fix what this project will break, if that is even possible</p> <p>Responses to comments to the Draft EIS were evasive or were irrelevant boilerplate.</p> <p>Sincerely,</p> <p>Blair Houghton</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>	

Code	Issue	Response
1	Purpose and Need, Lack of Support	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Alternatives, Gila River Indian Community No-Build Referendum	
3	Alternatives, No-Action Alternative	
4	Project Costs, Total Cost	

1

2

3

4

5

6

From: Rusty Crerand

Sent: Monday, November 17, 2014 3:40 PM

To: Projects

Subject: Loop 202 S. Mt. Comment #1432155389

Comment from Envoy:

11/17/2014 3:12:38 PM

My husband and I live in Lakewood subdivision of Ahwatukee and we are very concerned with the proposed freeway just south of our development. We understand that the wells that supply our lakes will be destroyed and I have a hard time believing that freeway would be a benefit to all those living near it. Traffic congestion, pollution and noise are all a HUGE concern to our health and welfare, especially kids. We want you to know that we vehemently OPPOSE this expansion. We have lived here in this peaceful neighborhood for 27 years and would be heartbroken for that to change.

May Hsieh

16210 S. 34th Way

dinahdog@cox.net

480-759-0902

Rusty Crerand

Constituent Services Officer

206 S. 17th Ave.

MD 118A Room 101

Phoenix, AZ 85007

602.712.7856

dcrerand@azdot.gov

ADOT

Communications

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Code	Issue	Response
1	Groundwater	<div>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</div> <div>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.</div>
2	Purpose and Need, Lack of Support	<div>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</div>
3	Air Quality	
4	Noise	
5	Children’s and Seniors’ Health	
6	Community Impact	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div></div><div><div>4</div></div></div> <div><p>-----Original Message----- From: Patti [mailto:patimus@aol.com] Sent: Wednesday, November 19, 2014 6:06 PM To: Projects Subject: PARC</p><p>It is amazing to me and my family that the AZDOT is even considering destroying homes, churches, wildlife habits and homeowners' lives by putting in a freeway on Pecos Road when the people living in the area have voted against it and are very angry over this outlandish possible move. There must be a huge payoff within the committee for this to take place. Either there is a payoff or someone believes they have more sense than anyone else and really knows what is best for the mass of people who live in the area. Sounds similar to other political groups. Please reconsider and put the people, churches and animals ahead of your personal desires or increase in income. We support NOT building the 8 lane raised freeway along Pecos Rd.</p><p>Very upset with the people on this committee,</p><p>Patti Hugh resident of Club West.</p><p>Sent from my iPad</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div>

Code	Issue	Response
1	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Purpose and Need, Lack of Support	
4	Alternatives, No-Action Alternative	

Code Comment Document

1

1 MS. HUNERGARDT: Thank you, Zuzette.

2 Can everybody please hear me? Thank you.

3 First of all, as I sat here and listened to
4 everybody speak, I hear you with heavy hearts. My heart
5 is heavy too. I heard Ms. Shelby speak long ago about the
6 progress. Times have changed. She's so right.

7 I remember coming back home, as a child,
8 over 50 years ago -- I'm going to just say over 60 years
9 ago, so you can figure out my age as I stand here.

10 But as a child, I remember seeing that Gila
11 River run. I remember seeing it go bank to bank. I
12 remember seeing my grandparents -- I'm a Perkins from
13 District 1. I'm also -- those are my paternal
14 grandparents. And my maternal grandparents are Ellas from
15 across the river.

16 But what I want to say, I remember, many
17 times, my grandparents, we'd go visit one grandparents;
18 we'd go visit the other. My grandfather would wade --
19 he'd take a walking stick way out in the middle of the
20 river to see, can we cross the river. Sometimes he would
21 take a child on his back to see if he could get to the
22 other side. And many times -- and I could not understand.
23 But his faith was so strong. Those rapids and the water
24 would be just twirling around.

25 And the water was clean in those days. It

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Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1 was not dirty. It was not brown. It ran pure in those</div><div>2 days. We even drank out of it. That was our drinking</div><div>3 water. We even bathed -- I used to watch my grandmother</div><div>4 go get the little buckets and build the fire and bathe</div><div>5 each and every one of us. And thank God, the one who got</div><div>6 in first, they were lucky, because there were seven of us</div><div>7 children. So my grandmother -- I am truly blessed. And</div><div>8 some of you may know what that means. I see a lot of</div><div>9 smiles, but they're not laughing.</div><div>10 But anyway, what I want to say, stand up</div><div>11 here, you know, you're all right. Every one of you.</div><div>12 Every -- every one that spoke tonight, you're all right.</div><div>13 I also had the opportunity, growing up -- I</div><div>14 worked on both sides of the world. And I wanted, part of</div><div>15 me -- those that are people that are Anglo, white people,</div><div>16 I had an opportunity to go on the other side of the world</div><div>17 and on this side. My late father was a World War II</div><div>18 veteran. And I know there's many veterans here tonight</div><div>19 too -- or today. And I just want to thank every one of</div><div>20 you guys, because you know what? You guys didn't have to</div><div>21 go serve. You were not even United States citizens. But</div><div>22 you guys served. You did. You took that oath. You took</div><div>23 that oath, and under God, the greatest creator of all, our</div><div>24 living God, our Heavenly Father, and you heard words</div><div>25 talked about right now, about the creator, our Father.</div></div><div>Page 85</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>


Code	Issue	Response

Code	Comment Document
	<div><div><div>1I also would like to -- and due respect to</div><div>2ADOT. I had the opportunity to work for the Arizona</div><div>3Department of Transportation, a great department, many,</div><div>4many years ago. And I want to tell you, when it came to</div><div>5the reservation, they were at heart. They met with many</div><div>6reservations, and they would check what those studies</div><div>7would be. They checked the lifestyle. They checked the</div><div>8water. They'll check -- somebody had so many horses,</div><div>9well, what's going to happen to my horses if you come on?</div><div>10They did all their homework. They wanted to make sure</div><div>11that road went through or went by their house. They</div><div>12crossed their T's and dotted their I's, ADOT did.</div><div>13But then I heard this one lady speak up a</div><div>14while ago. And she said she went to her council</div><div>15representative -- and please, please go to your</div><div>16representative. You guys elected your representative at</div><div>17each council. And I go to mine. I had a problem this</div><div>18past year. I'm also a landowner. But you know what? I</div><div>19really don't own that land. It's allotted land. It</div><div>20belongs to the U.S. Government. We're only there in name</div><div>21only. That's it. And that's what we forget about. But</div><div>22most importantly, the land belongs to God, not to us. Not</div><div>23to us.</div><div>24And another thing I want to tell you, she</div><div>25even spoke about council. You know, maybe, if all of</div></div><div>Page 86</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 you -- or all of these issues that you're talking about</div><div>2 could have been aired out at your council meeting, or go</div><div>3 to your council community meetings also. It just takes</div><div>4 that one vote. One vote to change everything. So please,</div><div>5 please remember that. Go vote. Go speak up.</div><div>6 A lot of you spoke up now. You go do that.</div><div>7 You have that right, every single one of you.</div><div>8 And thank you very much for hearing what I</div><div>9 had to say. And I'd like to say God bless each and every</div><div>10 one of you. And what happens, it's in God's hands. It's</div><div>11 in God's hands. And so I ask, you pray for what this</div><div>12 decision is going to be.</div><div>13 Thank you very much.</div><div>14 MS. KISTO: Thank you, Ms. Hunergardt.</div><div>15 Come on up.</div><div>16 And after the young lady, we will have</div><div>17 Darius come up to the microphone.</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div>Page 87</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>



Code	Issue	Response

Code	Comment Document
1	<div><div><div><div><div></div><div><div><div><div><div></div><div><div></div></div></div><div><div><div>From: Hurd, Stephanie [mailto:stephanie.hurd@aa.com]<div></div>Sent: Tuesday, December 23, 2014 2:01 PM<div></div>To: Projects<div></div>Subject: Pro Freeway</div></div></div><div><div></div><div><p>Please, please, please get the freeway moving!!! We are SO supportive of it and we live close to it, yay! Let's go FREEWAY! It's heartbreaking for our area knowing that self-centered people are trying to stall the freeway being built. Please move forward with the freeway, please!</p><p>Stephanie Hurd Business Technologies Analyst Tech Ops - Line MX</p><div></div></div></div></div></div></div><div><div></div><div><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div></div></div></div></div></div>

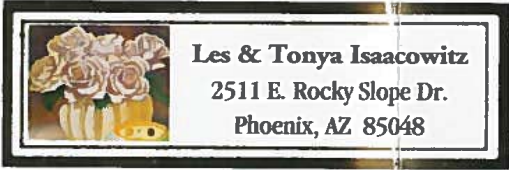
Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>345</div><div>6</div><div>7</div></div><div><div><div><div></div><div></div><div></div></div><div><div></div><div></div><div></div></div><div><div></div><div></div><div></div></div></div><div><div></div><div></div><div></div></div></div><div><div><div>From: MarianneHut@aol.com [mailto:MarianneHut@aol.com]</div><div>Sent: Thursday, November 20, 2014 9:14 AM</div><div>To: Projects</div><div>Subject: Regarding Loop 202 extension</div></div><div><p>Your plan of putting an interstate and international truck route short cut through Ahwatukee is a horrible and costly mistake! Not only is it the cost of hundreds of homes and businesses that will be destroyed. The cost is also the air and noise pollution, an inevitable increase in crime, and definitely the quality of life in Ahwatukee! It will no longer be the delightful community in which we enjoy living now.</p><p>I agree that trucks need to bypass central Phoenix, but an alternative is obvious. Long ago all interstate trucks should have been routed west on Interstate 8, and north on Hwy 85 to join up with I-10. It would be much less costly to widen the 30 or so miles of Hwy. 85 to carry the heavy traffic. Please spare Ahwatukee this detrimental portion of Loop[202 and NOT build on Pecos Road!</p><div>Marianne Hutchinson</div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Acquisitions and Relocations	
3	Air Quality	
4	Noise	
5	Crime	
6	Community Impacts	
7	Alternatives	The study considered an alternative that would run along Interstate 8 in Casa Grande to State Route 85 from Gila Bend to Interstate 10 (see text on page 3-9 of the Final Environmental Impact Statement). State Route 85 is a four-lane, divided highway with limited-access control, and Interstate 8 is a four-lane, divided Interstate freeway with full access control. Existing signs at each terminus designate the route as a truck bypass of the metropolitan Phoenix area. This route would continue to be available for interstate and interregional travel, but it would not meet the proposed action purpose and need as part of a regional transportation network and, therefore, was eliminated from further consideration.

Code	Comment Document
	<div></div> <div><p>Notes 11/22/14</p><p>South Mountain Freeway Project team Arizona Department of Transportation 1655 W. Jackson St. MD 126 F Phoenix, Az 85007</p><p>To Whom it may Concern:</p><p>We would just like to say, the ADOT South Mountain Freeway Project, in our opinion is a big</p><div></div></div>

Code	Issue	Response

Code	Comment Document
1	<p>mistake. It will not relieve congestion, will be a truck by-pass and does nothing to help traffic flow. We ask that this project not go forward.</p> <p>Thank You</p> <p>Les + Tonya Isaacowitz</p> <div></div>
2	

Code	Issue	Response
1	Alternatives, No-Action No-Build Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	

Code

Comment Document

1

1 MR. JACKSON: Good morning. My name is

2 Alvin Jackson. I'm from District 1 original.

3 And I just want to remind everybody to get

4 out and vote. Because you don't realize how important

5 that is.

6 Some lady here had commented before about

7 how this has come up for group discussion and election,

8 votes, about what the community wants. But still we're

9 talking about it? You've got to remember that you are all

10 citizens. You're all citizens of the state of Arizona and

11 of the United States. You need to get out and vote. Let

12 those people know what you want.

13 Politicians, the only thing they understand

14 is a vote either for them or against. That's all they

15 understand. No politician has ever probably run for

16 office just one term and then given it up.

17 I would ask that the current governor-elect

18 of our community draft a letter to Doug Ducey to see what

19 his stance is on that -- this matter is. And you have to

20 let him publish in our tribal paper and then have his

21 response printed in the paper also so when he comes to us

22 for reelection -- 'cause I'm pretty sure he will run

23 again -- that he will know how the members of this

24 community will vote.

25 The master elections are coming up. You

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Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div>1 need to get involved. You don't think that stuff. Your 2 vote counts. Currently, in Southern Arizona, one of the 3 offices has to go for a recount probably because it's that 4 close. You have to vote. 5 On the way down here, driving down Riggs 6 Road -- you know, we've got the border patrol running up 7 and down Riggs Road. And that affects everybody within 8 the community. There's a notation over here saying that 9 this thing's coming up for funding in the year 2015. 10 Those monies, which could have gone towards all this 11 border enforcement and stuff like that probably could have 12 been used for funding for a lot of this freeway stuff we 13 wouldn't have to be paying for. 14 You need to know or research which one of 15 the parties or the people running for the office, what 16 their stances are, and then vote for whatever the best 17 for -- not only for this community but for this country. 18 Sorry. Just get out and vote. That's all I 19 ask. 20 MS. KISTO: Sir, go ahead, if you'd like to 21 come up and comment. 22 23 24 25</div></div>
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Code	Issue	Response

Code	Comment Document
1	<div>MS. JACKSON: Everybody hear me? All right. Good morning. It's still morning. I want you to know that a lot of us have been awake and been planning and been preparing for this day for at least the last week. The runners, all of us who have come through here had a journey this morning while you were probably still in bed or getting dressed. We started at the -- at where the proposed blast site is. We rode in a pickup truck there, dusty, and got blessed. And we heard about the mountain, and we heard -- we sang a song, and we were blessed by Mike here. And then very brave men, women, young girls, elder women, they ran for you. For you. All the community members that are in here. Not to be too disrespectful, but I don't really care about what these people are here for. We're here to talk to you, because you're going to stop it. We're going to stop this freeway. So we could come in, and we could reference the FEIS all we want. But let's be honest, they don't care what we have to say. Our comments about Elder Brother, about Muhadagi Do'ag, that doesn't mean anything to them. We can talk about the pollutants. We can reference their wildlife, and -- we can reference all the</div>
2	
3	

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Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Biology, Plants, and Wildlife	

Code	Comment Document
	<div><div><div>435</div><div><p>1 discrepancies in the FEIS. It doesn't matter. Because</p><p>2 when the ROD, the record of decision comes, they're going</p><p>3 to build it. They're going to try to build it. And let</p><p>4 them try.</p><p>5 But what I came here to tell you is about</p><p>6 what happened this morning. So that group, they set out,</p><p>7 and they covered the route on our community, but the route</p><p>8 where that freeway will be coming through. Some fell</p><p>9 behind. Some were -- it was tougher than a lot of them</p><p>10 had anticipated. Some of them aren't runners. Some of</p><p>11 them are seasoned runners. But they helped each other.</p><p>12 We have people here from all over the</p><p>13 community who came to run today. All just within the last</p><p>14 four days we decided to do this run, to do this, to be</p><p>15 here with you. Last minute these good people came</p><p>16 together. Yesterday they sat underneath the tamarack and</p><p>17 made signs. Read those signs. A lot of their children</p><p>18 wrote those signs. They made those signs. What could be</p><p>19 more pure and more important than the voice of a child</p><p>20 saying that we want clean air, the voice of a child saying</p><p>21 we don't want to destroy our horses. We want to live in a</p><p>22 clean environment.</p><p>23 So that journey began, and those people</p><p>24 helped each other. And it wasn't necessarily a long run,</p><p>25 but it was a memorable one, and it was a journey for us</p></div></div><div>Page 67</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response
4	Children's and Seniors' Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Alternatives, Environmentally Preferable Alternative	

Code	Comment Document
6	<div>1 all. We all stayed together. We all remember what we're</div> <div>2 doing, why we're doing this. And when we were coming in</div> <div>3 here, we knew we were in a better place and we were in a</div> <div>4 stronger place to come and speak to you today.</div> <div>5 So while I do -- of course I do encourage</div> <div>6 you to make those statements at the court reporter and</div> <div>7 look at the FEIS, see the discrepancies. See how minimal</div> <div>8 attention our community gets in that big report. And then</div> <div>9 also think about this. And I will say it. Our community,</div> <div>10 our own community, our own tribal leadership should have</div> <div>11 done a better job of dissecting this information and</div> <div>12 getting it to the people in a way that we could all</div> <div>13 understand.</div> <div>14 And I don't mind saying it, because I went</div> <div>15 to the table and had a meeting with our tribal leadership.</div> <div>16 And I was one of the few who were there. There are things</div> <div>17 that are supposed to be in this form that we agreed on</div> <div>18 that aren't here. The resolutions were supposed to be</div> <div>19 blown up so you could all see. The motion that was made</div> <div>20 in the past by the elders concern committee where they</div> <div>21 said we, as elders, stand against this freeway and to</div> <div>22 protect the mountain. They have said that.</div> <div>23 And it's not here. We are the voice. And</div> <div>24 we have to go through every one of you and tell you, be</div> <div>25 strong. Be brave. Be courageous. We can do this.</div> <div>Page 68</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>
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Code	Issue	Response
6	Gila River Indian Community Coordination	Chapter 2, <i>Gila River Indian Community Coordination</i> , is dedicated entirely to presenting information about the Gila River Indian Community and the project team's interaction with the Gila River Indian Community.

Code	Comment Document
7	<div><p>1 Look, we don't get any compensation. I'm a</p><p>2 landowner. My parents are a landowners. We have land in</p><p>3 that freeway corridor. That land doesn't belong to them,</p><p>4 my parents. It doesn't belong to me. And it doesn't</p><p>5 belong to my children. It is for all of us.</p><p>6 Never have I been so upset at the lack of</p><p>7 respect that these people have for us. We've been doing</p><p>8 this for several years now out of pocket, on our own time.</p><p>9 I want you, community members, to look at these people.</p><p>10 We are not troublemakers. We are not all these things</p><p>11 people want you to think we are. We are just simply</p><p>12 people that said no.</p><p>13 Look around our indigenous communities,</p><p>14 everybody standing up. Everybody has their own battles.</p><p>15 Everybody's fighting those battles; elders, young people.</p><p>16 This is our battle. This is our battle. That is our</p><p>17 sacred mountain. You need to stand up. Don't be afraid.</p><p>18 'Cause when it comes down to it, where do you want to be</p><p>19 in the side of history? Where do you want your family's</p><p>20 name to be? Do you want your family to be a family that</p><p>21 stood up and fought, that helped?</p><p>22 Now, I don't -- I am simply just a community</p><p>23 member. I'm simply a mother, student, somebody who works</p><p>24 and really cares, has deep love, deep love for her people,</p><p>25 a person that just woke up one day and said, no, I'm not</p></div> <div>Page 69</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
7	Alternatives, Gila River Indian Community Alignment	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1 going to give in to the things that are all plaguing our 2 community; drugs, alcoholism, poverty. I'm going to do 3 something. We all did do something. 4 And if this is it, then do it. Make a 5 statement. Speak up. Start talking to your people. This 6 isn't over. 7 And I told my daughter, who did run the 8 whole -- who ran all day today for us, for our family. 9 And I told her one day when we were driving home -- which 10 I will also mention that my children have always gone to 11 school in Ahwatukee. We've lived in Ahwatukee for a 12 while. I have a lot of concern for that community as 13 well. 14 But I told her that one of these days, maybe 15 in 15 years, you're going to still be fighting this. 16 Remember what we did. Remember who was there. Remember 17 what your elders said. 18 Don't give up, everybody. Don't give up. 19 What they don't know is what's coming. This is just the 20 beginning. We're not going to stop. We're going to keep 21 fighting. 22 And that's all I want to say. 23 MS. KISTO: Thank you, Ms. Jackson, for your 24 comment. 25 Anybody else like to come up and make a</div></div></div> <div>Page 70</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response

Code	Comment Document
	<p>From: sharkb8@aol.com [mailto:sharkb8@aol.com] Sent: Wednesday, November 19, 2014 11:07 AM To: Projects Subject: Responses To SMF202 FEIS</p> <p>Responses To ADOT's Comments in the SMF 202 FEIS</p> <p>Code 1-Purpose and Need: Your comments in the FEIS related to my question, "One fact about Phoenix area freeway construction is that within a few month's of a new freeway's opening, it reaches capacity and the only way to effectively relieve freeway rush hour traffic is to get vehicles off the freeway, not by building more and more freeways which increases the vehicle count across the grid did not answer my question. Your comments were ambiguous. You state the congestion relief resulting from the proposed freeway would provide reductions of delays at interchanges. How is this possible when the proposed South Mountain Freeway creates new MAJOR choke points at new freeway intersections (2-3 different freeways intersecting) at 55th Avenue in the west and I-10 in the east where none existed before? Commuters traveling from the west into downtown Phoenix now will have three major freeway choke points on their way downtown during rush hour. Eastsiders will have another within 7 miles of the worst choke point on I-10, the Broadway curve. Table 3-9 in the FEIS shows no substantial factual information on the benefits of the SMF vs. the no-action plan. Just ideas, projections and comments with no factual comments referenced in the comparison chart. Take for instance, the comment under Without the Proposed Freeway, "Lack of the proposed freeway would be inconsistent with the planning efforts of numerous governmental entities." And spending \$2-\$3 billion for 22 miles of a freeway with so many detrimental issues is?</p> <p>Code 2-Purpose and Need: Where does the 6 percent reduction in 2035 average daily traffic volume in the Broadway curve area number come from? Is it just a projection based on the 2003 RTP? Based on past and current real world experience in the field and on the pavement, the Broadway Curve area will not see a reduction in traffic volumes in 2035 as a result of the South Mountain Freeway build. Add to the fact that in the east, the SMF footprint is set. There is no room for expansion unless the GRIC allows expansion to be built on their land in future years.</p> <p>Code 6-Neighborhoods/Communities: I mentioned that Pecos Road contains a "major" church, grade school, post office, and thousands of people living directly in the path of the proposed freeway. These people and businesses will have to be moved and compensated and will be severely impacted if they stay. I find the comment in the FEIS, "Prospective home buyers and members of the church built after the freeway was conceived, according to State law, should have been informed of the proposed facility, offensive. This freeway was on the maps in 1985 (conceived, maybe as early as 1972?), it's now 2014</p>

Code	Issue	Response
1	Alternatives, No-Action Alternative	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The connection to Interstate 10 (Papago Freeway) at 59th Avenue will include substantial improvements (widening) along Interstate 10 to provide adequate operations on Interstate 10 in the area of the junction and to allow traffic moving to and from the South Mountain Freeway to enter and exit the Interstate 10 main line (see page 3-49 of the Final Environmental Impact Statement). The design of the Interstate 10 and South Mountain Freeway system traffic interchange at 59th Avenue has received preliminary acceptance from the Federal Highway Administration, subject to completion of the National Environmental Policy Act process.</p> <p>The Interstate 10/Pecos Road/State Route 202 Loop system traffic interchange was constructed to be able to accommodate the freeway.</p>
2	Purpose and Need	<p>As stated in the original response, the values are based on modeled 2035 traffic projections. The Maricopa Association of Governments is the local government agency responsible for traffic forecasting. The Maricopa Association of Government's travel demand model is a state-of-the-practice model that predicts traffic movement and is used by the Maricopa Association of Governments and Arizona Department of Transportation to determine the need for transportation projects. The model is calibrated to actual, observed traffic conditions and meets an advanced practice guideline by the Federal Highway Administration for similarly sized areas.</p>
3	Community Impacts	<p>Mitigation measures to minimize the impact of the freeway on the remaining residents and businesses are presented throughout Chapter 4 of the Final Environmental Impact Statement.</p> <p>The impacts on community character and cohesion are presented in Table 4-9 beginning on page 4-24 of the Final Environmental Impact Statement.</p>
4	Acquisitions and Relocations	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
5	Freeway Awareness	

Code	Comment Document
	<p>and it's not built. So all these 80,000+ people over the last 29 years should not have purchased homes, built businesses, etc. in the area because of a potential freeway? That comment in the FEIS was uncalled for. These people have built a community before the freeway and it is something that must be dealt with in an understanding, professional manner.</p>
6	<p>My following question was never answered in the FEIS – Since there is no land available, that means there will be no industrial development along the freeway thru Ahwatukee Foothills for the State of Arizona or it's municipalities. Zip, Zilch, Nada. This leaves the Gila River Indian Community with a potential financial juggernaut of retail, industrial and hospitality development along the proposed freeway on their land. This will add even more traffic to the community. Since ADOT states no studies can be done on this land, they have no clue as to what kind of developmental impact the Gila River Community has in store for our community. No one does. Since I posed this question a major retail center has been built and an office complex is in the development stages. There will be a huge arterial street traffic influx from all this development from the freeway/new businesses in the area and there is no state land available. Roads can't be widened when there is no land. What are ADOT's solutions?</p>
7	<p>Code 8-Utilities: You state: There are city water and sewer lines and other private utilities under Pecos Road. As necessary, these utilities would be relocated to avoid impacts from the proposed freeway. But you do not provide any information about these water lines. I want to know exactly what your plans are for these affected water lines. I want to know that petrochemicals and other industrial waste aren't seeping into my water supplies. I saw a 60 million water line being built right under Pecos Road. I looked down the trenches. It needs to be moved, where, what and how much is being moved. What do YOU perceive "as necessary?" Be specific in your answers.</p>
8	<p>This question was not answered: Will ADOT pay for yearly independent water and soil analysis to look for leaching of oil, gas, diesel fuel and chemicals into the freeway area near the community that will eventually leach into the water supply? What about the area's well re-location that is impossible. Is ADOT willing to pay the community for water costs in perpetuity on wells that are capped in the area? Has this cost been added to the budget?</p>
9	
10	<p>Code 9-Utilities: You state: The major gas lines that run along Pecos Road are operated by El Paso Natural Gas and Kinder Morgan. The operation of these lines would not be affected by the proposed freeway. Please answer my question; will these lines need to be shut down during construction? They are very close to Pecos Road. In areas within 30 feet. Will for instance, a few miles of lines need to be diverted? Fuel lines pose issues, potentially fatal issues. Koch industries knows this well. Be more specific in your answers.</p>
11	<p>Code 10-Noise: This is going to be a very delicate issue considering the unique topography of the area. I stated that sound abatement walls will be totally ineffective if this freeway is built above ground thru Ahwatukee. Anyone can visualize this in the areas where all housing is above the highway platform. You didn't answer my question as to how this sound issue will be dealt with. People are used to zero freeway (or vehicle) noise and now they will have a potential 100,000+ vehicles. You state that the regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. What does this mean to possibly tens of thousands of people who are negatively impacted by this severe noise? Remember this is virgin land, thousands of houses and nothing else surrounded by open desert and mountains. There is no city "white noise" in the area. What will be done for the people this noise issue impacts? What is a reasonable and feasible effort? Be specific.</p>
12	<p>Code 11-Noise: You state: The project team analyzed the belowground option, also called the depressed freeway option. The analysis indicated that depressing the freeway would increase the cost of construction and right-of-way acquisition, displace additional residences, create the need for additional pump stations and detention basins, and still need the installation of noise barriers. Because the belowground option would result in substantially greater costs and residential displacements, this option was eliminated from further study. In other words because of COST, the below ground option</p>

Code	Issue	Response
6	Economics, Socioeconomics	<p>As noted on page 3-27 of the Final Environmental Impact Statement, the Maricopa Association of Governments regularly updates its models used for traffic projections to address changes to model inputs, such as socioeconomic data like residential or commercial developments.</p> <p>With the freeway in operation, additional planned capacity will be added to the region's freeway system. Demand on the arterial street grid will shift appropriately to the freeway. These benefits are displayed in Figures 3-12 and 3-13 of the Final Environmental Impact Statement. The road network will be better suited to handle changes in development plans with the freeway in operation.</p>
7	Utilities	<p>As discussed on page 4-174 of the Final Environmental Impact Statement, the specific location and method of utility relocations will be determined during final design of the project.</p>
8	Water Quality	<p>Water quality-related regulatory requirements, potential impacts, and proposed mitigation are presented in the sections, <i>Water Resources</i>, <i>Floodplains</i>, and <i>Waters of the United States</i>, beginning on pages 4-101, 4-110, and 4-116, respectively, of the Final Environmental Impact Statement.</p>
9	Groundwater	<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. Details on the well acquisition, condition assessment, and replacement process used by the Arizona Department of Transportation are presented on page 4-108 of the Final Environmental Impact Statement. This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region. The anticipated cost of well replacement has been included in the total cost for the project, as presented in the Final Environmental Impact Statement</p>
10	Utilities	<p>The statement quoted notes that these lines will “not be affected.” That includes all aspects of the utility's operations.</p>
11	Noise	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
12	Design	<p>The evaluation of the depressed profile option is presented beginning on page 3-15 of the Final Environmental Impact Statement. Cost was one of many factors that led to the option ultimately being eliminated from study. The option would also displace an additional 300 residences, require additional maintenance of pump stations and detention basins for the life of the freeway, and would not have completely eliminated noise and visual impacts. Also, depressing the freeway in this area would potentially have adverse flooding impacts on adjacent properties and increase the risk of flooding on the freeway itself.</p>

Code	Comment Document
	was eliminated. Even though this option has extremely more beneficial elements (sound, access, visual footprint, etc) to the community when compared similarly to the alternative construction method.
12	Code 12-Property Values: You state: As a result, the researchers generally concluded that the more the visibility of a new freeway is reduced, the less it would determine the sales price of homes sold in the area. This supports the below ground option would benefit a community more than an elevated freeway with soaring 20-30 feet high entry points.
13	Code 15-Trucks: You state: The Maricopa Association of Governments regional travel demand model forecasts approximately 10 percent truck traffic on the South Mountain Freeway in 2035. And if that forecast is wrong and its more, way more? And this freeway becomes the Phoenix are metro truck bypass everyone thinks it will. Will there be a way to limit the types of vehicles driven on the freeway or monitor them and their emissions? You haven't answered this question.
14	This question was not fully addressed in the FEIS (Code 18) and it is a critical question that needs to be answered for the citizens of Ahwatukee Foothills: This proposed 8-10 lane freeway will take 7-9 years to construct. During that time it will throw in excess of 6000 construction workers daily on our streets coming and going. There will be a continual dirt cloud over Ahwatukee until the freeway is completed. Pecos Road will continually be shut down and basically be unusable which means Chandler Boulevard and Ray Road will be the only way in and out for 7-9 years. How are people in this area going to get out? It will be unlivable during construction for the residents south of Chandler Boulevard between 35 Avenue and 40th Street. Will there be a fund to help children and elderly adults who develop major respiratory ailments from the construction's brown cloud? Will residents and businesses be compensated for extra water costs for dirt cleanup during construction? What about blasting apart South Mountain with 3 twenty story high and 200 yard wide cuts and the unknown noise effects on the community?
15	
	Code 18-Traffic: The freeway construction staging plan for the area along Pecos Road would allow for keeping east–west travel open during construction. One side of the freeway would be constructed while traffic remained on Pecos Road. When complete, traffic would be shifted from Pecos Road to the new freeway. At that time, the other side of the freeway would be built. Therefore, traffic would be able to continue to operate as it currently does during construction.
16	This answer (Code 18-Traffic:) needs much more detail because as it exists now, it just doesn't seem feasible. The footprint of the land from 17th Avenue to 40th Street is very limited. There is going to have to be closures of Pecos Road to be able to accomplish the construction of an 8-lane freeway through this corridor. How long are these closures going to be? How is the community notified? Blasting? Disruption of services? Dirt? Maybe the GRIC is allowing you to use their land for "staging areas" for a price? Be more specific.
17	This question was not answered: ADOT plans to put part of this freeway thru South Mountain Park because they say they have no other option and Federal law allows them that right. I can't even express in words how wrong this is. Taking even one foot of a park for a freeway is just plain wrong. After all why is it even a park. And not just a park, but also the United States largest municipal park and one of the world's largest urban parks at 16,283 acres soon to have a freeway running through it and named after it. There are options.
18	This question was not specifically answered: What is the possible future cleanup cost to Arizona taxpayers if the Superfund site near 55th Avenue is breached and leaks into ground water since the Federal government will no longer be responsible for any costs of cleanup if a freeway is built in the area? Similar sites cleanup costs have ranged from \$650 million to \$2.25 Billion. Has this cost also been added to the budget? It is extremely important that this question be answered. Construction of this freeway has the potential of making the State of Arizona responsible for a major Superfund site cleanup of potentially billions of dollars in the future.
	Codes 22-23-Hazardous Materials: Did not specifically answer the above question about who is

Code	Issue	Response
13	Trucks	Arizona highways, as are most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The South Mountain Freeway will operate under the same rules as other similar facilities in the state; truck traffic will be permissible (see text box on Final Environmental Impact Statement page 4-166).
14	Temporary Construction Impacts	<p>The project will not take 7 to 9 years to construct. The Arizona Department of Transportation plans on delivering the project as a single design-build-maintain project. This method will accelerate the construction duration for the entire project to around 3 to 3.5 years. Construction in any one area will be much shorter.</p> <p>As stated in the previous response, east–west travel in the area of Pecos Road will continue to operate as it currently does during construction. However, temporary detours may be needed during construction. (See Final Environmental Impact Statement page 3-27.)</p> <p>Mitigation and regulatory requirements related to construction-related air quality and noise impacts are presented in the Final Environmental Impact Statement beginning on page 4-173.</p> <p>Mitigation related to blasting is presented in the text box on page 4-123 of the Final Environmental Impact Statement.</p> <p>These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.</p>
15	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
16	Temporary Construction Impacts	<p>The methods and timing of construction activities will be determined during final design of the project. The final design and construction activities must adhere to the commitments made in the Record of Decision.</p> <p>The Arizona Department of Transportation will engage the public during design of the freeway to address specific design-related issues as specified in the commitment list. For projects like the South Mountain Freeway, the Arizona Department of Transportation, in the past, has held advertised public meetings to present design details—particularly to show where the freeway will be located, its profile, service traffic interchange configurations, noise barrier locations, and architectural treatments. During construction, the Arizona Department of Transportation will hold information meetings at the beginning of construction activities regarding the upcoming improvements and work schedules. The public will be informed through construction updates/newsletters, project information hotlines, Web sites, periodic meetings, project offices, and radio and newspaper advertising.</p>
17	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
19	<p>responsible for the Superfund site cleanup near 55th Avenue. Currently as I understand, the Federal Government is but that changes with construction of a freeway. Please answer the question.</p> <p>Code 24-Design: You state: Desert Foothills Parkway and 24th Street have standard 12-foot-wide travel lanes, and the vertical and horizontal geometry make them passable by most vehicle types. These roads are operated and maintained by the City of Phoenix . The City of Phoenix would have the authority to restrict truck traffic, if desired. The key here is "most vehicle types." In the event of an emergency when the proposed freeway is shut down, the Desert Foothills Parkway and 24th Street exits have to be made unavailable for diverting traffic off the freeway. These roads cannot handle the capacity with their winding, hilly terrain and narrow lanes. Do a site "real" analysis (with actual vehicles) and you will find out that 20 big rigs will not be able to negotiate this area creating gridlock. Delivery trucks have avoided it for decades. Planning for such an event is crucial because of the geography. Pushing the decision onto the City of Phoenix shows a lack of public safety concern considering you are the Arizona Department of Transportation. This will be a major problem, make everyone aware, and implement plans before it becomes a serious problem.</p> <p>Lately it's become apparent that ADOT is "shopping" the construction/maintenance of this freeway as a public/private build to help with financing the project. What happened to all the sales taxes set aside with a specific voter proposition to establish funds for this freeway? A cost analysis of expenditures is requested. How is a private company going to make a profit on their investment in the project since this is not a toll road? Are their project invoices to become public record? Are they going to handle all future maintenance? Will this build/maintenance be put out for bid so other private companies get a chance to compete for public projects?</p> <p>Sincerely, Kevin Janke</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>
20	

Code	Issue	Response
18	Hazardous Materials	<p>Given the separation distance between the adversely affected media (groundwater) and the construction zone (near surface in these locations), the project team determined that these sites will not pose a risk to construction or to the general public once the facility is completed.</p> <p>According to 46 <i>Federal Register</i> 18026 (March 23, 1981), the environmental impact statement must discuss reasonably foreseeable actions. These are actions that are likely to occur or probable, rather than those that are merely possible.</p>
19	Traffic	<p>Issues related to a severe accident exist for many portions of the Phoenix metropolitan area. A fast and effective response is critical in the emergency response plans prepared by emergency service providers and is discussed on page 4-166 of the Final Environmental Impact Statement.</p>
20	Project Delivery	<p>In July 2014, the Arizona Department of Transportation announced that if the Selected Alternative is the build alternative, the South Mountain Freeway will be procured as a single project using a public-private partnership approach. The design-build-maintain delivery mechanism will include a long-term maintenance component but will not include a private finance option. This delivery method provides the best value for Arizona taxpayers, allows the agency to mitigate risk most effectively, and provides the most efficient and innovative delivery option.</p> <p>The Arizona Department of Transportation will fund the project capital costs with a combination of available public funds from sales tax revenues and tax-exempt bonds. The maintenance period will be up to 30 years from project completion. The selection of the design-build-maintain contractor will be open and will be based on best value, combining qualifications, schedule, and price.</p>

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>1</div><div>8</div></div><div><div><div><div>From: Tanja Jockovic [mailto:tanjajockovic@msn.com]</div><div>Sent: Tuesday, November 25, 2014 2:32 PM</div><div>To: Projects</div><div>Subject: No to Loop 202 South Mountain Freeway</div></div><div><p>As one of the least sustainable states in the U.S., Arizona should rethink their decision to expand Loop 202 South Mountain Freeway. This is not about whether this freeway should be built; this is about preserving what is left of our precious environment. Location of the proposed Loop 202 will only add to destruction of the environment, pollute the air and water, and misplace dozens of families. Southern part of the valley is already a home to dozens of landfills, including some hazardous waste landfills, as well as concrete and asphalt manufacturers that have been spewing toxic particles into the air; adding a freeway into this mix will be detrimental to those living in the area, myself included as I will have the front row view of Loop 202 if this proposal passes.</p><p>Instead of investing in more sustainable options such as light rail or investing in preservation of our natural resources, Arizona has decided it would be in our best interest to do the opposite and is even willing to desecrate the sacred ground of Native Americans. As the temperatures skyrocket, drought worsens, and we deplete the last drop of water, will you then realize that you should have taken some precaution in protecting the environment and human health? Will you then realize that striving towards more sustainable future is the only option if we wanted to ensure our future generations have a chance at survival? Sadly, I doubt greedy corporations and those pushing for this freeway to be built ever considered those who will be the most affected or our rights including human, animal and environmental.</p></div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div>

Code	Issue	Response
1	Alternatives, Environmentally Preferable Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Water Quality	Water quality-related regulatory requirements, potential impacts, and proposed mitigation are presented in the sections, <i>Water Resources</i> , <i>Floodplains</i> , and <i>Waters of the United States</i> , beginning on pages 4-101, 4-110, and 4-116, respectively, of the Final Environmental Impact Statement.
4	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Hazardous Materials	
6	Alternatives, Nonfreeway Alternatives	
7	Section 4(f) and Section 6(f), Traditional Cultural Properties	
8	Health Effects	

1

CONTACT RECORD

SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 11/3/14	INCOMING CALL TIME: 5:39 PM
STAKEHOLDER: DAVE JOHNSON	ADDRESS:
PHONE:	EMAIL:
CONTACT METHOD: HOTLINE CALL	

REMARKS/QUESTIONS:

Oppose project - From Prescott AZ

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div data-bbox="202 493 257 550">1</div> <div data-bbox="425 348 1296 425"><hr/><p>From: Ken Js [mailto:h_drakensis33m@hotmail.com] Sent: Saturday, October 18, 2014 5:17 PM To: Projects Subject: Final Environmental Impact Statement for the Loop 202 South Mountain Freeway Available</p></div> <div data-bbox="425 451 634 471"><p>To whom it may concern:</p></div> <div data-bbox="425 501 1137 522"><p>PLEASE HURRY UP AND GET THE DANG LOOP 202 SOUTH MOUNTAIN FREEWAY BUILT!</p></div> <div data-bbox="425 550 1283 626"><p>That's my OFFICIAL, PUBLIC comment. I support the COMPLETION of the Loop 202, connecting to I-10 at 55th Ave. Moreover, I'm not concerned if a the Loop 202 has to cut through a SMALL portion of South Mountain Park.</p></div> <div data-bbox="425 657 658 677"><p>'Officially,' and with respect,</p></div> <div data-bbox="425 707 643 784"><p>Kenneth B. Jones 12547 W. Montebello Ave. Litchfield Park AZ 85340</p></div> <div data-bbox="425 834 1296 939"><hr/><p>Subject: Final Environmental Impact Statement for the Loop 202 South Mountain Freeway Available Date: Fri, 26 Sep 2014 18:22:52 -0500 To: h_drakensis33m@hotmail.com From: adot@service.govdelivery.com</p></div> <div data-bbox="425 961 1302 1012"><div data-bbox="515 975 537 995">?</div></div>

Code	Issue	Response
1		Comment noted.

Code Comment Document

Final Environmental Impact Statement for the Loop 202 South Mountain Freeway Available

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) released the [Final Environmental Impact Statement](#), or "FEIS", on September 26, 2014.

The [FEIS](#) is available for a 60-day review until November 25, 2014. During this review, the document is available online (azdot.gov/southmountainfreeway) and at the locations listed below:

- Phoenix Public Library – Cesar Chavez; 3635 W. Baseline Rd., Laveen; 602.262.4636
- Phoenix Public Library – Desert Sage; 7602 W. Encanto Blvd., Phoenix; 602.262.4636
- Phoenix Public Library – Ironwood; 4333 E. Chandler Blvd., Phoenix; 602.262.4636
- Phoenix Public Library – Burton Barr; 1221 N. Central Ave., Phoenix; 602.262.4636
- Chandler Sunset Library; 4930 W. Ray Rd., Chandler; 480.782.2800
- Sam Garcia Western Avenue Library; 495 E. Western Ave., Avondale; 623.333.2565
- Tolleson West Public Library; 9555 W. Van Buren St., Tolleson; 623.936.2746
- Tempe Public Library; 3500 S. Rural Rd., Tempe; 480.350.5500
- ADOT Environmental Planning Group; 1611 W. Jackson St., Phoenix; 602.712.7767 (call for appointment)
- Gila River Indian Community District 1 Service Center; 15747 N. Shegoi Rd., Coolidge; 520.215.2110
- Gila River Indian Community District 2 Service Center; 9239 W. Sacaton Flats Rd., Sacaton; 520.562.3450/520.562.3358/520.562.1807
- Gila River Indian Community District 3 Service Center; 31 N. Church St., Sacaton; 520.562.2700
- Gila River Indian Community District 4 Service Center; 1510 W. Santan St., Sacaton; 520.418.3661/ 520.418.3228
- Gila River Indian Community District 5 Service Center; 3456 W. Casa Blanca Rd., Bapchule; 520.315.3441/520.315.3445
- Gila River Indian Community District 6 Service Center; 5230 W. St. Johns Rd., Laveen; 520.550.3805/ 520.550.3806/520.550.3557
- Gila River Indian Community District 7 Service Center; 8201 W. Baseline Rd., Laveen; 520.430.4780
- Gila River Indian Community – Ira Hayes Library; 94 N. Church St., Sacaton; 520.562.3225
- Gila River Indian Community Communications & Public Affairs Office; 525 W. Gu U Ki Rd., Sacaton; 520.562.9851

The [Draft EIS](#) and [FEIS](#) identifies a preferred alternative route for this freeway corridor – running east and west along Pecos Road and then north and south between 55th and 63rd avenues, connecting with Interstate 10 on each end. It also formally documents the analysis of potential impacts associated with the proposed freeway.

The [FEIS](#) addresses all 8,000 comments received during the 90-day review and comment period of the [Draft EIS](#) released in April 2013. Responses to these comments are provided in Volume III of the [FEIS](#). Comments received during the 60-day [FEIS](#) review period will be considered in the "Record of Decision," the final decision-making document prepared by the FHWA. The Record of Decision is expected to be available for public review in early 2015.

For more information, visit azdot.gov/southmountainfreeway, email projects@azdot.gov, phone 602.712.7006, or write to ADOT Community Relations, 1655 W Jackson St, MD126F, Phoenix, AZ 85007.

Protect your child and your child's identity with an Arizona Identification Card. An Arizona ID card also makes it easier to enroll in school and activities, travel and get a driver license. Learn more at www.azdot.gov/childID.

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For more information, visit www.azdot.gov

Sent on behalf of ADOT by GovDelivery, Inc. • 206 S. 17th Ave • Phoenix, AZ 85007 • 602.712.7355

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Code	Issue	Response

Code Comment Document

From: Jules Junion [mailto:jjunion@cox.net]
Sent: Tuesday, November 11, 2014 2:48 PM
To: Projects
Subject: SMF- NO BUILD / PARC Member
Importance: High

To whom it may concern:

Based on the finding in the FEIS, I am sending this e-mail to share my concerns that an eight-lane freeway will be tearing through our beautiful Ahwatukee Foothills destroying wildlife, compromising air quality, and essentially bastardizing the sacred preserve known as South Mountain.

As a twenty year resident of Ahwaukee, and having traveled all over this country and abroad, I can't express to you what a majestic and beautiful area of land that we currently live in. You are not building. YOU ARE DESTROYING!

To rip through this community to build what is essentially a trucker bypass is very irresponsible on the part of ADOT. This 30-year-old, ill conceived freeway plan should be thrown out the window.

Best Regards,

Jules Junion
Director, National Accounts
AccentCare - PCS Division
480-540-6343 c

The logo for AccentCare, featuring the company name in a serif font, the tagline "Your Extended Family" in a smaller font below it, and a stylized graphic of three interlocking loops to the right.

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Code	Issue	Response
1	Biology, Plants, and Wildlife	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Air Quality	
3	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
4	Section 4(f) and Section 6(f), Traditional Cultural Properties	
5	Purpose and Need, Truck Bypass	
6	Purpose and Need, Old Plan or Use of Old Data	

Code	Comment Document
<div data-bbox="205 465 257 524">1</div>	<div data-bbox="428 358 842 445"><hr/>From: Rachel Kelley [mailto:rachelkelley@q.com] Sent: Tuesday, November 25, 2014 6:49 AM To: Projects Subject: Cancel South Mountain Freeway project</div> <div data-bbox="428 469 1236 522"><p>With regards to public comment on the FEIS for the South Mountain Freeway project, I strongly urge you to cancel the project due to the highly deficient FEIS.</p></div> <div data-bbox="428 548 509 572"><p>Regards,</p></div> <div data-bbox="428 600 559 622"><p>Rachel Kelley</p></div> <div data-bbox="428 687 1289 790"><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<p>From: Timothy Kelley [mailto:tskelley.tk@gmail.com] Sent: Monday, November 24, 2014 12:17 PM To: Projects Subject: Cancel South Mountain Freeway project</p> <p>With regards to public comment on the FEIS for the South Mountain Freeway project, I strongly urge you to cancel the project due to the highly deficient FEIS.</p> <p>Regards, Timothy Kelley</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div></div><div><div><div><div>From: Shad Kelly [mailto:coppercache1302@yahoo.com]</div><div>Sent: Tuesday, November 18, 2014 4:06 PM</div><div>To: Projects</div><div>Subject: My family opposes the proposed south mountain freeway!</div></div></div><div><div>My family opposes the proposed south mountain freeway!</div><div>The SMF would cause unnecessary destruction of both plant and animal habitats within South Mountain and destruction of wilderness areas revered by Phoenix citizens, along with the desecration of land sacred to Native American populations. We are very concerned that the SMF would create a dramatic increase in Phoenix truck traffic both on the new SMF truck bypass and on the I-10 in the West Valley. We are very concerned that the SMF would create a dramatic increase in Phoenix truck traffic POLLUTION. This pollution will affect my children. This pollution will affect ALL CHILDREN along the proposed route. Reminder that we are in a relative "Valley" on the south side of south mountain. This is unacceptable. We are very concerned that the SMF would create significant, new dangers of hazardous material transport within highly populated and highly vulnerable areas. INCLUDING SCHOOLS and HOMES.</div><div>Thank You, Shad Kelly 602-803-9260</div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div><div>.</div></div></div></div>

Code	Issue	Response
1	Biology, Plants, and Wildlife	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
3	Section 4(f) and Section 6(f), Traditional Cultural Properties	
4	Purpose and Need, Truck Bypass	
5	Air Quality	
6	Children’s and Seniors’ Health	
7	Hazardous Materials	

Code	Comment Document
	<p>From: Shad Kelly [mailto:coppercache1302@yahoo.com] Sent: Sunday, December 28, 2014 9:46 AM To: Projects Subject: DEIS concerns</p>
	<p>I am concerned that the DEIS does not adequately identify:</p>
1	<ul style="list-style-type: none"> the displacement of Gila River homes,
2	<ul style="list-style-type: none"> does not identify an evacuation route in the event of a biohazardous accident,
3	<ul style="list-style-type: none"> does not depict the loss of agriculturally zoned lands in the Laveen and Gila River areas, or
4	<ul style="list-style-type: none"> visually display prehistoric sites potentially impacted from construction.
5	<ul style="list-style-type: none"> The DEIS clearly discriminates on the basis of religion and race. United States commission on civil rights defined religious discrimination in relation to the civil rights guaranteed by the Fourteenth Amendment to the United States Constitution.
6	<ul style="list-style-type: none"> The modeling of air pollution impacts in the DEIS do not include the additional air pollution from truck traffic from Mexico. The DEIS briefly mentions the issue, but it claims it has no way to know what impact this would be. Toxic air is already an issue, but added risks are not mentioned.
2	<ul style="list-style-type: none"> there is nothing in the DEIS that even mentions the hazmat transportation and risks issue.
7	<p>ADOT needs to analyze these impacts and provide visuals such as aerial photography where needed.</p>
8	<p>I recommended that ADOT issue a revised DEIS that adequately addresses public health concerns.</p>
9	<p>NO build is the only option.</p>
	<p>Thank you</p>
	<hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Acquisitions and Relocations	There will not be displacements of Gila River Indian Community homes.
2	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	Land Use	The existing land uses and zoned land uses are shown and the potential acreage of conversion to a transportation use are disclosed in the section, <i>Land Use</i> , beginning on page 4-3 of the Final Environmental Impact Statement. There will be no loss of agricultural land on the Gila River Indian Community.
4	Cultural Resources	Sensitive and confidential information regarding Native American sacred sites is not included in the Final Environmental Impact Statement, a public document, as a means of protecting them. This information is included in the technical reports prepared for the project and is kept confidential.
5	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Trucks	
7	Public Involvement	Aerial maps are available on the project Web site: <azdot.gov/southmountainfreeway>.
8	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
9	Alternatives, No-Action Alternative	

Code	Issue	Response
1	Acquisitions and Relocations	There will not be displacements of Gila River Indian Community homes.
2	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
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Code	Comment Document
	<div data-bbox="428 324 568 334" data-label="Text"><p>CONFIDENTIALITY AND NONDISCLOSURE NOTICE</p></div> <div data-bbox="428 364 860 451" data-label="Text"><p>From: Diana King [mailto:diana30king@yahoo.com] Sent: Wednesday, November 19, 2014 10:31 AM To: Projects Subject: south mountain freeway</p></div> <div data-bbox="205 485 257 544" data-label="Text"><p>1</p></div> <div data-bbox="428 477 1271 556" data-label="Text"><p>I understand the city is thinking about creating a truck bypass on or by pecos road. I just wanted to say I am opposed to this idea and I hope you would reconsider. Diana Small</p></div> <div data-bbox="428 620 1289 683" data-label="Text"><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div><div>1</div><div>2</div><div>3</div><div>4</div></div><div><div>4</div></div><div><div>5</div></div><div><div>2</div><div>3</div><div>6</div></div></div><div><div><div><div>From: MKIRK9942@aol.com [mailto:MKIRK9942@aol.com]</div><div>Sent: Tuesday, November 25, 2014 8:49 PM</div><div>To: Projects</div><div>Subject: Comments on Final Environmental Impact Statement for the Loop 202 South Mo</div></div></div><div><div>AZDOT:</div><div>I am not sure on the formal to best detail my comments on the EIS for the Loop 202 South Mountain Freeway, but here goes my comments.</div><div>1. My review of the EIS found no analysis for the extended on-ramp at 17th Avenue for noise or pollution from traffic along the extended Chandler Blvd to access the Freeway on 17th Avenue. The change in traffic pattern will increase traffic along Chandler Blvd by 2,000 to 4,000 cars daily, but the document failed to analyze the effect of this traffic increase for increase noise and added pollution. Also the document failed analyze the effects of the environmental effects to the social structure of the area which includes walkers, runners, dog walkers, cyclists that enjoy what is now a relatively quiet road to a significant increase in traffic at the key times for this activity. Also there are numerous student bus stops along Chandler that will be effected by not only increased traffic, but the speed of these vehicles. Currently, the traffic along Pecos has a 40 mph speed limit which is almost never obeyed. The traffic exceeds 50+ mph on Pecos and will probably exceed these same speeds along Chandler endangering students, walkers, cyclists runners and dog walkers.</div><div>2. As the freeway passes through South Mountain Preserve, access for hikers, animals & mountain bikers has been designed into the freeway design. However, all along the freeway design down the Pecos corridor there are no accommodations for movement of animals, runners, cyclists along that route. Currently, Pecos is used for recreation activities and the introduction of the freeway per the EIS does not address the environmental impact of elimination of this important aspect of the local population. There is no alternative plan to address this concern in the Freeway plan or within the EIS. Putting cyclists on the freeway is not a good idea and not allowing animals to move south to the Gila Indian Reservation is not addressed. The EIS does not address any social issues related to the population that exercises via running, walking, cycling, etc.</div><div>3. The noise and air quality portions of the EIS does not address the effect on the population that exercises outside which will be exposed to the increased effects of noise and air quality. In general, the EIS has fails to address any effects to the local population that exercises outside which will be effected by increased traffic or the removal of the key pathway for these activities along the existing Pecos Road.</div><div>Thanks for considering these comments.</div><div>Best regards, Michael Kirk 1758 W Thunderhill Drive Phoenix, AZ 85045 480-399-9171</div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div>

Code	Issue	Response
1	Design	The extension of Chandler Boulevard from 19th Avenue to approximately 27th Avenue is included in the City of Phoenix <i>General Plan</i> , so it would be constructed whether this project is completed or not. The traffic along the new section of Chandler Boulevard was included in the noise and air quality analysis, as appropriate.
2	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters.
3	Air Quality	Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A. The noise and air quality analyses account for the impacts on receivers outside and in proximity to the freeway.
4	Design	The study has considered concepts for parallel multiuse paths; however, the main line of the freeway will not have a bicycle route as part of the design. The design of the traffic interchanges includes provisions for pedestrian and bicycle movement in accordance with current design guidelines and regulations. While not currently included, enhancements such as pedestrian bridges or multiuse paths may be added as a separate project by the City of Phoenix (see page 3-60 of the Final Environmental Impact Statement). The cost and maintenance of these enhancements would be the responsibility of the City of Phoenix. Enforcement of the speed limit and requirements to stop for school buses is the responsibility of the local jurisdiction.
5	Design	There is one crossing that is located along the Sun Circle/Maricopa/National trail; however, the rest are not intended for recreational use. Given the residential development along the sections of freeway along Pecos Road, wildlife movement in those areas is minimal. Culverts and other drainage features will be designed to be wildlife friendly as appropriate. Bicyclists will not be permitted on the freeway.
6	Community Impacts	Mitigation measures to minimize the impact of the freeway on the remaining residents and businesses are presented throughout Chapter 4 of the Final Environmental Impact Statement. The impacts on community character and cohesion are presented in Table 4-9 beginning on page 4-24 of the Final Environmental Impact Statement.

Code	Comment Document
	<p>From: Nick Knight [mailto:grfxguy@cox.net] Sent: Monday, December 29, 2014 4:33 PM To: Projects Cc: lawlis@aol.com; trlank@hotmail.com; clsdeer@aol.com; jochim1@cox.net Subject: South Mountain Freeway FEIS comments</p>
1	<p>As was stated repeatedly throughout the FEIS, this project was conceived in the mid '80s, when Ahwatukee was largely rural and undeveloped. The proposed South Mountain Freeway project generally and continually ignores the fact that local conditions and populations have changed considerably in the intervening 30 years.</p>
2	<p>Based on information contained in the FEIS, it would appear that spending nearly \$2 Billion to save East and West Valley commuters 1-4 minutes during rush hours seems a rather minimal gain for the cost. The ONLY beneficiaries of the SMF would be trucking companies and bypass traffic, neither of which would substantially improve rush hour congestion for central Phoenix commuters. This proposed freeway caters primarily to private interests (trucking companies), not the general population, and most certainly NOT to the 77,000+ residents of Ahwatukee Foothills Village, who would bear the most negative impact with little or nothing to gain.</p>
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5	<p>Funds could be put to much better use in other areas such as redesigning the I-10 / US-60 interchange.</p> <p>FEIS does not really address concerns of Ahwatukee residents regarding light, noise and air pollution, nor address concerns of effects of a gas-based hazmat spill.</p> <ul style="list-style-type: none">• While feeble noise abatement devices are described, this project only seeks to meet the minimum federal requirements for noise control and completely ignores the topography which serves as both a reflector and amplifier for noise, as well as the vibration of constant heavy truck traffic transmitted through the bedrock to the majority of Ahwatukee that falls
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Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Purpose and Need, Truck Bypass	
4	Transportation Planning	The Maricopa Association of Governments conducts regional transportation planning for the region and regularly evaluates the region's priorities given limited funding. The <i>2035 Regional Transportation Plan</i> , approved in 2014, identifies the freeway as one of the region's top priorities.
5	Visual Resources	Light from the freeway will be produced from vehicle headlights and taillights and from fixed light poles at interchanges along the freeway. Nighttime users of the park and residents of Ahwatukee Foothills Village may see lines of seemingly crawling vehicles, each with lights front and back. Freeway lighting will be provided along the median of the freeway and at interchanges to achieve desired lighting levels for safety reasons. Any freeway lighting will be designed to reduce illumination spillover onto sensitive light receptors (such as residential and natural areas) (see page 3-58 of the Final Environmental Impact Statement).
6	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Air Quality	
8	Hazardous Materials	
9	Vibration	No federal requirements are directed specifically to highway traffic-induced vibration. All studies the highway agencies have done to assess the impact of operational traffic-induced vibrations have shown that both measured and predicted vibration levels are less than any known criteria for structural damage to buildings. No mitigation is warranted.

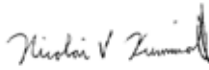
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	outside the minimum noise abatement area. Almost everyone in Ahwatukee can clearly hear any activity at Firebird Raceway, more than seven miles away. How much louder is heavy truck traffic going to be when less than one mile distant and carried through the bedrock all the way to the base of South Mountain?
10	<ul style="list-style-type: none">Once again, the FEIS chooses to largely ignore or gloss over the significant health risks posed by inserting a freeway into a mature residential community with dozens of public and private schools and daycare centers located within ½ to 1 mile of the Pecos Road alignment. How many health studies does it take to know that putting a freeway, especially one that will cater to a large volume of commercial truck traffic coming from Mexico using fuel that does not remotely meet U.S. standards for sulfur content, next to schools will have a detrimental effect on those students' health, both short and long term?
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7	<ul style="list-style-type: none">Also, the broad-handed dismissal of significant pollution increases again ignores local topography and prevailing wind patterns, which would serve to consolidate pollution to dangerous and unhealthy levels throughout the Ahwatukee Foothills Village. The SMF would serve to completely destroy what is currently one of the more pollution-free areas of the greater metropolitan Phoenix area, again in primary support of private interests and with zero benefit to Ahwatukee.
8	<ul style="list-style-type: none">The same topography and prevailing wind conditions are also again largely dismissed when addressing the potential effects of a gas-based hazmat spill along the SMF. A chlorine gas spill on the E1 alignment, wind-born north into South Mountain with no way to dissipate, would most likely result in tens of thousands of deaths and many times more severe and permanent injuries to residents of Ahwatukee.
5	<ul style="list-style-type: none">One of the beauties of Ahwatukee is being able to look up at night and actually see stars. The SMF, even with the best of dark sky mitigation, would largely destroy that element.
12	<ul style="list-style-type: none">While historically crime has nearly always increased in similar situations where a freeway is imposed into a residential area, once again ADOT has chosen to largely ignore any data that proffers support for this view, and instead chosen to again risk Ahwatukee residents' safety and security by providing a quick and easy access for criminals to this community.
	It's time to end this farcical waste of taxpayer money on a project whose primary beneficiaries are private interests. Times have changed in the last 30 years, and it's far past time that ADOT realized this and changed with them. What may have been viable in 1985 is no longer, and ADOT needs to get off the "this has always been the plan and nothing has changed" horse and direct its efforts and my money to finding an alternative that works for today and the future.
	Robert N. Knight Ahwatukee Resident and Small Business Owner

Code	Issue	Response
10	Children's and Seniors' Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
11	Trucks	
12	Crime	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	
3	Air Quality	
4	Children's and Seniors' Health	
5	Biology, Plants, Wildlife	
6	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
7	Section 4(f) and Section 6(f), Traditional Cultural Properties	
8	Hazardous Materials	
9	Purpose and Need, Lack of Support	
10	National Environmental Policy Act	The Arizona Department of Transportation and Federal Highway Administration respectfully disagree with this comment.

Code	Comment Document
1	<div><div></div><div><p>From: Nick Kuminoff [mailto:kuminoff@gmail.com] Sent: Sunday, November 23, 2014 5:18 PM To: Projects Subject: comments on South Mountain Freeway FEIS</p><p>Dear AZ DOT</p><p>Please find attached my comments on your FEIS for the proposed South Mountain Freeway.</p><p>Sincerely,</p><p>Nick Kuminoff</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1		These comments are the same as those submitted by Protecting Arizona’s Resources and Children. Responses can be found beginning on page A286 of this Appendix A.

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	<div>November 23, 2014</div> <div>South Mountain Study Team Arizona Department of Transportation 1655 West Jackson Street, MD 126F Phoenix, Arizona 85007</div> <div>RE: Reply Comments on FEIS</div> <div>Dear South Mountain Study Team,</div> <div><p>Your responses to my comments on the DEIS were completely inadequate. The FEIS fails to address the concerns I raised. In some cases, you dismissed my comments by referring me to sections of the DEIS that addressed related issues, but did not address my specific concerns. In other cases, you provided boilerplate responses that either completely missed the point of my comment or failed to address my comment in any substantive way.</p><p>I am also concerned by the continued inconsistency in your treatment of livability benefits and costs of the Pecos Road alignment. Your responses to my comments on the DEIS assert that significant negative livability impacts can be ignored because they are difficult to model. In contrast, you have gone to great lengths to develop models that predict difficult-to-model benefits. Further, the air quality and transportation models that you use systematically omit key details that could undermine your conclusions, and you claim that any serious effort to address uncertainty in your analysis would be “needless detail”.</p><p>The EIS process now appears to have been a sham. Your support of the Pecos Road alignment is not supported by credible scientific evidence. You failed to demonstrate that the social benefits of the Pecos Road Alignment outweigh the social costs. Your approach to conducting the EIS made a finding in favor of the Pecos Road alignment a foregone conclusion. I strongly urge you and FHWA to re-start the planning process under new leadership.</p><p>I have attached a point-by-point reply to pages B2175-B2183 of the FEIS with the hope of calling attention to the inadequacies in your responses to my comments.</p></div> <div>Sincerely,<div> Nicolai V. Kuminoff kuminoff@gmail.com</div></div> <div>1</div>

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	<p>What follows are my original 12 comments on the DEIS and a summary [in bold text] of the inadequacies in your responses found on pages B2175-B2183 of the FEIS.</p> <p><u>Comment #1:</u> The DEIS implies that a majority of Maricopa County residents support building the proposed South Mountain Freeway without having any factual basis to support this implication. There are numerous examples of this, especially in the early chapters of the DEIS. One example is the “What do the results of Propositions 300 and 400 tell us” sidebar on page 1-9. The problem is that the proposed South Mountain Freeway was a fairly minor detail in the information provided to voters on the broader regional transportation plan. Voters have never had an opportunity to express their opinions on the South Mountain Freeway separately from other regional transportation projects that were bundled as part of these propositions and were in more immediate need of funding at the time the propositions were presented to voters. Furthermore, neither proposition provided voters with basic details on the South Mountain Freeway such as the expected construction cost and the number of lanes. Furthermore, at the time people voted on proposition 300 the town of Ahwatukee was largely undeveloped. Likewise, the regional transportation plan provided to voters as part of the Proposition 400 election of 2004 failed to anticipate the location, size, use, financial cost and social costs of building the freeway. It is also noteworthy that both votes occurred before the onset of the great recession. The bottom line is that there is no reason to expect that Maricopa county voters would support building the South Mountain Freeway, if they were given the opportunity to vote today. In addition, the question of whether or not voters liked the idea of a new freeway extension 30 years ago or 10 years ago is entirely irrelevant to the question of whether or not it makes sense to build the freeway today.</p> <p><u>Inadequacies in AZ DOT’s response:</u> The response fails to address the substance of my comment. For example, it ignores my comments about the outdated nature of the claimed support for the SMF and the fact that the SMF was bundled as part of the broader transportation plan.</p> <p>2</p>

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	<p><u>Comment #2:</u> The effort to model the effect of the freeway on ambient concentrations of criteria air pollutants is inadequate and misleading. For example, the discussion of carbon monoxide (CO) in section 4-65 of the DEIS points out that impacts were modeled using information from Maricopa County’s current network of air quality monitoring sites in the region. Yet the discussion fails to mention that Maricopa County does not have any air quality monitoring sites in the Ahwatukee foothills (http://alert.fcd.maricopa.gov/alert/Google/v3/air.html). This is a serious flaw in the modeling assessment because the prevailing wind patterns and foothills topography will likely cause most of the emissions of pollutants to be blown into pockets of localized air pollution above residential neighborhoods in Ahwatukee in between the freeway and South Mountain Park.</p> <p><u>Inadequacies in AZ DOT’s response:</u> The response fails to address my main point about there being no air quality monitoring sites in the Ahwatukee foothills.</p> <p><u>Comment #3:</u> Failure to model the impact of the freeway on ground level ozone concentrations above residential neighborhoods in Ahwatukee is a serious problem as emissions generated by the freeway may very well exceed national standards for 8-hour ambient ozone concentrations. As noted earlier, the prevailing wind patterns and topography of the region are likely to cause most of the emissions to sit in air pockets above residential neighborhoods in Ahwatukee. Furthermore, these neighborhoods are highly populated by families with young children who are identified by the Environmental Protection Agency as being a “sensitive group” with respect to ozone (Federal Registrar, Vol. 64, No. 149, Wednesday, August 4, 1999, Rules and Regulations).</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT chose not to perform a credible analysis of health impacts for the FEIS that would take into account interactions between wind patterns, topography, locations of specific parks and schools, and the historical lack of air quality monitors in Ahwatukee.</p> <p><u>Comment #4:</u> The lack of air quality monitors in the Ahwatukee foothills area undermines the credibility of the entire air quality assessment provided in the DEIS. Air quality monitors are</p>
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	<p>needed to inform the assessment of potential effects of the freeway on air quality. The current assessment does not make a serious attempt to model air quality impacts in Ahwatukee, which contains the neighborhoods that will experience the largest negative effects of increased air pollution generated by the freeway.</p> <p><u>Inadequacies in AZ DOT’s response:</u> My comment was ignored. AZ DOT basically says that the lack of air quality monitors and credible data on air quality in the Ahwatukee area that will be most negatively affected by the freeway is not their problem. This type of response undermines the credibility of AZ DOT’s analysis.</p> <p><u>Comment #5:</u> The DEIS’s overall conclusion that building the freeway will not cause an increase in violations of federal ambient air quality standards is misleading. This conclusion simply exploits the current placement of air quality monitors. By providing an incentive for truckers and non-local drivers to avoid traveling through central Phoneix, the South Mountain freeway will divert air pollution away from the areas that have air quality monitors and into areas that do not have air quality monitors, such as the Ahwatukee foothills. Ambient air quality will surely worsen in Ahwatukee and may very well violate federal standards for the criteria pollutants. Of course this will not cause any violations if there are no air quality monitors to measure the violations. This highlights the need for a more serious assessment of air pollution impacts from the proposed freeway, and it also highlights the need to place air quality monitors at several locations in the Ahwatukee foothills.</p> <p><u>Inadequacies in AZ DOT’s response:</u> The response fails to provide any specific description of the projected spatial changes in ambient air pollution levels or how violations would occur if monitors were located in the Ahwatukee foothills area.</p> <p><u>Comment #6:</u> Pages 4-69 and 4-70 provide a deeply flawed rationale for ignoring the impact of the freeway on human health outcomes. The DEIS claims that decision makers should not be</p> <p>4</p>

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	<p>provided with information on health outcomes of building the freeway because the magnitudes of those outcomes are judged by DOT to be highly uncertain. I will explain three problems with this logic:</p> <p>A. Ignoring uncertainty violates federal standards for evaluating public projects, as outlined by the United States Office of Management and Budget’s Circular A-4 (http://www.whitehouse.gov/omb/circulars_a004_a-4) and the United States Environmental Protection Agency’s <i>Guidelines for Preparing Economic Analysis</i>. For example, OMB Circular A-4 has a special section devoted to the appropriate treatment of uncertainty in the evaluation of public projects. It clearly states that uncertainty outcomes should be quantified and this information should be provided for public review and to decision makers. For example, it instructs analysts involved in the preparation of impact statements that “<i>the important uncertainties connected with your regulatory decisions need to be analyzed and presented as part of the overall regulatory analysis</i>” and that “<i>by assessing the sources of uncertainty and the way in which benefit and cost estimates may be affected under plausible assumptions, you can shape your analysis to inform decision makers and the public about the effects and the uncertainties of alternative regulatory actions</i>” and that “<i>wherever possible, you should use appropriate statistical techniques to determine a probability distribution of the relevant outcome.</i>” It also states that “<i>when uncertainty has significant effects on the final conclusion about net benefits, your agency should consider additional research prior to rulemaking. The cost of being wrong may outweigh the benefits of a faster decision. This is true especially for cases with irreversible or large upfront investments.</i>”</p> <p><u>Inadequacies in AZ DOT’s response:</u> The response notes my comment and then ignores it. AZ DOT refers me to sections of the DEIS that do not address my comment.</p>
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	<p>B. The South Mountain Freeway is likely to have large negative health effects. The large impacts of air pollution on morbidity and mortality are well documented as is the fact that these impacts are largest for sensitive groups such as children and seniors. This is of special concern due to the large proportion of families with young children and communities of seniors in Ahwatukee. See the EPA’s (2011) <i>Second Prospective Study 1990-2020 of the Clean Air Act</i> and the associated appendices for the epidemiological consensus on health impacts and calibrated dose-response functions. The range of potential health impacts should be quantified and monetized using standard measures of the “value of a statistical life” consistent with best practices in regulatory evaluation established in the OMB and EPA guidelines. Even the lower bound on number of lives lost is likely to be sufficiently high to raise serious concerns for policy makers.</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT provides a boilerplate response that fails to address the substance of my comment of monetizing effects using the value of a statistical life.</p> <p>C. The effects of the freeway on health outcomes are no more uncertain than the effects of the freeway on commute times. Yet, there is no mention of uncertainty in commute times. Throughout the DEIS, the economic benefits of building the freeway are conveyed with a false sense of precision whereas the environmental costs are dismissed altogether because they are uncertain. This asymmetric treatment of uncertainty has the effect of biasing the DEIS in favor of building the freeway with the Pecos road alignment.</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT provides a boilerplate response that ignores the substance of my comment on the inconsistent treatment of uncertainty surrounding benefits and costs.</p> <p>6</p>

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	<p><u>Comment #7:</u> The DEIS fails to adequately address the uncertainty of benefits from building the freeway. For example, the actual reduction in commute time that would be realized if the freeway were to be build will depend on several sources of uncertainty, including but not limited to: (i) future patterns of residential development; (ii) future location choices made by firms; (iii) future residential and job location choices made by workers; (iv) future trends in telecommuting; (v) future trends in “flex-time” and the ability of workers to commute during off-peak hours; (vi) future trends in the national economy; (vii) future trends in in the international economy and trade that influence the rate of trucking through Phoenix; (viii) future trends in automobile design; (ix) the impact of building the freeway on the desirability of living in Ahwatukee; and (x) future trends in the price of gasoline, electricity, and other factors affecting commuting costs. These sources of uncertainty should be carefully analyzed and policy makers should be informed about the statistical distribution of possible outcomes for commute times. More broadly, sources of uncertainty should be addressed throughout the discussion of benefits of building the freeway.</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT dismisses a serious analysis of the uncertainty surrounding their claimed benefits of the SMF as “needless detail” and “speculative consideration”. This attitude exemplifies why support for the Pecos Road alignment in the FEIS was a foregone conclusion. Of course the Pecos Road alignment will seem like a good idea if substantial livability costs are ignored and substantial uncertainty in the claimed livability benefits is ignored.</p> <p><u>Comment #8:</u> The DEIS systematically overstates the likely benefits of building the freeway to Phoenix commuters. The estimated benefits are based on statistics for projected future traffic patterns provided by the Maricopa Association of Governments. However, these statistics are primarily extrapolations of past trends. In other words, they are “made up”. They are not derived from a consistent model of residential location choice or a realistic model of commuting choices. It is difficult to believe that many workers would make residential and job location choices that would induce them to use the new freeway. Projections for future traffic congestion also fail to incorporate future growth in the share of workers who work from home or are allowed the flexibility to commute during off-peak hours. Furthermore, estimates for the</p> <p>7</p>

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	<p>opportunity cost of time used to quantify the value of reduced commute times are not consistently linked to the actual commuters who use the freeway during peak hours, but are likely driven by high-income commuters living in places such as Scottsdale who will not use the new freeway if it is build. In addition, the models of traffic congestion in the DEIS are inadequate for estimating the impact of the freeway on commute times. The DEIS fails to provide even the most basic facts about commuting. For example, what fraction of today’s metro area commuters would experience a shorter commute (in terms of physical distance) if the South Mountain Freeway were built? This information can easily be obtained from the U.S. Census Bureau’s annual Public Use Microdata Sample of respondents to the <i>American Community Survey</i>, which provides information on workers’ house locations, job locations, time leaving home to go to work, and travel times.</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT fails to address any of my specific comments. Their boilerplate reply is completely lacking in substance. It basically says “trust us”.</p> <p><u>Comment #9:</u> Throughout the DEIS, the analysis of benefits of building the freeway is based on a false premise that the demand for transportation will be the same whether or not the freeway is built. This results in overstatement of the benefits of building the freeway. In reality, building the freeway is likely to change residential development patterns which, in turn, will increase the demand for using the freeway relative to the demand if the freeway had not been built. In other words, building the freeway will increase the demand for using the freeway due to increases in driving by current residents, increases in commercial traffic, and increased migration to areas near the freeway. These “feedback effects” will increase congestion on the freeway, diminishing its benefits, especially for existing residents of Phoenix. This effect is well known to transportation economists as “The Fundamental Law of Road Congestion”. Yet recognition of this effect is completely missing from the transportation models throughout the DEIS. In perhaps the most comprehensive empirical study of the causal relationship between road projects and traffic congestion, Duranton and Turner (2011) concluded that adding a new road with the</p> <p>8</p>

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	<p>characteristics of the South Mountain Freeway is unlikely to relieve congestion. See: Duranton, Gilles, and Matthew A. Turner. “The Fundamental Law of Road Congestion: Evidence from US Cities.” <i>American Economic Review</i>. 101 (October 2011): 2616-2652.</p> <p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT has chosen to ignore overwhelming evidence from the best available peer reviewed scientific evidence on the fundamental law of road congestion.</p> <p><u>Comment #10:</u> There is overwhelming evidence in economics journals and federal regulatory evaluations that freeways produce negative externalities that substantially diminish the quality of life for those living nearby. Some of these effects will likely be reflected in reductions (or slower growth) in property values for residential neighborhoods experiencing diminished quality of life. It is standard practice to use hedonic property value methods and contingent valuation methods to quantify these costs as part of regulatory evaluations. However, no such effort is undertaken in the draft EIS. The following impacts should be quantified and included in the EIS using best practices in methods for economic valuation of environmental impacts of public projects as outlined in EPA’s Guidelines for Preparing Economic Analysis: (1) effect of air pollution on property values; (2) effect of noise pollution on property values; (3) cost of water pollution produced from freeway runoff; (4) value of lost recreation benefits to joggers and bicyclists who currently use Pecos road for recreation; (5) value of diminished recreation benefits for people using South Mountain Park due to visual disamenities, noise, dust, odors, and non-visible air pollution created by the freeway; and (6) the impact of building the freeway on crime in Ahwatukee and, in turn, the effect of increased crime on property values. This last point deserves some explanation. At present, weekly statistics from the police blotter indicate that there is virtually no violent crime or property crime in western Ahwatukee. The vast majority of Ahwatukee crimes occur in the eastern part of the town close to the I-10. The lack of crime in western Ahwatukee is likely due to the fact that, as the end of a big cul-de-sac, criminals have no escape route. Building the freeway will provide such an escape route and increase the attractiveness of the area to criminals as a result. Those who argue in favor of building the</p> <p>9</p>

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	<p>freeway often claim that Ahwatukee residents should have known that these effects might eventually occur as a result of the freeway when they first purchased property in the area and that, as a result, the negative externalities are already capitalized into property values. This claim is false. The conventional wisdom of real estate agents and homebuyers in Ahwatukee is that the freeway would never be built and that the original 1985 plan to build the freeway was simply a relic of “pre-Ahwatukee” regional planning. As a result, the freeway will act as a shock to the local housing market and depress property values.</p> <p><u>Inadequacies in AZ DOT’s response:</u> There are several problems here. First is the claim that negative effects of the SMF can be ignored because they are difficult to measure. In contrast AZ DOT has gone to great effort to support models designed to produce evidence in favor of benefits that are at least as difficult to measure. Second is the fact that the California Department of Transportation study is not cited. Third is the fact that AZ DOT appears ignorant of peer reviewed scientific evidence on best practices in benefit transfer methods. The premise of the AZ DOT response—that findings from some property value study in California can simply be transferred to the Ahwatukee area—is deeply flawed due to likely differences in topography, tree cover, humidity, and many other factors that generally cause the property value impacts of similar disamenities to vary over large spatial areas. For examples and citations to the peer-reviewed scientific literature, see EPA’s guidelines for performing benefit-cost analysis, or the following journal article: Boyle, Kevin J., Nicolai V. Kuminoff, Christopher F. Parmeter, and Jaren C. Pope. "The benefit-transfer challenges." <i>Annual Review of Resource Economics</i> 2, no. 1 (2010): 161-182.</p> <p><u>Comment #11:</u> In the event of heavy traffic, road work, or accidents, drivers on the South Mountain Freeway are likely to use Chandler Blvd. as a bypass. GPS devices will mechanically divert drivers off the freeway and onto Chandler. This is especially true for the Chandler Blvd segment from S. 17th Ave to Desert Foothills Parkway because this segment has 4 lanes, a speed limit of 45mph, and no stop signs or traffic lights. This will create a serious public health hazard because the aforementioned segment of Chandler goes right through the residential</p> <p>10</p>

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	<p>neighborhood of “Club West”. Joggers, bicyclists, families and children use Chandler Blvd during the morning and evening commute hours for recreation and to walk/bicycle to/from school and parks. Young children on foot or on bicycle and joggers with headphones are often seen crossing the street. The lack of stop signs and crosswalks is not currently a problem because traffic is light. However, with some freeway commuters using the Chandler Blvd corridor as a bypass, there is likely to be a surge in traffic accidents and traffic-related pedestrian deaths in this family-oriented residential neighborhood. These effects are entirely ignored in the DEIS.</p> <p><u>Inadequacies in AZ DOT’s response:</u> The 2006 analysis that AZ DOT refers to could not have anticipated the huge impact that GPS devices and smartphone apps such as “Waze” now have on the ways in which drivers respond to delays. More broadly, the response ignores the substance of my comment.</p> <p><u>Comment #12:</u> The DEIS violates the spirit of Presidential Executive Order #13045 by failing to identify and assess the environmental health risks and safety risks that may disproportionately affect children as a result of the freeway. An example of the environmental health risk is the increase in ambient ozone concentrations that will affect children living in Ahwatukee, particularly those who use the numerous public schools and public parks located between South Mountain Park and the proposed Pecos Road alignment of the freeway. The EPA identifies children as a “sensitive group” for ambient ozone. An example of the safety risk is the increase in traffic on arterial streets that wind through residential neighborhoods in Ahwatukee, particular during periods of heavy traffic, road work, or freeway accidents when drivers will naturally use Chandler Blvd as a bypass. The traffic poses a safety risk because children frequently walk / bike / run / play on the streets that will experience increased traffic, such as Chandler Blvd from S. 17th Ave through Desert Foothills Parkway. This will increase the risk of accidental deaths of children.</p> <p>11</p>

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	<p><u>Inadequacies in AZ DOT’s response:</u> AZ DOT provides a boilerplate response that ignores the substance of my comment on the inconsistent treatment of uncertainty surrounding benefits and costs.</p>
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Comment Document

From: Kelley Lafer [mailto:kellylafer@yahoo.com]
Sent: Saturday, November 22, 2014 3:03 PM
To: Projects
Subject: Loop 202

Please do not go forward and build the 202 loop on Pecos Road. It just doesn't make sense to put it there. There are too many things already put in place and that have been there for too long to disrupt the quality of life in the Ahwatukee area. Please consider another option farther down the road or nothing at all.
Kelley Lafer

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Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Range of Reasonable Alternatives	

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	<div data-bbox="428 354 916 447"><p>From: Sally Lindsay [mailto:moongarden.sally@gmail.com] Sent: Monday, November 24, 2014 2:02 PM To: Projects Subject: South Mountain Freeway</p></div> <div data-bbox="428 493 783 598"><p>South Mountain Freeway Study Team Arizona Department of Transportation 1655 W. Jackson Street, MD 126F Phoenix, AZ 85007</p></div> <div data-bbox="428 598 1292 802"><p>My name is Maxine Lakin. I have worked for more than 40 years to set aside and preserve the Phoenix Mountains as a unique wilderness park. As an early member and past president of the Phoenix Mountains Preservation Council, I have continued to stay active in the organization due to the continued threat by housing and road developers, and individuals who don't value and respect the natural beauty and personal enjoyment that these mountains provide to Arizona. I believe that the taking of this Preserve land will set a precedent to future taking of lands for other uses. The significant cut into the South Mountains is heartbreaking to me.</p></div> <div data-bbox="428 802 1292 905"><p>After studying both ADOT's South Mountain Freeway Loop 202 (SMF) Draft Environmental Impact Study (DEIS) and now the Final Environmental Impact Study (FEIS), I am concerned that these documents do not address my comments submitted during the DEIS comment period.</p></div> <div data-bbox="428 905 1243 1010"><p>My belief that the Record of Decision should be a no build decision at this sight for the proposed SMF Loop 202 alignment. I am not convinced that ADOT is following the prescribed NEPA process evaluating all possible alternatives that make economic, environmental and cultural sense now and into the future.</p></div> <div data-bbox="428 1122 1292 1189"><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action No-Build Alternative	
3	Alternatives, Range of Reasonable Alternatives	

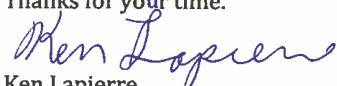
Code	Comment Document
	<p>ADOT Loop 202 South Mountain Freeway Study 1655 W. Jackson Street MD126F Phoenix, AZ 85045</p> <p>Dear ADOT ,</p> <p>Thank you for considering my public comments into the extended FEIS period - 12/4/14</p> <p>1 Now that the final plan is moving forward, I would like to formally request that the freeway overhead lights be as low unobtrusive as possible. We would like to request light mitigation on the E1 section in zip code 85045. We would not like to see bright lights near our back yards. Especially since this has been decided as an above ground rolling freeway whose height will be determined and subject to change during the construction phase. I feel the exact details of height , banks and curves should be disclose to the public before a record of decision since there are many homes within .25 miles of this freeway that will loose nature views and views of South Mountain preserve.</p> <p>2 I request you add additional sound proofing to the highway walls since this will be a excessively nosy above ground freeway with trucks from Mexico allowed to travel the route with unregulated diesel engines. A 10-15 foot standard wall will not be sufficient due to the sound echo's that occur in this unique 2 mountain range micro climate. In addition excess noise of trucks throttling on the end of the west bound E1 curve as they go North West, will create noise levels beyond what is included in the FEIS and be magnified by the echo's to those who live near the foothills.</p> <p>3 We request extra efforts and budgeted funds to protect the homes in 85045 at the end of pecos from sound and particulate matter since over 600 homes will remain. As since they will have only 4 rows of homes removed and will leave 1000's of residents within .2 Miles. of an 8 lane SMF. We would also request additional trees and shrubs planted to act as a buffer from the above ground freeway that will go straight past the end of pecos. And additional visual plantings and trees to hide the curve and edge of this SMF section near The Foothills Reserve and East and West of Calibrea.</p> <p>4. We also are currently (during 11/2/14 -12/4/14) experiencing new dust for truck traffic (dump trucks with out covers) and construction trucks driving daily south of pecos west bound. These trucks during the day are traveling at speeds in excess of 30 mph and creating much dust that drifts into our subdivisions of The Crossings and Calibrea. This current dust and particulate matter is not included in the FEIS and should be re-evaluated and modeled.</p> <p>5 Please add in additional funding for AAA+ grade sound proofing of homes and for AAA+ particulate filtration systems homes in the Crossings as well as for others living in Foothills reserve. Please specifically include my home at 16637 S. 27th Lane Phoenix, AZ 85045.</p> <p>The additional sound and dust is creating additional health hazard to me and my family living in this home. Also due to existing health conditions documented at the Scottsdale Mayo clinic; I request you to reduce the current and future dust particles, toxic and particulate matter, that will enter my home so close to the proposed 8 lane freeway. Particulate matter and toxins has gotten worse since 2009 and continues, possibly exceed legal limits causing health issues even without the SMF. This needs be studied and accurate 4 season data with wind drift data, and then added into the FEIS.</p> <p>6 I formally request that dust and pollution levels should be monitored and meters should test these levels in The crossings before the final record of decision is made. We all have noticed and increase in pollution, toxins and dust during 2012-2014 that warrant additional studies under the clean air act. Wind drift and seasonal climate conditions need to be studies since this area has 2 mountain ranges, a wildlife refuge preserve, and the south mountain preserve. Also we need to know the impact of increased air flow over and in our homes before during and after the cutting of the 3 ridges of south mountain preserve.</p> <p>7 In addition I would like to formally know of all the epa air violation days during 2011, 2012, 2013 and 2014 to see the actual pattern of air quality violations, including the days tagged as dust storms. We would like to know where the current air testing monitor is near 16637 s. 27th lane Phoenix, Az 85045. This should be detailed, and if a new air testing monitor was not put within .1 miles of our 660 residents we would like to formally request, an additional environmental impact study to include new and closer in test monitors where our high density homes are.</p> <p>6 Some dust increase currently occurs when new city , state, utility and construction trucks drive on the service road (one with locked gate) at the end of pecos. This should be a dust mitigation zone now and during construction. We would also like a dust mitigation zone to cover the Indian land traffic, and agricultural drift of dust and pesticides coming from south of pecos and west of pecos in to the foot hills reserve subdivisions. We would also like the crops and farming seeds and pesticides to be studied on the Indian land. Specifically is Roundup ready, and new 2014 formula Monsanto pesticides and GMO seed and pesticides are being used? In addition are these chemicals and seed drifting into or close to school and homes?</p> <p>7 We would also ask you to start and enforce the legal dust mitigation programs now, since there seems to be lots of increase truck traffic daily on the dirt and gravel roads, south of pecos and west of pecos where it dead ends.</p> <p>8 Since my home will be cornered by 2 edges of this SMF, I would ask you formally to add permanent Hazmat shelter within 1/4 - 1/3 mile of my home. This shelter can be located on the city owned land that currently exists. Or it can be build near the fire station north of the proposed Chandler Boulevard extension. This Hazmat shelter should be an A grade and accommodate 2500+ people (land locked by SMF) in the event of Chlorine gas tanker spills, at or near the curve from E1 to the N.W. sections. In addition other shelters should be located near the schools and near the homes north of Pecos as a real mitigation to the inevitable Mexican or Canadian tanker spills. It should be noted the Foothills Reserve will only be able to take surface street out of our community and there is going to only be one surface street east bound right in the direction of unhealthy wind drift during an accident.</p> <p>Thank your for your time and consideration. Ken Lapierre cc Rbgre attny cc S. Interior Dept</p>

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1	Visual Resources	Light from the freeway will be produced from vehicle headlights and taillights and from fixed light poles at interchanges along the freeway. Nighttime users of the park and residents of Ahwatukee Foothills Village may see lines of seemingly crawling vehicles, each with lights front and back. Freeway lighting will be provided along the median of the freeway and at interchanges to achieve desired lighting levels for safety reasons. Any freeway lighting will be designed to reduce illumination spillover onto sensitive light receptors (such as residential and natural areas) (see page 3-58 of the Final Environmental Impact Statement).
2	Public Involvement	<p>The methods and timing of construction activities will be determined during final design of the project. The final design and construction activities must adhere to the commitments made in the Record of Decision.</p> <p>The Arizona Department of Transportation will engage the public during design of the freeway to address specific design-related issues as specified in the commitment list. For projects like the South Mountain Freeway, the Arizona Department of Transportation, in the past, has held advertised public meetings to present design details—particularly to show where the freeway will be located, its profile, service traffic interchange configurations, noise barrier locations, and architectural treatments. During construction, the Arizona Department of Transportation will hold information meetings at the beginning of construction activities regarding the upcoming improvements and work schedules. The public will be informed through construction updates/newsletters, project information hotlines, Web sites, periodic meetings, project offices, and radio and newspaper advertising.</p>
3	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Trucks	
5	Air Quality	
6	Design	The Arizona Department of Transportation Roadside Development Section is responsible for assigning a wide range of standard treatment applications and wall materials, including color, to noise barriers and other structures. Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.
7	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Air Quality	In May 2012, the Arizona Department of Environmental Quality submitted a revised Maricopa Association of Governments 2012 Five Percent Plan for the region. On July 20, 2012, the U.S. Environmental Protection Agency made an official finding that the Maricopa Association of Governments 2012 Five Percent Plan was administratively complete. This decision ended the sanctions clocks associated with Arizona’s decision to withdraw the Maricopa Association of Governments 2007 Five Percent Plan. On February 6, 2014, the U.S. Environmental Protection Agency published a notice in the <i>Federal Register</i> proposing to approve the Maricopa Association of Governments 2012 <i>Five Percent</i>


(Response 8 continues on next page)

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8	Air Quality	<p><i>Plan for Attainment of the PM-10 Standard</i> for the Maricopa County Nonattainment Area. In the same notice, the U.S. Environmental Protection Agency stated that it would concur with exceptional event (as a result of haboobs and dust storms) documentation prepared by the Arizona Department of Environmental Quality, which would give the region the 3 years of clean data needed for attainment of the particulate matter (PM₁₀) 24-hour standard. Finally on May 30, 2014, the U.S. Environmental Protection Agency approved the 2012 Five Percent Plan and found the area in attainment of the 24-hour particulate matter (PM₁₀) standard based on monitoring data for 2010 to 2012 (see page 4-72 of the Final Environmental Impact Statement for more information).</p> <p>Regional air quality-related data can be obtained from the Arizona Department of Environmental Quality (<azdeq.gov/environ/air/index.html>), Maricopa Air Quality Department (<maricopa.gov/aq/>), and Maricopa Association of Governments (<azmag.gov/Environmental/default.asp>).</p> <p>Data from various Maricopa County Air Quality Department monitoring sites were used in the air quality analyses (see the air quality technical report on the project Web site: <azdot.gov/southmountainfreeway>). Siting, operating, and recording information from monitoring sites are the responsibility of the Maricopa County Air Quality Department. See <maricopa.gov/aq/>.</p>
9	Air Quality	<p>To reduce the amount of construction dust generated, particulate control measures related to construction activities must be followed. The following mitigation measures will be followed, when applicable, in accordance with the most recently accepted version of the Arizona Department of Transportation <i>Standard Specifications for Road and Bridge Construction</i> (2008). Prior to construction and in accordance with Maricopa County Rule 310, Fugitive Dust Ordinance, the contractor shall obtain an approved dust permit from the Maricopa County Air Quality Department for all phases of the proposed action. The permit describes measures to be taken to control and regulate air pollutant emissions during construction (see page 4-173 of the Final Environmental Impact Statement).</p> <p>The remaining portion of the comment related to monitoring and enforcing items on activities on the Gila River Indian Community land is outside the scope of this project.</p>
10	Air Quality	<p>The mitigation for the freeway will be implemented following and in accordance with the commitments in the Record of Decision. The Arizona Department of Transportation is not required to mitigate for others' actions. Dust complaints should be submitted to the City of Phoenix or the Maricopa County Air Quality Department.</p>
11	Hazardous Materials	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>

Code	Comment Document
	<div># 2015 11-17</div> <div>Traffic Flow Concerns</div> <div>Dear Adot, Thanks for the opportunity to write you about traffic flow concerns in the proposed SMF FEIS.</div> <div><div>1</div><div>A primary objective of the SMF is to divert and improve traffic flow which looks great on paper, but is not good in reality! As a commuter who drove downtown for 5 years..... There will be no incentive for commuters in Ahwatukee to take this route because the end point would not get them downtown! In fact it would dump them on to the East bound I 10 at 59th Ave. This would add traffic flow to one of the busiest parts of the I-10 in rush hour. The commute would end up taking longer. Think about it ... It wont shift traffic away from I10 for downtown commuters from SE valley or from Ahwatukee.</div><div><div>2</div><div>In addition some of us who live in the 9th district will now have to deal with a new and unintended traffic congestion since we will lose Pecos road. I.E. I will have to drive on residential streets from basically 25th ave to 24th street and THEN try to get on the 1 and only on ramp? This is a crazy lack of concern for residential traffic flow.</div><div><div>2</div><div>3</div><div>4</div><div>Oh by the way local traffic congestion, pollution and noise is still not mitigated in the FEIS.</div><div><div>5</div><div>ADOT claim's that it would improve traffic flow is not reasonable to me. Even ADOT admits that improved traffic flow is overstated and had to recently revise their own analysis. They now see that traffic counts have been basically flat for the past 5 years.</div><div><div>1</div><div>So since no one in city government seems to care about the residents where I live ... We had to hire an independent traffic engineer, Herman (BAS MA C AN) to examine the alleged facts used for traffic modeling and forecasting. He stated that even if one assumes that the traffic flow estimates are accurate(which they are not), "SMF would not alleviate the capacity deficiencies identified in its Purpose and Need". In fact, there would still be traffic deficiencies.</div><div><div>6</div><div>7</div><div>This is really a David and Goliath story. As the facts are documented, it seems the freeway's goal is perhaps for trucking from Mexico, and not for helping the folks who actually live and pay taxes in YOUR districts.</div><div><div>8</div><div>1</div><div>9</div><div>As a business person, I am all about the opportunity for growth. But CAN'T we do this without destroying the Ahwatukee community and adding to traffic congestion. We also need to be concerned of the financial impact for this SMF, and its impact to adding to the Phoenix budget deficit. This freeway is going to cost about \$110 million per mile and has a funding shortfall.</div><div><div>6</div><div>You all took an oath of service, to represent the best interests of the people. I am one of the people fighting for what's right for Phoenix. Please don't let this become the new truck bypass route, letting more trucks, come so close, to all of us, who LOVE to call Phoenix home!</div><div>Thanks for your time.  Ken Lapierre</div><div><div>10</div><div>I would also like to submit the EPA's commentary on this traffic flow analysis for your research and consideration See the attached A in the following (3) pages.</div><div>- 1 -</div></div></div></div></div></div></div></div></div></div>

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Traffic	Traffic interchanges will be located at 17th Avenue, Desert Foothills Parkway, 24th Street, and 40th Street to serve residents in the Ahwatukee Foothills Village. Motorists that live west of 25th Avenue can access the freeway at 17th Avenue. In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the proposed freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).
3	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Noise	
5	Purpose and Need, Old Plan or Use of Old Data	
6	Purpose and Need, Truck Bypass	
7	Trucks	
8	Community Impacts	
9	Project Costs, Total Cost	
10		Comments noted. The U.S. Environmental Protection Agency's comments on the Draft Environmental Impact Statement were addressed in Appendix 7, Volume III, of the Final Environmental Impact Statement, starting on page B6.

Code	Comment Document
	<div><div><p>15 Hawthorne Street San Francisco, CA 94105 July 23, 2013</p><p>OFFICE OF THE REGIONAL ADMINISTRATOR</p></div><div><p>Karla Petty Arizona Division Administrator Federal Highway Administration 4000 North Central Avenue, Suite 1500 Phoenix, AZ 85012</p><p>Subject: South Mountain Freeway Project, Maricopa County, Arizona [CEQ#20130104] Dear Ms. Petty,</p><p><i>(Partial section below on Traffic)</i></p><p>Chapters 1 and 4 of the DEIS appear to overstate traffic problems and emissions resulting from the No Action alternative and the benefits of the Action alternatives. The population projections employed in the DEIS are based on pre-recession projections, and now exceed the current highest population projections for Maricopa County by Arizona's Office of Employment and Population Statistics. As a result, the forecasted traffic problems and emissions associated with all alternatives in the DEIS are likely higher than what is reasonably expected to occur based on more current data. Additionally, the congestion issues and emissions that the DEIS describes as a result of the No Action alternative include more trips and more congestion than are reasonable to expect. As a result, the relative benefits of Action alternatives are also likely to be overstated. This overestimate occurs because the travel model forecasts for the Action and No Action alternatives employ the same socioeconomic projections from the Maricopa Association of Governments, which are based on municipal master plans. The underlying master plans assume that the South Mountain Freeway is completed, and do not have land use plans that represent the No Action alternative.</p><p>Recommendations:</p><ul style="list-style-type: none">• Present congestion impacts and emissions for the No Action alternative using updated socioeconomic projections that do not assume completion of the South Mountain Freeway (with appropriate caveats about uncertainty).• Present the comparison of impacts from the Action and No Action alternatives to reflect the likely differences in land use (e.g., residential and commercial development) between the Action and No Action alternatives.<p>Emissions Analyses and Traffic Forecasting</p><p>The air quality impacts presented in the DE IS for the entire alignment of the South Mountain Freeway corridor are not adequately assessed. The analysis incorporated existing 1-10 emissions with emissions anticipated from the project into a "sub-area" which does not permit a clear understanding of emissions from the new freeway alignment, separate from the current setting. For example, the emission trends presented in Chapter 4 convey the conclusion that the preferred alternative reduces emissions throughout the study area. However, the DEIS presents no emissions analyses of the South Mountain Freeway corridor itself, despite indications from the CO hotspot analyses (tables 4-31 and 4-32) that concentrations of criteria pollutants along the Pecos Road corridor will increase above current levels (in spite of falling CO emission factors over time), and indications that MSAT emissions will be higher in the future. Since the South Mountain Freeway corridor is the area to be most heavily affected, not presenting the emissions along the corridor prevents the public and decision makers from gaining a clear understanding of the extent of impacts from the different Alternatives and the potential basis for reducing impacts.</p><p>Recommendations:</p><ul style="list-style-type: none">• Emissions analyses should be revised with the South Mountain Freeway corridor modeled independently off 1-10 and other roads.• Emissions trends from the South Mountain Freeway corridor should be presented, by themselves, in addition to emissions along other road links (e.g., 1-10).<div><p>-2-</p></div></div></div>

Code	Issue	Response

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	<p><i>(Partial Section from EPA on Clean Air Act)</i></p> <p>The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement (DEIS) for the South Mountain Freeway Project. Our review and comments are provided pursuant to the National Environmental Policy Act, the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508), and our NEP A review authority under Section 309 of the Clean Air Act.</p> <p>As stated in the DEIS, the South Mountain Freeway Project is a proposal to build a new 8-lane freeway extending approximately 22 to 24 miles from the Interstate 10 and Santan Freeway interchange westward through the community of Ahwatukee, paralleling the Gila River Indian Community (GRIC) border. The DEIS has identified a preferred alternative which is estimated to displace 845 housing units, including 680 multifamily units and 165 single family residences.</p> <p>The project represents a new highway alignment in a heavily urbanized area currently designated as nonattainment for particulate matter less than 10 microns in diameter (PM10). It is therefore critically important that potential impacts to air quality be accurately analyzed, disclosed, and reduced as much as possible. The DEIS provides insufficient information to assess the potential significance of the air quality impacts of the proposed action. In view of the area's current designation as nonattainment for PM10, it is essential to accurately assess and disclose potential PM10 hotspot impacts, as well as determine whether the project meets the transportation conformity requirements of the Clean Air Act. The Act and its implementing regulations provide that a project may not cause or contribute to any new localized violation of a national ambient air quality standard (NAAQS), increase the frequency or severity of any existing violations, or delay timely attainment of the NAAQS (CAA section 176(c)(1)(B) and 40 CFR 93.116(a)). The analysis found in the DEIS does not provide the information necessary to make an accurate determination of PM10-related impacts. It also does not sufficiently address other potential air quality issues of concern. The EPA is available to work with FHW A and other agencies to complete needed analyses as this effort moves forward.</p> <p>The DEIS presents no stand-alone emissions analyses of the portion of the project that introduces new general purpose lanes, despite indications from the carbon monoxide (CO) hotspot analysis that</p> <p>-3-</p>

Code	Issue	Response

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	<div><p>concentrations of criteria pollutants will increase relative to current levels, along with increased emissions of mobile source air toxics (MSATs). The potential increase indicated by the analysis would occur despite the fact that per-vehicle emissions are declining substantially over time. Instead, the DEIS presents an estimated value of emissions that combines the impact of the new freeway alignment with emissions from the adjacent, and existing, 1-10 freeway. This methodology does not provide the information needed to disclose, analyze and potentially mitigate the actual emissions anticipated from a new highway segment. Additionally, we believe the analysis of congestion and emissions impacts from the No Action alternative includes estimates of congestion and vehicle miles traveled (VMT) that are higher than appropriate considering relevant facts and analysis. As a result, the relative benefits of all Action alternatives when compared to a future No Action alternative are likely to be overstated.</p><p>We also note that no air toxics risk assessment has been provided, even though there is a documented history of local public concern and requests to ADOT and FHWA for analysis of the potential health effects from the proposed new freeway. We do not believe the reasoning provided in the DEIS for not providing such an assessment is compelling, especially in light of the history of requests for such analysis. Risk assessments for air toxics from vehicle traffic have been included in many published studies as well as in EISs for other projects. EPA has emission and air quality models that can be used to predict concentrations of air toxics at receptors near the project, and we would be happy to assist ADOT and FHWA in using the models, which are available on EPA's web site.</p><p>Based upon this lack of information important to analyzing the project's potentially significant impacts on air quality, EPA has rated the South Mountain Freeway DEIS as "3 - Inadequate Information" (see Enclosure 1: "Summary of Rating Definitions and Follow-Up Action"). EPA believes the following information would serve as the basis for a robust and meaningful air quality analysis: 1) Assessment and disclosure of potential PM 10 hotspot impacts and confirmation of whether the project meets the Clean Air Act's transportation conformity requirements; 2) Emissions analyses that present the emissions of the South Mountain Freeway corridor separate from those of I-10, along with updated traffic forecasting for the No Action alternative; and 3) A robust air toxics risk assessment that addresses potential health effects from the proposed new freeway.</p><p>We recommend this information be circulated in a Supplemental DEIS for public comment, in accordance with NEPA and CEQ's NEPA Implementation Regulations. EPA respectfully requests the opportunity to review this information and provide ADOT and FHWA our feedback before a Supplemental DEIS is published. In the attached detailed comments, we also provide recommendations regarding the assessment of impacts to children's health, environmental justice, aquatic resources and other issues we recommend be addressed in the NEPA document.</p><p>We appreciate the opportunity to review this DEIS and look forward to working with ADOT and FHWA to address the issues outlined in this letter. If you have any questions, please refer staff to Clifton Meek at (415) 972-3370 or to Angeles Herrera, Associate Director in our Communities and Ecosystems Division, at 415-972-3144. Please send a copy of the Supplemental DEIS to this office (mail code CED-2) when it is electronically filed with our Washington, D.C. office.</p><div>—4—</div></div>

Code	Issue	Response

Code	Comment Document
	<p>From: KLapierre [mailto:kennethlapierre@gmail.com] Sent: Friday, December 05, 2014 12:06 PM To: Projects Subject: Smf feis comment</p>
1	PLEASE ADD a super high quality sound wall on e1 section at the end of pecos adjacent to the foothills master reserve. We are going to have 630 homes remain after you tear out the 4 rows of homes in our subdivision.
213	Also add decorative wall and tree and ahrub plantings to help offset the noise and air pollution from thes section which will be above ground.
42	Also can you minimize the freeway road lights since 200 homes will see the freeway. We would appreciate you spending xtra funds to beautify smf and protect home owners who will now loose protected wildlife lands and southmountain preserve views.
5132	With a 2.5 billion spend or 125 million a mile you can go above and beyond to minimize the noise, polution and destruction of view.
67	We would also like a hazmat shelter and a community park for the kids to compensate for the destruction of our current quality of life Please do the right thing and do more to help our quality of life.
	<hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Design	The Arizona Department of Transportation Roadside Development Section is responsible for assigning a wide range of standard treatment applications and wall materials, including color, to noise barriers and other structures. Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.
3	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Visual Resources	Light from the freeway will be produced from vehicle headlights and taillights and from fixed light poles at interchanges along the freeway. Nighttime users of the park and residents of Ahwatukee Foothills Village may see lines of seemingly crawling vehicles, each with lights front and back. Freeway lighting will be provided along the median of the freeway and at interchanges to achieve desired lighting levels for safety reasons. Any freeway lighting will be designed to reduce illumination spillover onto sensitive light receptors (such as residential and natural areas) (see page 3-58 of the Final Environmental Impact Statement).
5	Project Costs, Total Cost	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Hazardous Materials	
7	Community Impacts	Mitigation measures to minimize the impact of the freeway on the remaining residents are presented throughout Chapter 4 of the Final Environmental Impact Statement.

Code	Comment Document
	<p>From: lawlis@aol.com [mailto:lawlis@aol.com] Sent: Tuesday, December 23, 2014 4:24 PM To: Projects Subject: Comments on FEIS for the Proposed Loop 202 South Mountain Freeway</p> <p style="text-align: center;">Additional Comments on the FEIS for the Proposed Loop 202 South Mountain Freeway</p> <p>1 The FEIS makes a mockery of public comments on the DEIS. These comments are evidently just annoyances that require excuses and justifications – and that is all the FEIS is, a plethora of excuses and justifications intended to confuse the reader and muddy reality. It begins with unsupportable justifications for needing a freeway and excuses for ruling out many other reasonable locations for potentially building a freeway.</p> <p>2</p> <p>3 A good example of the FEIS attempt at muddying reality is the claim that the Phoenix Police have found no correlation between crime rates and freeways. This claim is easy to refute in Ahwatukee! Police logs of Ahwatukee crime reported in the <i>Ahwatukee Foothills News</i> show the vast majority of crime near the I-10. Also, Phoenix Police officer allocation in Ahwatukee shows a much greater concentration of officers assigned to patrol near the I-10. So the Phoenix Police are quite well aware of the correlation. Perhaps politics will just not allow them to admit it! The FEIS is full of implications that outside organizations support FEIS conclusions, yet these implications are based on a confused version of “reality” that exists only in the FEIS.</p> <p>4 It is clear that all FEIS excuses are leading to a justification for a major truck bypass in the location of the “preferred alternative.” Such unreasonable excuses and justifications can only be the result of behind-the-scene political and/or financial pressure to choose this unsuitable and unjustifiable location for a freeway whose very existence is difficult to justify.</p> <p>5 The FEIS is fraught with inadequate analyses and a lack of meaningful preliminary designs making it difficult for a reviewer to determine anything substantial about the freeway plans. It also contains many contradictions, such as the assertion that accumulated small differences are important when they further a case for justifying a freeway but not important when they work against the case.</p> <p>6 For the most part, the FEIS analyses look at areas outside of Ahwatukee, throwing in an occasional Ahwatukee reference to make it look good – just as most of the FEIS is little more than a feeble attempt to make the “preferred alternative” look good. For example, air quality analyses purposely do not study the Ahwatukee environment in detail. The reason seems quite obvious – the results would not further the case for the freeway.</p> <p>1 The FEIS for the proposed Loop 202 South Mountain Freeway is a farce. The only reasonable alternative is a “No Build.”</p> <p>If ADOT and the FHWA continue with this farce, it will go to court where individual criminal activity within government agencies may be uncovered in addition to ADOT and FHWA incompetence.</p> <p>Patricia K. Lawlis, Ph.D. President, PARC</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Range of Reasonable Alternatives	
3	Crime	The Arizona Department of Transportation and Federal Highway Administration position has not changed regarding our responses to similar comments made on the Draft Environmental Impact Statement.
4	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Design	The current level of engineering is used to determine the limits of environmental and construction impacts attributable to the freeway. The location and profile of the freeway are evaluated to minimize potential changes to the freeway as the design level progresses. The current level of engineering is an accepted industry standard for determining impacts. (See Final Environmental Impact Statement sidebar on page 3-40 for more discussion.)
6	Air Quality	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The analysis of carbon monoxide, particulate matter (PM₁₀), and mobile source air toxics specifically included assessments of air quality in Ahwatukee Foothills Village. The carbon monoxide and particulate matter (PM₁₀) analyses included a hot-spot analysis at the 40th Street Interchange. The mobile source air toxics analysis included an Eastern Subarea made up almost entirely of the Ahwatukee Foothills Village.</p>

Code	Comment Document
	<hr/> <p>From: Lesio [mailto:lesio@cox.net] Sent: Tuesday, November 25, 2014 6:29 AM To: Projects Subject: South Mountain freeway DEIS - Comments</p> <p>To: South Mountain Freeway Project Team Arizona Department of Transportation 1655 W Jackson St, MD 126F Phoenix, AZ 85007</p> <p>From: Peter and Gail Lesio 16723 S. 32nd Lane Phoenix, AZ 85045</p> <p>Date: November 25, 2014</p> <p>RE: Comments on DEIS</p> <hr/> <p>To Whom it may concern:</p> <p>We are a member of PARC (Protecting Arizona Resources and Children) and strongly oppose the proposed South Mountain Freeway. Your Final Environmental Impact Statement and the SMF (South Mountain Freeway):</p> <ul style="list-style-type: none">1. fails to improve on traffic congestion anywhere in the Phoenix area,2. would create a dramatic increase in Phoenix truck traffic both on the new SMF truck bypass and on the I-10 in the West Valley,3. would deteriorate air quality beyond allowable limits,4. would bring proven health dangers for students attending schools near the proposed freeway, specifically 15 schools with over 13,000 students,5. would create significant, new dangers of hazardous material transport within highly populated and highly vulnerable areas,6. proposal for the SMF shows a complete disregard for the laws that are meant to protect our environment and our citizens. <p>Please respond to the following comments.</p> <p>Sincerely</p> <p>Peter and Gail Lesio</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	
3	Air Quality	
4	Children's and Seniors' Health	
5	Hazardous Materials	
6	National Environmental Policy Act	The Arizona Department of Transportation and Federal Highway Administration respectfully disagree with this comment.

Code	Comment Document
1	<div>MS. LEWIS: Good morning. I'm Edwardene Lewis. I'm from District 5, but I've been living here for, like, 18 years. Actually, I wasn't even really going to stay here. It was just, like, for the time being. I lived in Casa Grande for many years.</div> <div>And -- so I'm against this 202 building. Just like they say, you know, I've gone to the meetings and asked you for your opinion, which I try to. And it's just, like, oh, you know, they don't want to hear it. It doesn't make a difference. Whatever we have to say, it doesn't matter. Our voices don't matter. What they want -- anybody that has the right to make the choices, what they want to do, that's what they're going to do. And, you know, they're not listening to the people.</div> <div>Anybody has something to say -- and just like Lisa had said, yeah, when we're talking about change and stuff like that, you know, and talking about there's not enough money for the budget on this, and it's going to cut into the per cap. That's okay. That's fine with me. I don't care. Because per cap, all that just has all the people, the young people here, all they're using the per cap is drugs, alcohol. They're -- they don't think about their families. So that's money for everybody, per cap. That's fine.</div> <div>I could stand here and say, yeah, I want the</div> <div>Page 99</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
1	Public Involvement	Public comments are a vital component in the decision-making process. Public comments have been solicited from project inception and through key milestones in the environmental impact statement process. The interests and needs of the public, along with all other social, economic, and environmental issues and impacts, must be fully analyzed and included in the Draft and Final Environmental Impact Statements. Comments made during development of the Draft Environmental Impact Statement have been used to adjust plans, explore new questions, or make changes—all within the scope of the National Environmental Policy Act. Public comments received on the Draft Environmental Impact Statement were reviewed and addressed in the Final Environmental Impact Statement. Public comments received on the Final Environmental Impact Statement were considered and addressed in this section of the Record of Decision as appropriate. More information about the entire public involvement process is available in Chapter 6, <i>Comments and Coordination</i> , of the Final Environmental Impact Statement.

Code	Comment Document
	<div><div><div>1202. I'm getting told I'm going to be going soon anyway, you know; it's not going to affect me. But it's going to affect all our grandkids, great-grandchildren. And that's something that everybody needs to think about. If we only think about ourself, we're just being selfish. If means money for us, okay, yeah, let's do it. You know? That's not right.</div><div>Our land, you know, it -- we were connected to Salt River. We're not connected to Salt River anymore. As you all know, there's Phoenix, Scottsdale. We were one whole big -- you know, our tribe was really big at one time. And slowly, they're getting into, you know, taking land here and there. Slowly it's happening. And you guys are not even aware of it.</div><div>And I'm kind of ashamed to, you know, think about the people that are making these choices. I'm ashamed for -- I'm not them, but it's -- it's a shame, because they're not thinking about our people.</div><div>If you -- there's people that they say that they're -- that they are into prayer, the elder people, into prayer, and that they're -- that they're really -- what's the word I'm trying to look for? Like know the old things. Then why are they making the bad choices? This is what I see.</div><div>And, you know, it's saddening because our</div></div><div>Page 100</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
2	<div><p>1 children are getting sick. You guys don't understand it.</p><p>2 You don't see it. And it will be worse if that freeway</p><p>3 goes through here.</p><p>4 I recently started running. And we do run</p><p>5 that mountain. And, you know, we've seen the lines that</p><p>6 are out there. And, you know, running is not an easy</p><p>7 thing to do. I can tell you that right now. But, you</p><p>8 know, it -- it helps. If you're a runner and you pray,</p><p>9 you'll understand what I'm talking about. And when we do</p><p>10 this, we always pray for -- when I'm out there, I pray for</p><p>11 my family. Sometimes when we -- you know, I'm out there,</p><p>12 I pray for our community.</p><p>13 I'm not from here, but I've been here for a</p><p>14 lot of years, so I kind of figure myself as being from</p><p>15 here. And I pray for everybody that lives in this</p><p>16 community.</p><p>17 I was in the women's run. Every village we</p><p>18 went through, I prayed for that community. I didn't pray</p><p>19 for myself. There was a lot of women that went through a</p><p>20 lot when we did that run.</p><p>21 And I just hope that, you know, a lot of you</p><p>22 here, if you have anything to do with it, you know, I just</p><p>23 hope you guys make the right choice.</p><p>24 That's all I have to say.</p><p>25 MS. KISTO: Thank you, Monique and</p></div> <div>Page 101</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
2	Children's and Seniors' Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code Comment Document

From: Sally Lindsay [mailto:moongarden.sally@gmail.com]
Sent: Monday, November 24, 2014 3:26 PM
To: Projects
Subject: South Mountain Freeway

South Mountain Freeway Project Team

My name is Sally Lindsay and my family has lived in Arizona since 1921. The mountains surrounding Phoenix have been very important to our family. Our family farm is near the South Mountains and Estrella Mountains. I'm a second generation member of Phoenix Mountains Preservation Council and am strongly dedicated to the preservation of South Mountain and the beautiful natural resource that means so much to what makes Phoenix so unique compared to other large cities. The building of this freeway, that takes a portion of the picturesque desert Preserve land set aside by vote of the people, seems unimportant to some. But to many others, it means a refuge from the noise, pollution and stress of city life.

I'm an avid hiker and equestrian. I've spent much of my free time riding horseback with my father in these mountains. I've hiked countless trails observing the wildlife and beauty found there. It's so disappointing to me to think of all the hours and years my parents dedicated to fighting for these beautiful preserves, only to have them so disregarded for a freeway that will add nothing but destruction.

After studying both ADOT's South Mountain Freeway Loop 202 (SMF) Draft Environmental Impact Study (DEIS) and now the Final Environmental Impact Study (FEIS), I feel strongly that many important areas have been ignored. I don't believe the study team adequately studied alternative alignments. I also don't agree that the FEIS shows no harm to the land, plants and wildlife.

The proposed South Mountain Freeway would pass through the park's southwestern edge. Section 4(f) of the Department of Transportation Act extends protection to significant publicly owned public parks, recreation areas, and wildlife and waterfowl refuges, as well as significant historic sites, whether they are publicly or privately owned. This protection stipulates that those facilities can be used for transportation projects only if there is no prudent and feasible alternative to using the land and the project includes all possible planning to minimize harm to the land [see Final Environmental Impact Statement, Chapter 5, Section 4(f) Evaluation].

Biology, Plants, and Wildlife - ADOT DEIS Response - Less than a mile of the proposed freeway would pass through the park. Issues such as heavy metals, pollutants from asphalt, and airborne emissions that would settle out would have inconsequential potential impacts on adjacent plant vitality and species composition

The FEIS mitigation fails to adequately define the specific or unique design requirements and placement for wildlife movement areas defined in Fig. 4-38 ([Vol. 1: Main Text, p4-126](#)) and connectivity structures mentioned in *Habitat Connectivity and the Proposed Action* ([Vol. 1: Main Text, p. 4-137](#)) or a true understanding of the specific wildlife that will use this connectivity.

My belief that the Record of Decision should be a **no build** decision at this sight for the proposed SMF Loop 202 alignment. I am not convinced that ADOT is following the prescribed NEPA process evaluating all possible alternatives. The freeway cannot be built without terrible personal and environmental results.

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Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Air Quality	
4	Alternatives, Range of Reasonable Alternatives	
5	Biology, Plants, and Wildlife	
6	Alternatives, No-Action Alternative	
7	Alternatives, Environmentally Preferable Alternative	

Code	Comment Document
	<p>From: Gina Lister [mailto:ginadi.lister@gmail.com] Sent: Tuesday, November 11, 2014 6:15 PM To: Projects Subject: NO TO THE SOUTH MOUNTAIN FREEWAY!!!</p> <p>I am a member of PARC and I do not want this to happen. Please consider the risks involved for the residents (myself included) of Ahwatukee...especially Foothills Reserve.</p> <p>Thank You,</p> <p>Gina Lister 865 603 2550</p>
1	<p>1. The FEIS provides no compelling case for a freeway to go through the South Mountain Corridor.</p>
2	<p>A) ADOT must consider that the "region" does not just include Maricopa County and that the region is much larger now than it was 30 years ago when this freeway plan was conceived, so travel needs in the southern part of the region are well served by a highway far to the south of the South Mountain Corridor.</p>
3	<p>B) The part of the region surrounding South Mountain is much in need of alternative forms of transportation to get around the area – such as light rail and more and better bus service.</p>
4	<p>C) Intended or not, the South Mountain Freeway as currently proposed in the FEIS would be a major truck bypass, and the region does NOT need another truck bypass, especially not one in the Phoenix metropolitan area.</p>
2	<p>2. The FEIS claims that the South Mountain Freeway would ease traffic congestion. Yet Table 3-8 on Page 3-34 shows that improvement in travel times on existing freeways would be no more than a couple of minutes! The claim of improving traffic congestion is misleading at best! Even if I believe the small travel time improvements shown in Table 3-8 would really occur, they do not justify the expense of building a new freeway!</p>
5	<p>3. The air quality calculations in the FEIS are woefully inadequate. ADOT has still not completed the calculations as specified by the EPA in their comments on the DEIS. No consideration has been given to the effects of the South Mountain air shed on air quality. Claims in the FEIS that the South Mountain Freeway would not degrade air quality are outrageous!</p>
6	<p>4. PARC has found scientific proof that over 13,000 students in schools within ½ mile of the South Mountain Freeway would be at significant risk for increased respiratory ailments and retarded lung development. PARC has also found that seniors who live within ½ mile of the proposed freeway would be at significantly higher risk of heart attack or death. Yet the FEIS does not even consider these issues.</p>

Code	Issue	Response
1	Purpose and Need, Lack of Support	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Alternatives, No-Action Alternative	
3	Alternatives, Nonfreeway Alternatives	
4	Purpose and Need, Truck Bypass	
5	Air Quality	
6	Children's and Seniors' Health	

Code	Comment Document
7	5. The FEIS does not consider the true cost of the South Mountain Freeway. To start with, the FEIS has left so many design questions unanswered that the actual cost of the freeway is likely to be closer to \$4 billion rather than the \$2 billion ADOT has estimated. Further, the FEIS has no discussion of the annual injuries, deaths, and property destruction that could be expected from the freeway, nor the health implications for school children and seniors. The small discussion in the FEIS about potential cancer deaths from elevated levels of certain air pollutants is dismissive, indicating that those particular air pollutants don't count, and the number of increased deaths would be insignificant. The FEIS approach to human suffering is outrageous!
6	6. In building the South Mountain Freeway, wells that feed the lakes in Lakewood and the Foothills and Club West golf courses would be destroyed. The FEIS claims that ADOT will replace these water sources, but at what cost?
8	7. The FEIS does not mention the danger of trucks transporting hazardous materials (hazmats) over the South Mountain Freeway. While the chances that a hazmat spill would occur at any particular time are quite small, the chance that a spill would happen SOMETIME is significant, and the public has a need to know about the potential effects of such a spill. Within the "world's largest cul de sac" of Ahwatukee, evacuation in a timely manner without using the freeway would be difficult if not impossible. And the effects of the South Mountain air shed (apparently not studied by ADOT) are likely to trap air borne toxins in the village for a much longer period of time than would be expected in an open area where air blows freely. One of the hazmats expected to be transported on the freeway would be chlorine, a particularly deadly gas that seeps into buildings and cars. So immediate escape would be necessary, for chlorine turns human membranes into hydrochloric acid and makes it difficult, if not impossible, for one to see or breathe. The transport of hazmats through Ahwatukee is unacceptable, so they must be banned from the freeway.
9	8. The FEIS proposes blasting through 3 ridges of South Mountain in building the South Mountain Freeway. This land in South Mountain is a part of the South Mountain Park Preserve. As the name suggests, this land is to be preserved! It is also a part of the largest municipal park in the country – a crown jewel of Phoenix! Further, South Mountain is sacred land to several of the Native American tribes in Arizona. No freeway has a need or a right to desecrate this land!
10	
11	
	<p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
7	Project Costs, Total Cost	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
9	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
11	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<p>-----Original Message----- From: Gloria Llama [mailto:gollis@cox.net] Sent: Tuesday, November 25, 2014 10:22 AM To: Projects Subject: Ahwatukee resident and a member of PARC.</p> <p>Dear sir or madam,</p> <p>My name is Gloria Llama, I'm an Ahwatukee resident and a member of PARC. I'm writing to you out of deep concern regarding the Final Environmental Impact Statement that was recently published.</p> <p>I'm dumbfounded by the almost non-existing regard to very significant issues that do not only affect my entire family but also your as well as many generations to come.</p> <p>Looking at FEIS, are we really willing to sacrifice that much just to save people the time it is taking you to read this email? Are we really becoming that selfish that are willing to take the very first answer that "seems" to address a problem without seriously considering the consequences of our actions?</p> <p>I find it very hard to believe that ADOT would be even considering taking a 30-year old plan "as-is" without really re-assessing our current needs and situation; facts like the highways available now far to the south of the South Mountain Corridor that serve travel needs just fine which were not there 30 years ago seem to be completely ignored.</p> <p>And what about the impact on our health and safety? Once again, we as a nation are working tirelessly to find cures for things like AIDS and Ebola that threaten our families, yet are willing to move ahead with a project that WILL result in annual injuries and deaths, destruction of property and water sources, and exposure to elevated levels of air pollutants for over 13,000 students and elderly citizens just in our area.</p> <p>I know you've earned the right to be where you are, but that also comes with the responsibility of being our voice and to protect the well being of our community.</p> <p>I would like to thank you in advance for your time and sincerely hope you take all these facts into consideration when making a final decision</p> <p>Sincerely, Gloria Llama Ahwatukee Resident</p> <p>Sent from my iPhone</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p> <p>.</p>

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- 567

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Health Effects	
4	Acquisitions and Relocations	
5	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
6	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Children’s and Seniors’ Health	

Code	Comment Document
	<div><div><div>1MS. LOPEZ: You know me. I'm going to say</div><div>2something. But first thing I object to is if they're</div><div>3going to do a presentation with the public here, I would</div><div>4think that the tribe, with all of its money, could afford</div><div>5another mic to where it could go back there and have the</div><div>6people hear what is going on, because when you're sitting</div><div>7back there, you can't even hear. And I'm sorry to say</div><div>8that a lot of you, we didn't get your names or your</div><div>9positions. But, you know, that is not your fault. But</div><div>10I'm just thinking about the community.</div><div>11What I want to ask is that -- what I'm</div><div>12hearing is most of the -- this meeting was set up by the</div><div>13council. So I guess my number one question is what was</div><div>14the intent? You've heard over and over and over, the</div><div>15councilmen, the wishes of the community. We kept saying</div><div>16no. How many elections and how much money was spent on</div><div>17these elections when the community was saying no? So to</div><div>18the councilmen, especially those who are representing</div><div>19District 6, you know what the answer was.</div><div>20So the other thing is that the councilmen</div><div>21are coming in. I would think that you would be courteous</div><div>22enough to sit up in the front so those who don't know who</div><div>23you are could at least say, oh, those are our council</div><div>24people and how many have taken the time to come over here.</div><div>25But I'm really confused as to why the</div></div><div>Page 30</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
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1 meeting is. And maybe one of the councilmen -- some of
2 the councilmen from our area could tell me. What I'm
3 understanding is that you want to hear the public
4 comments. So I would ask again, how many times do you
5 have to hear the public comments to -- to know the wishes
6 and the -- of the community?

7 So other than us gathering and coming
8 together, that's my question to the council people. What
9 is the intent of this meeting? 'Cause we're kind of mixed
10 up as to what we can and can't say. And we can't ask any
11 questions to our guests here. And I'm sorry that you have
12 to hear these things, but this is the true feeling of what
13 our community feels. And -- so I'm kind of confused, just
14 like a few of them, what -- what is expected out of this
15 meeting? What I'm hearing is the comments, public
16 comments.

17 Where's Zuzette?

18 And -- but, again, the committee knows it.
19 Our community knows it. We've had the vote. And you may
20 not be aware of it, but it's come to community from
21 reservation -- from District 1 all the way to District 7.
22 And we -- every time it was no, no, no. We don't want the
23 freeway.

24 And it's -- again, just some answers as to
25 the intent. We're supposed to be making public comments.

1

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Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1 We can't ask our guests any questions. But the team</div><div>2 already knows the comments, the pros and the cons.</div><div>3 So that's my question. I don't know. Maybe</div><div>4 one of the councilmen can explain.</div><div>5 MS. KISTO: Thank you, Ms. Lopez.</div><div>6 Would anybody from the -- thank you,</div><div>7 Councilman Villarreal. He's on his way up.</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div><div>Page 32</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div></div><div><div></div><div></div></div></div><div><div></div><div></div></div></div> <div><p>From: Mike Luecker [mailto:mluecker@hotmail.com] Sent: Saturday, December 27, 2014 4:05 PM To: Projects Subject: SMF - Final EIS</p><p>I had originally provided the following comment, which was included in the Draft EIS for SMF:</p><p><i>Regarding the Alternatives considered:</i></p><p><i>I attended the public meeting several years ago for the I-10 CD collector roads. As presented during this meeting, traffic projections/delays were significant even with the assumption of the South Mountain Freeway (SMF) as being built.</i></p><p><i>In general terms, both the SMF and I-10 CD roads are multi-billion dollar projects. Based on budget/funding issues/short-falls, it appears that building both is not foreseeable. It would appear reasonable that ADOT determine which project is more beneficial. Unfortunately, I can't find any mention of the I-10 CD collector road project within the SMF EIS. They appear to have been analyzed as independent projects, rather than determining which one would best improve traffic and reduce congestion. As I understand it, ADOT has 'scrapped' the I-10 CD road project (for reasons I'm not sure that have been presented to the public, as follow up to the public meetings that occurred several years ago). ADOT should not be moving forward with SMF just because the EIS/engineering/funding/etc is further along than the I-10 CD project.</i></p><p><i>From my general/cursory viewpoint, which are based on the east valley commute issues at I-10/60/I-17, the I-10 CD roadway project may improve the daily commuter traffic more than</i></p></div>

Code	Issue	Response

Code	Comment Document
	<p><i>the SMF. I further do not see how the SMF will 'relieve' I-10 commuter traffic in the west valley. ADOT seems to agree with this, based on the planned/future 'I-10 Reliever project in the west valley'. I understand that SMF will complete the freeway system that has been previously planned and also reduce truck traffic within the Phx Metro interior freeway system (since SMF would serve as a truck by pass). However, if SR 85 is improved to (near) interstate standards, along with SR 303, this would eventually serve as a more effective truck bypass, the I-10 CD road project may serve as a better alternative to the SMF. Therefore, if I-10 CD (east valley) and I-10 reliever (west valley) improve commuter traffic (as compared to SMF) and other future improvements (SR 85/303 and possibly future I- 11) improve truck bypass (as compared to SMF), then why is SMF taking priority over these other projects, other than to 'complete the freeway system'?</i></p> <p><i>REQUEST FOR ADDITIONAL INFORMATION & ALTERNATIVE ANALYSIS IN SMF EIS: At minimum, ADOT should explain why I-10 CD roadway project was shelved and SMF has moved forward (based on technical/traffic analyses and comparisons). In addition, I would request that the SMF evaluate the I-10 CD and I-10 Reliever projects as an alternative, which includes a life-cycle cost-benefit comparison.</i></p> <p>While I received a response to my comments, I do not believe I was provided a sufficient answer to my overall questions:</p> <div><div>1</div><div>1. What analysis was determined to select SMF as moving forward first, as compared to the I-10 CD roads being cancelled.</div></div> <div><div>2</div><div>2. Which project (SMF or I10 CD) will best relieve traffic in consideration of the 'regional system'.</div></div> <p>The main project website identifies the following:</p> <p><i>The final decision on construction of the freeway is a cooperative effort involving ADOT, the Federal Highway Administration and the Maricopa Association of Governments as the regional planning agency. The corridor is part of a comprehensive, voter-approved regional plan developed by the Maricopa Association of Governments, and ADOT serves as the agency responsible for implementation of that plan, with the Federal Highway Administration providing the oversight required to use federal transportation funds.</i></p> <p>The response to my comments indicates that MAG decided to cancel I-10 CD roads, but no explanation was provided as to why, other than it appears the MAG Board decided to do so without a technical analysis between the two projects. The response and website copied above shows that ADOT and FHWA had not input into this decision. I understand the 'spine'</p>

Code	Issue	Response
1	Transportation Planning	<p>The Maricopa Association of Governments conducts regional transportation planning for Maricopa County and regularly evaluates the region’s priorities, given limited funding. The <i>2035 Regional Transportation Plan</i>, approved in 2014, identifies the freeway as one of the region’s top priorities.</p> <p>The priorities within the <i>Regional Transportation Plan</i> are determined using performance criteria such as public and private funding participation, the consideration of social and community impacts, the establishment of a complete transportation system for the region, the construction of projects to serve regional transportation needs, the construction of segments to provide connectivity on the regional system, and other relevant criteria for regional transportation.</p> <p>Specific questions and comments related to the priorities as set forth by the Maricopa Association of Governments should be submitted to the Maricopa Association of Governments (see <azmag.gov> for commenting methods).</p>
2	Transportation Planning	<p>The proposed freeway is part of the Regional Highway and Freeway System that includes existing roads, such as Interstate 10 and State Route 101L, and planned roads, such as the South Mountain Freeway and State Route 30. All of these transportation facilities work as a system and rely on each other to provide optimum performance.</p>

Code	Comment Document
	<p>study has started, but it is not clear whether the ‘spine’ study will have the same effects on improvements to traffic assumptions within SMF study.</p> <p>Both the SMF and I-10 CD roads were shown as priority 1,2 in Prop 400, at a cost of \$1Billion and \$500 million, respectively (as shown in Prop 400). Considering the costs of SMF have now doubled (to about \$2Billion and climbing based on today’s estimates), I believe an objective comparison to the benefits of each project should be assessed, to determine which project should move forward first, since inaccurate project cost estimates and/or escalating scope for SMF have resulted in shortfalls in Prop 400 funds that negatively effect the ability for other priority 1,2 project to move forward (such as I-10 CD Roads).</p> <div><div>1</div><div>3</div><div>1</div><div>1</div><div>4</div><div>5</div><div>6</div><div>1</div></div> <div><div>1. Please identify MAGs basis and mechanism for why SMF is moving forward and I-10 CD Roads is being cancelled.</div><div>2. Please identify or reference the report and/or meeting notes of MAG’s 2012 decision to cancel I-10 CD Roads.</div><div>3. What input did the public have on MAG’s decision to cancel I-10 CD Roads? (Note that I-10 CD Roads was part of voter approved Prop 400).</div><div>4. Please identify if the ‘Spine’ project will be funded under current Prop 400, or will this project be pushed beyond to the ‘next’ 20 year funding cycle.</div><div>5. Please identify if the ‘savings’ from not moving forward with I-10 CD roads (\$500 million) are being used to build SMF (\$1Billion shortfall from Prop 400)?</div><div>6. Considering the increase in project costs from \$1B to \$2B, is there a point in which the ‘benefits’ of this project would not be worth the costs, as compared to first moving forward with I-10 CD Roads? If so, what is this threshold? If not, does this mean there is no limit to the cost of this project, as compared to the ‘benefits’. (I recognized this is a difficult question to answer, but at some point, it seems to me, that the MAG Board had to ask this question, as I would expect there is a point at which the costs for SMF are too great to move forward, in consideration of limited Prop 400 funds and other Prop 400 projects that need to be implemented.)</div><div>7. Does ADOT or FHWA have the ability to object to MAG cancelling I-10 CD Roads, and continuing to move forward with SMF?</div><div>8. The public voted for and approved all of the projects in Prop 400. What input does the public have in MAGs decisions on which projects are moved forward, and which are shelved due to funding shortfalls, or any other reasons?</div></div> <div><div>Mike Luecker</div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div>

Code	Issue	Response
3	Transportation Planning	The official action canceling the Interstate 10 Corridor Improvement Study was published in the <i>Federal Register</i> on December 17, 2012. The cancellation was made in coordination between the Maricopa Association of Governments and Arizona Department of Transportation. The Federal Highway Administration filed the notice.
4	Funding	No, the <i>2035 Regional Transportation Plan (2014)</i> includes approximately \$500 million for Interstate 10 between 32nd Street and State Route 202L.
5	Funding	In the 2010 update of the <i>Regional Transportation Plan</i> , the Maricopa Association of Governments increased the funding for the South Mountain Freeway to \$1.9 billion. That is the maximum budget for the project.
6	Transportation Planning	<p>The cancellation of the Interstate 10 Corridor Improvement Study was a decision by the Maricopa Association of Governments and Arizona Department of Transportation.</p> <p>Please note that the decision related to the Interstate 10 Corridor was not as a result of moving forward with the South Mountain Freeway environmental impact statement process. These were independent studies and activities.</p>

Code

Comment Document

From: Timothy MacIntyre [mailto:timothy.macintyre@gmail.com]
Sent: Monday, November 10, 2014 1:09 PM
To: Projects
Subject: south mountain freeway

To Whom it May Concern,

1
2 3 4

I've just learned of this project via the South Mountain Community Newspaper and was disappointed to see that the public comment period is over. I hope these comments can be submitted for consideration nonetheless. I live near South Mountain and frequent the park. My main concerns are impacts to the park, especially noise, and costs of the project. I would like to see it go forward, but only with the best option selected, an option where the tribe participates.

2
4

The southwestern end of the park is one of the most pristine and quiet areas. It is disappointing to see the freeway aligned immediately adjacent this boundary. Clearly the best corridor from Pecos Rd up to 59th Ave is to continue west on Pecos (BIA Rd 32) and then divert to the NNW approximately 1/2 mile before the health center. This NW oriented corridor could then pass north of Komatke and south of the houses along 51st Ave, before turning north to connect with the planned route. This route has the tremendous advantage of minimizing impacts to the park as well as avoiding costly excavation and blasting through the Gila Range (which the tribe claims it wants to protect).

4

I find the EIS faulty in that it doesn't consider any alternatives in the tribal lands. A valid EIS considers ALL alternatives, even those that are unfavorable. I think it would be of value for everyone, including the tribe, to understand the increased costs of avoiding tribal land. When it comes to construction projects, avoiding unruly stakeholders is never a wise choice. Please avoid taking this approach.

Sincerely,

Tim MacIntyre
M.S. Geological Engineering

--
Timothy J. MacIntyre
timothy.macintyre@gmail.com
+1 928 380 8018

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Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>Sensitive receivers for noise are already included in the noise analyses in accordance with State and federal guidance. The section, <i>Noise</i>, beginning on Final Environmental Impact Statement page 4-88, has addressed requirements under the National Environmental Policy Act. As stated on page 4-89 of the Final Environmental Impact Statement, over 220 sensitive receivers were evaluated at exterior locations from a traffic noise perspective. All of the receivers represent noise-sensitive land uses in proximity to the project, including homes, schools, and parks, and these receivers will have higher noise levels than similar facilities more distant from the freeway.</p>
3	Project Costs, Total Cost	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Alternatives, Gila River Indian Community Alignment	

Code	Comment Document
	<p>2. <u>Air Quality (Response 5)</u>. Your response describing airflow patterns based on limited monitoring did not address the effects on air quality. The assertion that winds were typically from the west during the warmer hours of the day is cause for concern, since traffic on the proposed route would generate substantial particulate air pollution to the west that would adversely impact the Ahwatukee area.</p> <p>3. <u>Health Effects (Response 6)</u>. Your “Responses to Frequently Submitted Public Comments” cites the Health Effects Institute (HEI) Special Report #16 in an unreasonably selective manner, for example, inconclusive data due to “occupational cohorts with high concentration exposures” and the erroneous assertion that animal studies cannot be used to establish the health effects of carcinogens. More accurately, HEI suggested that extrapolation from animal studies to humans is “premature.” Nonetheless, animal models are widely used for experiments in which the use of human subjects would be unethical. The National Institutes of Health supports hundreds of animal studies every year, because they can be highly predictive of toxicity in humans. Moreover, your observation that highways are not the only source of air toxics is an evasive technique that refuses to address the problem.</p> <p>4. <u>Air Quality (Response 12)</u>. Your response to my concern about greenhouse gases was trivial. MAG is a regional organization that should be assessing area contributions to regional contaminants like ozone and greenhouse gas emissions. As a practical matter, the impact (whether direct, indirect, and/or cumulative) that the proposed SMF would have on regional air quality should have been analyzed under the National Environmental Policy act (NEPA), and was not. Notwithstanding the foregoing, my earlier point was to also address the larger issue of the need to modify our modes of transportation such that we can minimize automobile traffic, thus limiting greenhouse gas emissions. U.S. Public Interest Research Group (PIRG), in their report issued September 18, 2014, on <i>Highway Boondoggles</i> (USPIRG. 2014. <i>Highway Boondoggles: Wasted Money and America’s Transportation Future</i>) notes that “Americans drive no more now than we did in 2005, and no more on average than we did at the end of Bill Clinton’s first term as president. The recent stagnation in driving comes on the heels of a six decade-long Driving Boom that saw steady, rapid increases in driving and congestion ... along with the investment of more than \$1 trillion of public money in highways.” (USPIRG 2014, p. 1). They note that the number of cars and licensed drivers have declined since peaking in the 2000s, with the use of non-driving modes of transportation on the rise. The Arizona PIRG similarly states in their Summer 2014 publication, <i>Transportation Trends in Arizona 2014</i> that there has been a 10.5% decline in annual driving miles per capita in Arizona from 2005–2012. The number of registered vehicles in AZ dropped by 0.5% between 2007 and 2012. The ADOT growth projections are inconsistent with these more recent data (AZ PIRG 2014, p.3), and therefore are inaccurate.</p> <p>I strongly reiterate my opposition and urge the ADOT to abandon the SMF plan and intensify studies of other transportation options that are more environmentally friendly.</p>

Code	Issue	Response

Code	Comment Document
2	<p>Sincerely yours, Hugh S. Mason, Ph.D. Associate Professor, Arizona State University</p> <hr/> <p>From: Hugh Mason <hugh.mason@asu.edu> Date: Sunday, July 21, 2013 1:44 PM To: "projects@azdot.gov" <projects@azdot.gov> Cc: "PARCtheSMF@aol.com" <PARCtheSMF@aol.com> Subject: Comments on DEIS for SMF</p> <p>Dear ADOT:</p> <p>I am a citizen and resident of Phoenix and the Ahwatukee area, and Associate Professor at Arizona State University School of Life Sciences. I am writing to ADOT regarding its draft environmental impact study (DEIS) for the South Mountain freeway (SMF). I would like to register my strong opposition to the building of the SMF. I am a member of Protecting Arizona's Resources and Children (PARC), and fully support its efforts to prevent the building of SMF. I have great concerns about the DEIS, as presented below.</p> <p>One of my main concerns is that the DEIS greatly underestimates the impact of the SMF on the air quality for residents living nearby. The DEIS minimizes the potential pollution that will be caused by trucks burning diesel fuel, especially those coming from Mexico having fuel that is poorly regulated and high in contaminants like sulfur. The DEIS suggests that the "truck bypass" route on I-8 and SH-85 will be preferred by truckers. However, this route is substantially longer than the proposed SMF, and is thus unlikely to be viewed as economically feasible. Due to the geographic features along the E1 Pecos road corridor, concentration of the vehicle emissions is likely to compound toxicity issues in this area. The extreme proximity of several schools to the E1 route puts a huge number of children at risk of health problems due to air pollution.</p> <p>The E1 route would require massive cuts in the ridges of South Mountain on the west side. This action is unfeasible for two main reasons. All of the Native American tribes in the area consider South Mountain to be sacred, and the proposed action would desecrate the land. Although that reason alone is enough to abandon the plan, another factor is more important to most of us: air quality. The blasting required for the SM ridge cuts (and other cuts along the E1 route) would generate huge amounts of airborne particulate matter. The fine dust generated by construction (especially PM10 particles that can be inhaled deeply) will produce respiratory problems for people in the area. Moreover, it will threaten federal funds for transportation that require control of air quality. Maricopa County has had great difficulty maintaining PM10 standards, and the construction of the SMF would certainly make it more difficult, if not impossible.</p> <p>The DEIS makes dire predictions for adverse effects on the regional economy if the</p>

Code	Issue	Response
2		Comment submitted on the Draft Environmental Impact Statement was responded to on page B2396 of Volume III of the Final Environmental Impact Statement.

Code	Comment Document
	<p>“no action” option is chosen. However, we must remember that the SMF plan was first proposed more than 25 years ago, when fuel was relatively cheap and few people saw any problem with continuation of the freeway transportation paradigm. Data on climate change and greenhouse gases in the atmosphere have steadily accumulated over the years, to the point that it is obvious that we need a transportation paradigm shift in order to address the problems we face. We must reallocate most of our resources away from freeway construction and invest them in technologies that will minimize adverse environmental effects. I strongly advocate light rail expansion throughout the valley. Thus, not building the SMF should not be called “no action”, because there are other actions that can be funded with the resources.</p> <p>I strongly urge the ADOT to abandon the SMF plan and intensify studies of other transportation options that are more environmentally friendly.</p> <p>Sincerely, Hugh S. Mason</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response

Code	Comment Document
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From: Patti Mason [mailto:pkm6@cox.net]
Sent: Sunday, November 16, 2014 10:08 PM
To: Projects
Cc: PARCtheSMF@aol.com
Subject: Re: Comments on FEIS for proposed South Mountain Freeway

1

TO: South Mountain Freeway Project
Arizona Department of Transportation (ADOT)
1655 West Jackson Street, MD 126F
Phoenix, Arizona 85007

projects@azdot.gov

I am a citizen of Phoenix, a resident of Ahwatukee, a voter, and a member of Protecting Arizona Resources and Children (PARC), and I am writing to state my continuing opposition to the proposed expansion of Loop 202/South Mountain Freeway (SMF).

On July 20, 2013, I wrote to the South Mountain Study Team to respond to the publication of the DEIS (Draft Environmental Impact Statement) issued regarding Loop 202/South Mountain Freeway (SMF) (FEIS: B2392-B2394), included below, and now that the ADOT has issued their Final EIS, I am writing to address the fact that your responses have not fully addressed my concerns.

I am aware that the Federal Highway Administration (FHWA) National Environmental Policy Act (NEPA) guidance requires that, in part:

"An appropriate response should be provided to each substantive comment....The response should adequately address the issue or concern raised by the commenter or, where substantive comments do not warrant further response, explain why they do not, and provide sufficient information to support that position." FHWA Technical Advisory T 6640.80.

I do not think you have addressed all my comments substantively, but rather have lumped most of them into a frequently asked questions response that did not specifically address many of my concerns.

My first concern, that the imposition of a decades-old plan on the growing and

Code	Issue	Response
1		These comments are the same as those submitted by Protecting Arizona's Resources and Children. Responses can be found beginning on page A307 of this Appendix A.

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	<p>thriving community of Ahwatukee was addressed with a rather sweeping review of your failures to find alternatives (FEIS, Chapter 3, and B734-B736; Code 1, Alternatives, No-Action). An example of a categorical dismissal, without any substantive reasoning can be found on p. 3-9 of the FEIS; "This route [SR85/I-8 alternative] would continue to be available for interstate and inter-regional travel, but it does not meet the proposed action purpose and need as part of a regional transportation network, and therefore, it was eliminated from further consideration." Exactly how does it fail to meet purpose and need? Exploring alternatives does not mean rejecting each each one because they don't fit the original proposed route. The alternatives section rules out all alternatives for the eastern section, fixating on Pecos Road. The final conclusion on p. 3-69 that the "ADOT sought to balance its responsibilities to address regional mobility needs while being fiscally responsible and sensitive [my emphasis] to local communities is insulting to the residents of Ahwatukee Foothills.</p> <p>I still do not understand why the traffic needs of the area are not addressed from the standpoint of 2014, rather than 1985. As I noted in my earlier letter, Pecos Road is no longer a southern extreme of the region, but one of three major avenues through Ahwatukee, with schools, homes, and churches bordering it. ADOT's conclusion that there is no other alternative simply demonstrates a refusal to think beyond this old plan, a resistance to creative rethinking of the perceived problem.</p> <p>My previous letter stated, that: "The transportation needs of Phoenix, given the rising pollution levels in this city with increased EPA warnings and rising costs of fuel, would be better served by the implementation of a north-south light rail." I would further note that the U.S. Public Interest Research Group (PIRG), in their report issued September 18, 2014, on Highway Boondoggles (USPIRG. 2014. Highway Boondoggles: Wasted Money and America's Transportation Future. U.S. PIRG Education Fund and Frontier Group) notes that, "Americans drive no more now than we did in 2005, and no more on average than we did at the end of Bill Clinton's first term as president. The recent stagnation in driving comes on the heels of a six decade-long Driving Boom that saw steady, rapid increases in driving and congestion ... along with the investment of more than \$1 trillion of public money in highways." (USPIRG 2014, p. 1). They note that the number of cars and licensed drivers have declined since peaking in the 2000s, with the use of non-driving modes of transportation on the rise, with transportation behaviors changing fastest among members of the Millennial generation. The Arizona PIRG similarly states in their Summer 2014 publication, Transportation Trends in Arizona 2014 that there has been a 10.5% decline in annual driving miles per capita in Arizona from 2005–2012. The number of registered vehicles in AZ dropped by 0.5% between 2007 and 2012. The ADOT growth projections seem to be rather inconsistent with this more recent data (AZ PIRG 2014, p.3).</p> <p>The US PIRG's comment about state response could very well be a description of the South Mountain Freeway project:</p> <p>States continue to spend tens of billions of dollars on new or expanded highways that are often not justified in terms of their benefits to the transportation system, or pose serious harm to surrounding communities. In some cases, officials are proposing to tack expensive highway expansions onto necessary repair and reconstruction projects, while other projects represent entirely new construction. Many of these projects began years or</p>

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	<p>decades ago and have continued moving forward with no newer evaluation of whether their existence is justified. (USPIRG 2014, p. 4).</p> <p>The ADOT assertion that this freeway must be built because it is “a major component” (FEIS, 3-37) of the Regional Freeway and Highway System is not an argument of why it must be built, but just further demonstration that the entire regional transportation system needs to be reconsidered, rather than trying to impose planning done in the 1980s on the community as it exists today. The “historical identification” (FEIS, 3-37) doesn’t make it more relevant; this only points to the fact that it is outdated.</p> <p>The assertions of future demand do not consider changes in driving behavior occurring even as this freeway is being debated or adequately address how these traffic estimates would be changed by provision of more environmentally sound modes of transportation. The cursory rejection of the light rail alternative described on p. B735 based on “substantial community impact” does not begin to compare to the impacts identified in the South Mountain Freeway project. The “gains” in travel time in Table 3-8 (FEIS 3-34) are so negligible, as to be doubtful as to their accuracy or significance. The statement (beneath Fig. 3-17 on p. 3-34) that “Taken individually, savings [time] may not appear to be substantial, but when considered in the context of the hundreds of thousands of drivers, each day, over the course of numerous years...” might be alternatively finished as: “the cumulative exposures to pollution and noise will very negatively affect the health of the residents whose community is being destroyed for these small individual savings.” And, considering others’ declining estimates of vehicular use noted above (PIRG), with increased use of alternative modes of transportation, and changes in driving behaviors of younger Millennials, these small differences may actually be completely without significance to the drivers, only the residents left to suffer the presence of the freeway.</p> <p>The conclusions in Table 3-9 (FEIS, p. 3-34) make the assumptions that without the proposed freeway, that is no provisions for street widening, intersection improvements, alternative engineering solutions for the Broadway Curve, or in general, no efforts to readdress the needs of Phoenix in 2035. And what seems to be the key conclusion, it would not “complete” the planned improvements in the Regional Transportation Plan. That is, the plan would need to be updated to reflect the failure in 1985 to anticipate the growth of Ahwatukee. So, once again, the conclusion rests on the attempt to impose 1985’s mistake on us in 2015-2035.</p> <p>I also expressed concerns about the current air pollution problems in Phoenix (Code 2, Air Quality), and how this proposed freeway would only exacerbate our problems. In my original letter, I quoted a 2010 assessment that:</p> <p>Arizona currently is not meeting the national standard for particulate matter, PM-10 (one-seventh the width of a human hair). Major concerns for human health from exposure to PM-10 include: effects on breathing and respiratory systems, damage to lung tissue, cancer, and premature death. The elderly, children, and people with chronic lung disease, influenza, or asthma, are especially sensitive.</p> <p>(Phoenix Business Journal, May 25, 2010).</p> <p>Your response stated that the EPA had approved the 2012 Five Percent Plan (FEIS, B733, B2392) and found the area in attainment of the 24-hour particulate matter (PM10) standard based on monitoring data for 2010–2012. And while you note that the EPA would concur with an exceptional event such as a haboob, I do not believe</p>

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	<p>that you could cite the pollution generated from drilling South Mountain to be an “exceptional” event, and your response does not assure me that Phoenix will meet those standards for 2014–2016, and into the future. I am not reassured by your statement that a contractor will submit a written blasting plan prior to the blasting. Your response, #5 (Air Quality) suggests the concern would be whether blasting would cause property damage. Does that include such property as the lungs of the area residents? This is just the beginning of the increased health risks due to air pollution from the too near proximity of a freeway to houses, schools, and churches, but the construction period itself will pose significant hazards that are not at all adequately discussed here in the FEIS.</p> <p>In terms of the effects of air pollution hazards generated, your response cherry picks the Health Effects Institute (HEI) Special Report #16 (FEIS, p.4-84; B737, Code 5 Air Quality Health Effects) to point out difficulties in reaching conclusions because of “occupational cohorts with high concentration exposures” and the outrageous claim that animal studies cannot be relied upon to establish conclusions about carcinogens. Actually, HEI found extrapolation to humans to be “premature.” Animal models, however, are used in science in all manner of experiments, in which the use of human subjects would be unethical. I note that the HEI receives half of its funding from the worldwide motor vehicle industry as well as the additional funding from the FHWA and EPA, noted by your report. The idea you posit that highways are not the only source of air toxics, is hardly comforting, or a reason to vastly increment their levels in our environment.</p> <p>In fact, the entire discussion of health effects seems to be a rather large obfuscation. It reminds me of those who still deny the link between tobacco and lung cancer. Continuing studies raise serious concerns about the effects of near proximal exposures to air toxics, and attempting to minimize these by pointing to other sources of toxics than vehicular exhaust, for instance, is just being evasive. The ongoing studies are serious enough that should not be so cavalierly set aside as not being definitive enough for the ADOT.</p> <p>The County of Los Angeles in a 2013 report, entitled “Air Quality Recommendations for Local Jurisdictions also notes that studies indicate that residing near sources of traffic pollution can exacerbate asthmas, increase cardiovascular morbidity, and serious respiratory problems. California’s Air Resources Board has recommended that freeways be sited at least 500 feet from residences and schools, and notes that the HEI suggests that unhealthy exposures occur up to 300-500 m. (http://publichealth.lacounty.gov/eh/docs/AQinFreeways.pdf). Does the ADOT plan for land acquisition and compensation for the SMF go even this far to protect we unfortunate whose homes do not lie in the path of the freeway but just beyond that path? At least three schools are within 500 meters of the proposed freeway route on Pecos Road.</p> <p>Further, environmental health science researchers at UCLA found that air pollutants from I-10 extended as far as 1.5 miles in early morning hours, ten times greater than previously measured daytime measurements at higher traffic volumes, in a study conducted by the UCLA researchers, the University of Southern California and the California Air Resources Board. (Hu, S., S. Fruin, K. Kozawa, S. Mara, S. E. Paulson, and A. M. Winer. 2009. “A wide area of air pollutant impact downwind of a freeway during pre-sunrise hours.” Atmospheric Environment 43(16):2541–2549.) There is so much evidence of negative health effects that the FEIS simply does not</p>

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	<p>address, ignoring current research or attempting to dismiss it as inconclusive. Additionally, the topic of hazardous cargo is given short shrift in the FEIS responses, citing a 1986 study of the two most frequently shipped hazardous materials. Is this the latest data you have available? (FEIS p. 4-166, B736, Code 15 no response offered B2393). There is not an adequate discussion of the particular risks to the community of Ahwatukee, given the concentration of housing in what has been referred to as the “nation’s largest cul-de-sac.” Emergency evacuation routes, in the event of an accident involving hazardous cargo, are not adequately addressed here. Yes, there are emergency response teams, municipal police and fire departments tasked with saving the lives of the residents endangered thusly, but the special configuration of the community, the proximity of the freeway to the houses and schools, the likelihood of increased truck traffic, including less regulated Mexican trucking all pose special dangers. While the FEIS avers that creating a truck bypass was not a goal of the freeway, the very fact that through truck traffic would not be restricted in this residential area shows a blatant disregard for the health and safety of the citizens, that the ADOT blithely expects ‘true’ through truck-traffic to continue to use I-8/SR 85 – and not be required to use a bypass – again speaks to the lack of concern for the residents whose homes would now front this proposed freeway. Can the ADOT cite any evidence from the City of Phoenix or Maricopa County to support the fact that the emergency responders can ensure the safety of residents in any number of possibly emergencies that might arise from an accident involving a truck—whether it be 10 percent of the traffic or more—carrying any of the many kinds of hazardous cargoes allowed to be transported? Have there been emergency simulation tests for response times, for mass evacuations?</p> <p>Your response that prospective home buyers should have been informed of the proposed freeway after it had been conceived (FEIS, p. 4-13; B2394, Code 21 neighborhoods/communities) hardly addresses the fact that I was actually misled by a representative of the ADOT itself when I was purchased my home in 2002. I phoned the ADOT after being informed that this freeway “conception” from the 1980s had stalled. Unfortunately, I was rather naïve about Arizona highway politics, and I didn’t realize that I needed to record the call, identify the authority (I recall being transferred by the person who answered to the phone to some “authority” within the office) with whom I spoke. I was told in 2002 by this ADOT representative that the proposed freeway project from 1985 would have to be re-envisioned if funding became available again, given the growth of the community, and that he anticipated it would be relocated further south on land belonging to the GRIC. Only later, did I learn that at the time of my phone call, GRIC had not even allowed their land to be surveyed or studied for this purpose. The FEIS, on p. 4-17, states that, “While a freeway has been planned in this location for many years [but only now being evaluated for environmental impact], it is recognized that the intensive transportation use would generally be incompatible with residential uses.” How then are the residents with homes left to front this freeway supposed to live with this incompatibility? Further, on p. 4-28, there is a very questionable assertion that the E1 Alternative “would not substantially alter the character of nearly built-out Ahwatukee Foothills Village ... because the freeway would be on the village ‘outskirts.’ Those ‘outskirts’ are presently populated, so that those 121 houses would be destroyed, and the houses just north of Pecos Road would then become the new boundary, with the freeway fronting their property. How does this not change the character and maintain the</p>

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	<p>serenity of the neighborhood?</p> <p>I understand, too, the opposition now of the GRIC (p. B2393, Code 9, Alternatives), reflecting both their own concerns about their community's health and well-being, but also concerns about the destruction of ancestral and sacred lands of the O'odham, specifically, South Mountain. It is not only our Native neighbors, but many of Phoenix's residents, who do not desire to see South Mountain drilled for this freeway project. I cannot disagree more with the ADOT statement that there is no "prudent" alternative to avoid use of the mountains. If the ADOT has determined that this freeway must be built, without regard to changing driving behaviors, then why would placing an alternative south of the GRIC not satisfy the purpose of the freeway, in its circumferential route? The FEIS rejects the light rail alternative, because it claims is cannot meet this desired circumferential route, but why is the circle so circumscribed?</p> <p>If Phoenix is growing, and the transportation plan allegedly accounting for project growth, why shouldn't the circle route be enlarged? Certainly, traffic patterns and studies of community growth point to increased development to the south of Phoenix, with increased demand on I-10 for north-south commutes into the city. What was not long vast open space between here and Tucson, is not dotted with businesses, communities, and residential development. When first conceived, Pecos Road was the "edge of town." It is no more, so why not admit that the southern limits to the region are moving, and re-envision the planning to reflect that?</p> <p>The preservation of South Mountain should supercede the imposition of this outdated plan to protect this environmental resource. The rape of this natural landmark for the construction of yet another freeway cannot be easily mitigated. There is no such thing as a small rape.</p> <p>My initial letter also expressed concern that the design of a depressed freeway instead of an at-grade rolling profile was being dismissed on the basis of cost – that is that the desirability of mitigating noise and visual blight to the neighborhood was simply dismissed in a cost-saving effort to push the plan through, acknowledging that an additional \$400 million would be needed for right-of-way-acquisition. Certainly saving a few more residences is not the goal of the ADOT (except to obtain the cost savings of leaving them to front the freeway). The FEIS does little to respond to my concerns for a better design (FEIS, p. 3-18), but instead just repeats the DEIS. The fact that the value of the property has risen in the years since the this freeway was first conceived, increasing ADOT's cost of acquisition, is not an excuse to plan it on the cheap at the expense of the neighborhoods, to punish the residents for the poor planning of the ADOT. The FEIS, again, minimizes the importance of a depressed freeway but saying, "It cannot be assumed, however, that a depressed freeway would reduce all noise and visual impacts." No, we do not think the depressed freeway will magically eliminate all the negative impacts of a freeway next to our homes, but we would like to reduce the impact as much as possible. The rolling profile was "carried forward" to save money apparently, without regard to the residents who are being impacted.</p> <p>The FEIS's response was also inadequate to my point that the proposed rolling profile would limit the access necessarily, and one proposed elimination would be at 32nd Street, which would only serve to increase traffic on Liberty Lane, already congested in school opening and closing hours, to enable transportation to schools. A traffic study completed by the City of Phoenix in 2006 was cited by the FEIS (B2395)—an</p>

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	<p>eight-year-old study (!) in this neighborhood is hardly reliable data to judge the impact on the local street system. I would invite anyone from that study group or ADOT to drive down Liberty Lane between 24th and 32nd Streets at the beginning and ending of school days (with three schools on this short section of street) and truly judge the impact of closing access to 32nd Street.</p> <p>The FEIS response on noise pollution also largely referred back to the DEIS (FEIS, B739). Chronic exposure to noise is associated with hypertension and heart disease, as well as hearing impairment. We live in a noisy world, but the peace of our homes will most definitely be disturbed by having this freeway front it, and the FEIS response here does little to reassure that real efforts will be made to protect exposures to excessive noise. Rather, the FEIS notes (p. 4-99) that 20 new barriers will be needed along the E1 Alternative to reduce noise levels to ADOT NAP standards, and that “four of the receivers ... would not be reduced in full accordance even with a 20-foot high noise barrier. How can this be justified? Given the underestimation of truck traffic, one might expect there would be a consequent underestimation of the noise generated, as well.</p> <p>The FEIS suggests the loss in tax revenue would be ‘nearly inconsequential’ (B2394, Code 19, Economics, socioeconomics) to the state. That does not address the loss of value that homeowners residing next to the freeway will experience. We bought our home for our family in good faith, chose a neighborhood with a low crime rate, and good schools, but that will change, despite the very limited and glossed over assumptions put forth in the FEIS. Our loss will be far more consequential.</p> <p>Sincerely, Patricia Mason 16833 S. 24th Place Phoenix, AZ 85048</p> <p>On Jul 20, 2013, at 5:51 PM, Patti Mason wrote:</p> <p>July 20, 2013</p> <p>Arizona Department of Transportation (ADOT) 1655 West Jackson Street, MD 126F Phoenix, Arizona 85007 projects@azdot.gov</p> <p>As a citizen of Phoenix, a resident of Ahwatukee, a voter, and a member of Protecting Arizona Resources and Children (PARC), I am writing to state my opposition to the proposed expansion of Loop 202/South Mountain Freeway (SMF), and urge the ADOT to NOT BUILD on Pecos Road.</p> <p>In the intervening years since the project was first approved in 1985, the community of Ahwatukee was allowed to grow and expand to become a thriving neighborhood in Phoenix, with excellent schools that attracts new residents, and a good place to raise families.</p> <p>When the original funding and support for this project dissipated, the project should have been scrapped, and a new plan should have considered the growth of Maricopa County since 1985, with developments to the south such as Queen Creek. Pecos Road is no longer the southern extreme of the region, but rather one of three major avenues through Ahwatukee with schools, homes, and churches bordering it.</p> <p>The transportation needs of Phoenix, given the rising pollution levels in this city with increased EPA warnings and rising costs of fuel, would be better served by the</p>

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2		Comment submitted on the Draft Environmental Impact Statement was responded to on page B2392 of Volume III of the Final Environmental Impact Statement.

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	<p>implementation of a north-south light rail. The EPA has previously said that federal transportation funds could be withheld if Arizona cannot meet acceptable air quality standards, determining that pollution spikes cannot be attributed to simply dust storms: “Arizona currently is not meeting the national standard for particulate matter, PM-10 (one-seventh the width of a human hair). Major concerns for human health from exposure to PM-10 include: effects on breathing and respiratory systems, damage to lung tissue, cancer, and premature death. The elderly, children, and people with chronic lung disease, influenza, or asthma, are especially sensitive.” (<i>Phoenix Business Journal</i>, May 25, 2010). Add the blasting of South Mountain, the bedrock blasting on the E-1 “alternative” identified by the ADOT, in the construction of the freeway itself, and the subsequent vehicular pollution, and you have a recipe for increased health risks, health costs, decreased federal funding, and overall decrease in quality of life itself.</p> <p>Moreover, “a 2008 study of Maricopa County by the Arizona Department of Environmental Quality and Arizona State University found a correlation between elevated amounts of particle pollution and asthma-related absences at nearby schools.” (<i>Ahwatukee Foothill News</i>, February 18, 2010.) At least three schools are within 500 meters of the proposed freeway route on Pecos Road. Not only does the proximity of the proposed freeway to homes and schools create a health risk for schoolchildren and residents, but the nature of the topography in the community itself could affect how the air pollution generated from the freeway stagnates between South Mountain and the Estrellas.</p> <p>The passage of Proposition 400 in 2004 for a Regional Transportation Plan was not a mandate to continue this ill-fated project. At the time of the vote, the advertising and messaging to the voters was largely about the light rail system. Voters approved the funding for new transit systems, improvements to existing roads, and construction of new freeways. But the Loop 202 extension was presented as under study with various alternative routes, and with alleged discussions with the Gila River Indian Community (GRIC).</p> <p>This citizen was informed, upon phoning the ADOT, when contemplating moving to Ahwatukee in 2002 that the proposed freeway project from 1985 would have to be re-envisioned if funding became available, given the growth of the community, and it was anticipated it would be relocated further south on land belonging to the GRIC. Only later, did I learn that at that time GRIC would not even allow their land to be surveyed or studied for this purpose. In retrospect, this seems to have been ADOT wishful thinking spoken as fact. As we are all aware, various negotiations did begin and stop with GRIC, and they have voted for a no-build option, an option not offered to the citizens of Phoenix in their advisory groups. Their opposition, like ours, reflect concerns not only about pollution but also destruction of ancestral and sacred land.</p> <p>While then Phoenix Mayor Gordon was on record (at the ADOT website) as lauding the infrastructure ensured by Prop 400’s passage, he is also on record as saying that he did not support the Pecos Road alignment. (<i>Ahwatukee Foothill News</i>, March 9, 2007). There has never been a mandate for the construction of Loop 202 on Pecos Road, and yet, it continually is presented as the only possible route.</p> <p>Other alternatives such as the SR 85/I-8 truck bypass are dismissed in the Draft Environmental Impact Statement (DEIS) as not meeting “the proposed action purpose and need as a regional transportation network.” This is a wanting explanation of its elimination from consideration; empty words to fill the pages. While the DEIS discounts the idea that the proposed South Mountain Freeway will be a truck bypass, or alternative to the Canamex route, there are no proposed restrictions to prevent trucks from Mexico, with high-sulfur diesel from choosing this route past schools and homes. There is also no serious discussion in the DEIS about hazardous waste accidents resulting from an accident on the proposed freeway. The layout of Ahwatukee itself – “the world’s largest cul-de-sac” – means that any evacuation necessary would be difficult to execute. Will trucks carrying hazardous cargo be rerouted? There is certainly no discussion or plan for this contingency.</p> <p>This freeway will be destructive to the Ahwatukee community, to the sacred South Mountain (of the O’odham tribes) and the generally beloved South Mountain in the largest urban park nationally. It will be</p>

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	<p>a financial disaster as well as an environmental one. MAG’s insistence on building this boondoogle will result in the allocation of regional funds to purchase expensive homes in Ahwatukee for destruction and in costs to blast the mountain, with other projects going unfunded. The DEIS notes, in response to feedback for more light rail, that “no funds are available or anticipated to support a combined system through the Study Area.” Despite the public’s approval of a regional transit plan, the “plan” cannot consider light rail because it has allocated all of its funding toward implementing the outdated freeway. Not only alternative alignments, but alternative uses of transportation monies to meet the region’s infrastructure needs have all been eliminated here in order to present this project as something that is inevitable. It is not.</p> <p>The impact will not only be this community—in terms of increased noise and air pollution, risks of greater environmental disasters with unregulated truck traffic, and loss of tax revenues with home, church, and business destruction, lowered property values of remaining homes, and increased crime—but have effects on the entire region.</p> <p>Those who voted for a regional transportation plan may have believed that other areas of the region would also be well served, as opposed to one area being ill-served. Solutions to the traffic congestion, for instance, in the Broadway Curve area, would be better found in engineering projects wisely addressed by civic planners than in a truck bypass in Ahwatukee. Not only would the community of Ahwatukee be blighted by the extension of 202, the entire region would suffer the consequences of this ill-spent allocation of the transportation funds. Taxpayer funding will be wasted, as ADOT and MAG continue to push for 25-year old plans to be implemented, with no forward-looking planning.</p> <p>Suggestion for a depressed freeway instead of an at-grade rolling profile to possibly reduce some of the noise and visual impacts were quickly dismissed, primarily due to cost factors. In other words, there is not sufficient funds to protect the neighborhood through improved engineering plans, to do the job right. The suggestion that there would be more residential displacements is not contrasted against whether the residents whose homes are saved to front an at-grade rolling freeway would perhaps have rather been spared this atrocity. And, the final piece of “logic” offered by the DEIS that even with a depressed freeway, there would still be visual and noise impacts that would require mitigation is not an argument for the rolling profile, but for a no build option!</p> <p>The proposed rolling profile would limit the access necessarily, and one proposed elimination would be at 32nd Street. This would serve to increase traffic on Liberty Lane, already congested in school opening and closing hours, to enable transportation to these schools. The schools and houses “saved” by the cost-cutting measures for freeway construction would suffer greatly.</p> <p>Conclusions drawn concerning “2035 traffic conditions” in the DEIS are based on faulty reasoning as well. To suggest that nonfreeway alternatives would “capture only a small percentage of the capacity deficiency” does not consider that the alternative could be the wiser use of scarce resources to fund light rail and other forms of transportation that do not rely upon the one person-one car formula now that congests our regions and ensures more and more air pollution advisories. Rather this argument can only envision a future that is exactly like the present, and the Loop 202 would just be another congested area to further depress the living quality for Phoenix. Surely, the creators and perpetrators of the 1985 plan will have moved on by 2035, and we can only hope that the civic planners in 2035 are not left with a terrible mess to try to rectify.</p> <p>The No Action alternative is included in this DEIS, unlike in the Citizen’s Advisory Group discussions, only because NEPA requires the comparison of alternatives. Again, the logic employed for assessing the impacts of No Action assume that No Action means only not building the freeway, and not the use of the funds for the freeway to be used for alternative means of transportation to meet future needs. The argument that other transportation planning might need to be reassessed if this plan is not implemented is a circular argument, in which one is being told that no action is “inconsistent” because MAG and ADOT intend to build this freeway. The No Action option, a misnomer that should be written as “No Build” does “not satisfy” MAG’s and ADOT’s needs to implement this out-of-date plan. We do not need this lengthy document to understand this much.</p> <p>Similarly, in the discussion of the impact of the proposed freeway on the cultural and historical resources, while it is admitted that all build options will cause negative impacts, and the “No Action” alternative leaves these undisturbed, the DEIS is quick to point out that “continuing urban development</p>

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	<p>from projected growth in the Study Area” could result in losses as well. That’s like telling the jury in a murder trial that if a murder victim had not been killed by the defendant, he might have been hit by a car anyway trying to get away.</p> <p>Although the DEIS has as ADOT’s mission “to provide a safe, efficient, cost-effective transportation system that links Arizona to the global economy [Mexican truck traffic?], promotes economic prosperity, and <i>demonstrates a respect for Arizona’s environment and quality of life</i>” [my italics added], this project to extend the Loop 202, the South Mountain Freeway, fails miserably on all counts. The demonstration of respect would be laughable, indeed, if it were not such a serious threat to the residents of this area.</p> <p>Sincerely, Patricia Mason 16833 S. 24th Place Phoenix, AZ 85048</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

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	<div><div><div>12</div></div><div><div>-----Original Message----- From: Phil McCollum [mailto:philmcollumjr@gmail.com] Sent: Sunday, November 23, 2014 3:41 PM To: Projects Cc: Phil McCollum Subject: Proposed South Mountain Highway - against</div><div><p>As a citizen of Arizona, the city of Phoenix and the Ahwatukee neighborhood, I am letting you know that I am opposed to the building of the highway on the south portion of our neighborhood. I believe it will disrupt the quality of life for the residents of the area for several reasons. Additionally, I believe there are other options that can be explored to alleviate the stress on our highway system.</p><p>Sincerely, Phil McCollum (supporter of PARC)</p><p>Sent from my iPad</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div></div></div>

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1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Range of Reasonable Alternatives	

Code	Comment Document
	<div data-bbox="428 358 1177 467"> <hr/> <p>From: Theresa McElroy [mailto:tm92358@cox.net] Sent: Sunday, November 23, 2014 9:58 PM To: Projects Cc: Theresa McElroy; lawlis@aol.com Subject: FINAL ENVIRONMENTAL IMPACT STATEMENT ON SOUTH MOUNTAIN FREEWAY</p> </div> <p data-bbox="428 495 792 614"> South Mountain Freeway Project Team Arizona Department of Transportation 1655 W. Jackson Street, MD 126F Phoenix, AZ 85007 </p> <p data-bbox="428 645 1296 737"> My name is Theresa McElroy and I am a member of PARC (Protecting Arizona's Resources and Children) and would like to share with you my thoughts on the South Mountain Freeway and ADOT's Final Environmental Impact Statement. </p> <p data-bbox="428 766 1296 885"> I moved to Arizona in 1981, so I can certainly appreciate the need for freeways. I remember the days when all we had was I-10 and I-17. A trip down to Phoenix to get a building permit was at least a 3 hour happening if not more, but I have many concerns that need to be addressed about the South Mountain Freeway. </p> <p data-bbox="428 915 1296 1098"> Let's start with the most important one – our children!! It is my understanding that there are approximately 13,000 students attending school within ½ mile of the proposed freeway. Though it may not be the intention, this proposed freeway more than likely will become a major truck bypass. I am concerned about the danger of hazardous materials being transported over this proposed freeway and the potential effects if a spill were to occur. Please explain your position on this. </p> <p data-bbox="428 1128 1296 1221"> I live in the Lakewood community. It is my understanding that if the South Mountain Freeway is built, we will lose the wells that feed our community lakes, as well as those in the Foothills and Club West. We have been told by ADOT that this water will be replaced, but </p>

Code	Issue	Response
1	Children's and Seniors' Health	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Purpose and Need, Truck Bypass	
3	Hazardous Materials	
4	Groundwater	<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</p> <p>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.</p>

Code	Comment Document
	<p>we have not been told how it will be replaced or at what cost to our communities it would be replaced. Please explain your position on this.</p> <p>Once again, I would like to stress that this is not a “Not In My Backyard” mentality, but more of a concern if it is the correct location. It is my understanding that building the South Mountain Freeway would require blasting through three ridges of South Mountain. I haven’t done my research and don’t recall if we as citizens voted on it, but South Mountain is part of South Mountain Park Preserve. The purpose – to preserve!! South Mountain is part of the largest municipal park in the <u>country</u> – a crown jewel of Phoenix!! It is also sacred land to several of the Native American tribes in Arizona. Why doesn’t the Gila River Indian Community want the freeway on their property? Aside from all the health concerns, let’s just say they’ve been burned by ADOT before in the I-10 transaction, and I won’t even go into that one.</p> <p>I ask that you take my comments seriously and either respond to each concern in writing or set up a meeting where we can meet with you personally.</p> <p>Thank you for your consideration.</p> <p>Theresa McElroy 3429 E. Wildwood Drive Phoenix, Arizona 85048 602-505-2666</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

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Code	Issue	Response
5	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Section 4(f) and Section 6(f), Traditional Cultural Properties	
7	Alternatives, Gila River Indian Community Alignment	
8	Health Effects	

Code	Comment Document
<div data-bbox="205 530 257 645"><div>1</div><div>2</div></div>	<div data-bbox="428 354 910 441"><hr/><p>From: Mick McLaughlin [mailto:Mick.McLaughlin@cox.net] Sent: Sunday, November 23, 2014 10:38 AM To: Projects Subject: SOUTH MOUNTAIN FREEWAY</p></div> <div data-bbox="428 467 1264 737"><p>I live in the Foothills Club West subdivision and I'm the Vice President of the Homeowner's Association. I represent over 2,000 homeowners in the Club West area who are strongly against the freeway being built next to our subdivision. We ask that you either build the freeway somewhere else or cancel the project completely. As you are aware, we are prepared to take this fight to court. However, do us all a favor and save the useless costs of a court case and wasted tax payer dollars. Please do what's right and reroute the highway so as not to endanger our families.</p><p>Thank you, Mick McLaughlin</p></div> <div data-bbox="428 802 1289 880"><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div>

Code	Issue	Response
1	Alternatives, Range of Reasonable Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	

Code	Comment Document

Code	Issue	Response
11	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
12	Hazardous Materials	The Selected Alternative will be located near the Van Buren Tank Farm and the West Van Buren Water Quality Assurance Revolving Fund site (see page 4-165 and the Draft Initial Site Assessment prepared for the proposed project.) These sites are primarily groundwater-impact sites, and groundwater is found at a depth of over 60 feet below the footprint of the Selected Alternative. Given the separation distance between the adversely affected media (groundwater) and the construction zone (near surface in these locations), the project team determined that these sites will not pose a risk to construction or to the general public once the facility is completed.
13	Groundwater	To reduce the potential impact of contaminants such as oil, grease, soil, and trash, settling basins will be used to collect water and allow materials to settle. The basins could also serve to contain chemical spills resulting from vehicle accidents. Each basin will be designed to contain a certain rainfall runoff volume before allowing discharge. If an accident were to occur, and the basins were dry at the time of the accident, the spill volume, in most cases, could be accommodated. These settling basins will require periodic cleaning (see Final Environmental Impact Statement page 4-107).
14	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
15	Project Costs, Total Cost	

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Alternatives, Nonfreeway Alternatives	
4	Purpose and Need, Truck Bypass	
5	Air Quality	
6	Children's and Seniors' Health	


Code	Comment Document
7	<p>5. The FEIS does not consider the true cost of the South Mountain Freeway. To start with, the FEIS has left so many design questions unanswered that the actual cost of the freeway is likely to be closer to \$4 billion rather than the \$2 billion ADOT has estimated. Further, the FEIS has no discussion of the annual injuries, deaths, and property destruction that could be expected from the freeway, nor the health implications for school children and seniors. The small discussion in the FEIS about potential cancer deaths from elevated levels of certain air pollutants is dismissive, indicating that those particular air pollutants don’t count, and the number of increased deaths would be insignificant. The FEIS approach to human suffering is outrageous!</p> <p>6. In building the South Mountain Freeway, wells that feed the lakes in Lakewood and the Foothills and Club West golf courses would be destroyed. The FEIS claims that ADOT will replace these water sources, but at what cost?</p> <p>7. The FEIS does not mention the danger of trucks transporting hazardous materials (hazmats) over the South Mountain Freeway. While the chances that a hazmat spill would occur at any particular time are quite small, the chance that a spill would happen SOMETIME is significant, and the public has a need to know about the potential effects of such a spill. Within the “world’s largest cul de sac” of Ahwatukee, evacuation in a timely manner without using the freeway would be difficult if not impossible. And the effects of the South Mountain air shed (apparently not studied by ADOT) are likely to trap air borne toxins in the village for a much longer period of time than would be expected in an open area where air blows freely. One of the hazmats expected to be transported on the freeway would be chlorine, a particularly deadly gas that seeps into buildings and cars. So immediate escape would be necessary, for chlorine turns human membranes into hydrochloric acid and makes it difficult, if not impossible, for one to see or breathe. The transport of hazmats through Ahwatukee is unacceptable, so they must be banned from the freeway.</p> <p>8. The FEIS proposes blasting through 3 ridges of South Mountain in building the South Mountain Freeway. This land in South Mountain is a part of the South Mountain Park Preserve. As the name suggests, this land is to be preserved! It is also a part of the largest municipal park in the country – a crown jewel of Phoenix! Further, South Mountain is sacred land to several of the Native American tribes in Arizona. No freeway has a need or a right to desecrate this land!</p> <p>Fred Meissner 121 W. Briarwood Terrace Phoenix, AZ 85045</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>
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Code	Issue	Response
7	Project Costs, Total Cost	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Health Effects	
9	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
10	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
11	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
12	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Issue	Response
1	Air Quality	The study itself is not relevant to the type of analysis done pursuant to the Federal Highway Administration’s interim mobile source air toxics guidance, which is an emissions analysis. Monitored ambient concentrations of mobile source air toxics (the focus of the Joint Air Toxics Assessment Project) do not inform this type of analysis. While monitoring data can be useful for defining current conditions in the affected environment (to the extent that the monitoring data are current), they don’t tell us anything about future conditions, or the impacts of the project itself, which is why an emissions analysis was performed. The Final Environmental Impact Statement includes a summary of past health risk studies for similar projects, all of which identified very low health risk, well below the U.S. Environmental Protection Agency’s “Action Level” for addressing risk (see page 4-79). The health risk studies summarized in the Final Environmental Impact Statement are independent studies not conducted by the Federal Highway Administration or Arizona Department of Transportation.
2		The U.S. Environmental Protection Agency’s comments on the Draft Environmental Impact Statement were addressed in Appendix 7, Volume III, of the Final Environmental Impact Statement, starting on page B6.

Code	Comment Document
	<p>ADOT's own words their response to the EPA's statements, including a DEFENSE OF THE EPA'S ALLEGATIONS REGARDING THE INADEQUACY OF THE EIS.</p> <p>Here is my third (3rd) comment for the FEIS:</p> <p>3 The FEIS does not mention the danger of trucks transporting hazardous materials (hazmats) over the South Mountain Freeway. While the chances that a hazmat spill would occur at any particular time are quite small, the chance that a spill would happen SOMETIME is significant, and the public has a need to know about the potential effects of such a spill. Within the “world’s largest cul de sac” of Ahwatukee, evacuation in a timely manner without using the freeway would be difficult if not impossible. And the effects of the South Mountain air shed (apparently not studied by ADOT) are likely to trap air borne toxins in the village for a much longer period of time than would be expected in an open area where air blows freely. One of the hazmats expected to be transported on the freeway would be chlorine, a particularly deadly gas that seeps into buildings and cars. So immediate escape would be necessary, for chlorine turns human membranes into hydrochloric acid and makes it difficult, if not impossible, for one to see or breathe. The transport of hazmats through Ahwatukee is unacceptable, so they must be banned from the freeway.</p> <p>Here is my fourth (4th) comment for the FEIS:</p> <p>4 The FEIS findings conclude that the South Mountain Freeway (SMF) will alleviate regional traffic congestion in the East and West Valley. However, an unacceptable level of attention is paid to how the proposed plans will affect surface and arterial streets. I would like ADOT to provide data for how the proposed plans will change traffic flows for all surface, arterial, and major roads along the entire proposed route, with particular attention paid to the Ahwatukee portion of the proposed route, which is locked in by the South Mountain park and is especially prone to negative effects regarding traffic overflow from the South Mountain Freeway.</p> <p>5</p> <p>Thank you</p> <p>Daniel Mills</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
3	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Alternatives, No-Action Alternative	
5	Traffic	The assessment of the responsiveness of the proposed freeway to purpose and need criteria, beginning on page 3-27 of the Final Environmental Impact Statement, includes information related to the effects of the freeway on the arterial and freeway systems in the region. In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the proposed freeway (see Appendix 3-1 in the Final Environmental Impact Statement).

Code	Comment Document
	<div><div><div>1234</div><div>2</div><div>3</div><div>5</div><div>67</div></div><div><p>South Mountain Freeway Project Team Arizona Department of Transportation 1655 W. Jackson St. MD 126F Phoenix, Arizona 85007</p><p>To the SMFreeway Team:</p><p>To be upfront, it is my feeling that you are trying to destroy a mountain and the air quality in the Ahwatukee area just to benefit truckers and in the process create similar congestion on the west part of I-10 near 51st.</p><p>Studies have shown South Mountain and the Estrellas create a “bowl” which prevents airborne pollutants (carbon dioxide, ozone, nitrogen oxides, etc. from road traffic) from dissipating quickly. This allows toxins to build up & be trapped in our air. There are (nor has there been) any particulate metering along Pecos to gather facts over the years.</p><p>Truck traffic already has State Route 85 to by-pass the valley.</p><p>There really is no argument for the expense! 2.4 billion for 22 miles!!!! Why not divert these funds for repair of roads/bridges. There certainly is need. Just drive 1-10 to Tucson or look at current statistics for bridges that are in need of repair/replacement.</p><p>There is no logical explanation for an above grade freeway. There is no logic to no access at the 32nd street exit where the schools need to egress. It seems to me that these issues (as well as water wells, etc) are STILL major design issues.</p><p>This decision should be “do not build”. Thank you.</p><div><p>Dorothy Mitchell 4205 E Liberty Lane</p></div></div></div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Purpose and Need, Truck Bypass	
4	Alternatives, W59 Alternative Versus W101 Alternative	
5	Project Costs, Total Cost	
6	Design	The determination to not include an interchange at 32nd Street was made in coordination with the City of Phoenix (see Figure 3-8 on page 3-15 of the Final Environmental Impact Statement). The interchange was eliminated based on undesirable residential displacements and cost. In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the proposed freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).
7	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.

Code	Comment Document
	<div><div><div>1</div><div>2</div></div><div><div>3</div><div>4</div></div><div><div>5</div></div><div><div>1</div></div></div> <div><p>-----Original Message----- From: jc Molina [mailto:jmolina@hotmail.com] Sent: Monday, November 24, 2014 7:49 PM To: Projects Subject: Stop 202 SMF</p><p>To Whom It May Concern,</p><p>What is the total cost of the SM 202 freeway extension with 20 years of development and what are the benefits for those near the path of destruction/development?</p><p>Building this project with a 20-year concept for community development doesn't make sense. Are there any other options than a freeway?</p><p>What are the health issues concerning an 8-lane highway?</p><p>Why does it cost 2 billion USD for 20 miles of additional highway?</p><p>I appreciate your feedback and taking my questions into consideration. Thank you.</p><p>Kind regards, Juan Molina</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div>

Code	Issue	Response
1	Project Costs, Total Cost	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Purpose and Need, Old Plan or Use of Old Data	
4	Alternatives, Nonfreeway Alternatives	
5	Health Effects	

Code

Comment Document

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Community Impacts	
3	Health Effects	
4	Alternatives, Gila River Indian Community Alignment	
5	Children's and Seniors' Health	

Code	Comment Document
1	<div>1MR. MORAGO: Good morning. My name is</div> <div>2Joseph Morago. I'm a resident of District 3.</div> <div>3I have been opposing this freeway for many,</div> <div>4many years, mainly because of the environmental impact</div> <div>5that it will have on our community. I have worked in our</div> <div>6community for almost 20 years with the elders, with</div> <div>7inmates, with the elderly. And in that 20-year period, I</div> <div>8have seen an increase of asthma, heart disease, diabetes.</div> <div>9Diabetes are now -- is now being related to environmental</div> <div>10impacts.</div> <div>11This freeway will not help our community.</div> <div>12It will not help the community off the reservation. It</div> <div>13will not help anybody. We are destroying our future. We</div> <div>14are destroying our kids. We're going to be like countries</div> <div>15around the world that have to wear masks in order to be</div> <div>16out where -- outside because of the pollution and the air.</div> <div>17Those of you that live in this area, in</div> <div>18District 6 and 7, and us that live on Gila River, we know</div> <div>19how the winds blow out here. We know how dusty it's going</div> <div>20to be. We know what happens with the weather. It's not</div> <div>21going anywhere. The swamp and everything, the pollution</div> <div>22that's going to be coming from all the cars, the millions</div> <div>23of cars that are going to be traveling on this road, is</div> <div>24going to stay within these mountain regions. It's going</div> <div>25to impact all of us. It's going to -- I have a</div>
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Code	Issue	Response
1	Alternatives, Environmentally Preferable Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Children's and Seniors' Health	
3	Air Quality	

Code	Comment Document
2	<div>1 two-month-old granddaughter. I heard her coughing this</div> <div>2 morning. What's going to happen to her when this freeway</div> <div>3 comes up? How is she going to be able to breathe?</div> <div>4 What about the people that come -- the kids</div> <div>5 that come and play in this building? The freeway is going</div> <div>6 to -- they're going to see the freeway when they walk out</div> <div>7 this door. What about the Head Start that's over here?</div> <div>8 What about the school that's down the road? And these</div> <div>9 are -- these are just the people that are affected. The</div> <div>10 elders that lead over here at the service center here,</div> <div>11 they're going to see it. What about the new service</div> <div>12 center in 7? All of them are going -- our own hospital,</div> <div>13 when they go to be treated for these diseases, is right</div> <div>14 here, and they're going to be looking at this freeway.</div> <div>15 Those that are on dialysis, those that are having all</div> <div>16 these issues, are going to see it.</div> <div>17 Not to mention the cultural effects of our</div> <div>18 mountain. Us O'odham. All believe that this mountain is</div> <div>19 sacred to us. That is part of our Huhugam. That is part</div> <div>20 of our life.</div> <div>21 You know, we worry about all the animals,</div> <div>22 about the wild horses. Our own casino is named Wild Horse</div> <div>23 Pass. This is an area for the horses. What about them?</div> <div>24 What about all the other animals? They're already saying</div> <div>25 that the Mexican jaguar can't even come and migrate this</div>
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Code	Issue	Response
4	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Biology, Plants, and Wildlife	

Code	Comment Document
5	<p>1 area because of the wall on the border that they're trying</p> <p>2 to put up. U of A has studied about the cactus that are</p> <p>3 dying, hashan that have lived for centuries in our desert</p> <p>4 are dying because of the pollution and the stuff that are</p> <p>5 impacting.</p>
6	<p>6 I look at -- you talk about economic</p> <p>7 benefits. And I see it, when the freeway comes. I looked</p> <p>8 at your video. There is no access to that freeway from</p> <p>9 our community. There is no frontage road that they're</p> <p>10 planning on putting on from -- until it gets to 59th</p> <p>11 Avenue until it gets to the freeway. This is by ADOT's</p> <p>12 own video. They're telling you what they are going to do</p> <p>13 to our community. We are not in their plans. We are not</p> <p>14 involved. It doesn't matter they're not even putting it</p> <p>15 on our reservation. They're putting it less than a mile</p> <p>16 off. They're putting it a few feet away. Yet we are</p> <p>17 going to feel the impacts. With no frontage roads and no</p> <p>18 access, what happens if we have an environmental accident?</p> <p>19 What if we have an environmental spill? Where do we go?</p> <p>20 Where does Ahwatukee go?</p>
7	<p>21 I went to a meeting in Ahwatukee last month.</p> <p>22 I almost got lost because there's no way to get out of</p> <p>23 there. If anything happens, people are going to die.</p> <p>24 Pure and simple. The emergency response can't get there.</p> <p>25 Nobody can be there. Evacuations are going to happen. If</p>
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Code	Issue	Response
6	Design	The freeway will connect to existing roads, such as Elliot Road, 51st Avenue, and 40th Street. The Arizona Department of Transportation will construct short stubs up to the Gila River Indian Community boundary at 17th Avenue, Desert Foothills Parkway, and 24th Street to facilitate a future connection and access to Gila River Indian Community land. The construction of any roads on the Gila River Indian Community would be done by the Gila River Indian Community or authorized landowners.
7	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
8	<div><p>1 it happens during rush hour -- we've all been on a freeway</p><p>2 during rush hour. Nobody moves. Nothing happens.</p><p>3 You know, they talk about -- and the other</p><p>4 thing that they talk about is these drainage ditches and</p><p>5 stuff that I see in their video. Look what happened in</p><p>6 South Phoenix when all the rains came this summer. Yes,</p><p>7 they may say that's a hundred-year storm, but it's going</p><p>8 to happen again. It will continue to happen. Who's going</p><p>9 to be able to save our community? We need to stop this</p><p>10 freeway.</p><p>11 You know, I don't take the attitude that</p><p>12 there's nothing we can do. I've stood before MAG. I've</p><p>13 stood before all these groups. I've stood before council.</p><p>14 I will fight this freeway all the way. I will continue to</p><p>15 fight. I understand how we feel about stuff. I</p><p>16 understand how the landowners feel. I understand</p><p>17 everything.</p><p>18 Show me a plan that works. That's all we</p><p>19 need is something that works. This is bad for our people.</p><p>20 This is bad for our children. And we cannot let this</p><p>21 freeway go through.</p><p>22 Thank you.</p><p>23 MS. KISTO: Thank you, sir, for your</p><p>24 comment.</p><p>25 Anybody else like to come up, provide public</p></div> <div><p>Page 42</p><p>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</p></div>

Code	Issue	Response
8	Drainage	Flood protection levels are dictated by the design class of the highway. In the case of the South Mountain Freeway, it is designated as a Class I highway. Therefore, flood protection levels will be designed to the 50-year (storm) level. However, as a standard Arizona Department of Transportation practice, the floodwaters developing upstream of the culvert entrance will be reviewed at the 100-year level to ensure “headwaters” do not adversely affect existing properties. (See Final Environmental Impact Statement page 4-110.) All bridges on major waterways such as the Salt River are designed to maintain minimum water surface elevations at the 100-year level for flood levels and are built to structurally withstand the superflood, a flood expected only once in 500 years.

Code	Comment Document
	<div><div><div>1 comment?</div><div>2 Sir, come on up.</div><div>3 MR. ESCHEF: I can talk from here.</div><div>4 MS. KISTO: Okay.</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div><div>Page 43</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div></div>

Code	Issue	Response

Code	Comment Document
	<p>From: Douglas J Nelson [mailto:dj1nelson1@aol.com] Sent: Tuesday, November 25, 2014 1:23 PM To: Projects; council.district.6@phoenix.gov; parcthesmf@aol.com; mayor.stanton@phoenix.gov; howard@shankerlaw.net Subject: PARC Member comment on the SMF FEIS</p>
1	<p>The Loop 202 extension through the Ahwatukee Foothills, South Mountain Park, and Laveen, gets more and more interesting the deeper I research the subject. It is apparent to me that the models used originally for this large tax payer expenditure can no longer be justified.</p>
	<p>In 1985, the population of the Phoenix area was approximately 2 million people. The expected growth was anticipated or "modeled" to be at 6.5 million residents in the year 2020, a 4% growth rate. Times have changed! The current population is now at 4.3 million. The growth rate has been at 1% since 2010 when the population was at 4.1 million. Continuing on this pace would put the population at 4.5 million in 2020. 2 MILLION PEOPLE LESS than the forecast!</p>
2	<p>Why is this freeway needed? To help the flow of traffic we are told. Too where? I can assure you, there are not many of the 80,000 Ahwatukee residents that need to get to Laveen, and vice versa. Would it increase the commute to California? Yes. Does this justify the cost, and the damage it will do to this community? I say, ABSOLUTELY NOT!!</p>
34	<p>If the true goal is to help with traffic flow through, or around Phoenix, then look at the feasibility of moving it farther away from Phoenix. Don't place the residents of Ahwatukee, including the students in the 15 schools along its path in jeopardy.</p>
5	<p>This freeway is a waste of money. Lets use the funds to build something better for the future. Expand the light rail, improve the bus system. These are the programs that can improve the quality of life in Phoenix</p> <p>Douglas J Nelson dj1nelson1@aol.com</p>
	<p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Alternatives, Range of Reasonable Alternatives	
4	Children’s and Seniors’ Health	
5	Alternatives, Nonfreeway Alternatives	

Code	Comment Document
1	<div>1MR. NELSON: Good morning. My name is Wayne</div> <div>2Nelson. I live here, and I'm a -- I'm a landowner in the</div> <div>3area around 32nd Street and around 48th Street. My</div> <div>4family -- my family owns probably about 60 to 80 acres</div> <div>5there.</div> <div>6One thing that -- my comment really goes to</div> <div>7our community. You know, back in 1998, the council that's</div> <div>8present warned councilmembers at that time, the council</div> <div>9that made this decision to halt or hinder the alignment</div> <div>10and the borderland study process is really, in my opinion,</div> <div>11a disrespect to the past council.</div> <div>12When they made the borderland study, it</div> <div>13was -- it's a resolution. And it's still a standing</div> <div>14resolution today. It hasn't been rescinded or amended.</div> <div>15And this borderland study, this alignment was made by the</div> <div>16past council because they knew this day would come on</div> <div>17saving the mountain, whether to have the mountain</div> <div>18disturbed or have an alignment that went south of it.</div> <div>19For this council presently, within the last</div> <div>20five to six years -- and I was a member of the council</div> <div>21from 2004 to 2007. And I've been going to meetings like</div> <div>22this since 1998. And at that time, in 1998, this district</div> <div>23was on board with this borderland study. Mr. Villarreal</div> <div>24was a member of the community here that was in favor of</div> <div>25the borderland study and this alignment that came to the</div> <div>Page 13</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div>1 community. And then all of a sudden, it gets thrown out 2 the window, and they're going to fight against it. 3 This -- and this -- this issue here has 4 never left us. But now I read in the newspaper that 5 there's direction to fight this? The State and the 6 Federal Highway? I mean, can we really afford that after 7 the issue with the TO casino? 8 I mean, my -- in my opinion, that land there 9 lays docile, and it's been laying docile for 40 years. 10 And our past council and our past economic development 11 director -- do we have an economic development department 12 today? There's no plan for investing in the community's 13 own people, the landowners. 14 And, you know, with respect to the governor, 15 you want to make a statement on behalf of the community? 16 That doesn't include the landowners. The landowners try 17 to push to have a fair vote again, but it was dissected. 18 It was torn apart. That's not fair. That's not the voice 19 of all the people. 20 I mean, who -- who is making these decisions 21 to have our attorneys start this action? Is it all 17 22 council? Is it a handful? I mean, I don't see that in 23 the -- in the newspaper. I see the action sheet, but I 24 don't see who makes these motions. 25 So my -- and -- and for my testimony is that</div> <div>Page 14</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 what happened to the borderland study? Do we believe in</div><div>2 the borderland study? Does any of the council know what</div><div>3 the borderland study entails for that area? Economic</div><div>4 development.</div><div>5 And until economic development, not only on</div><div>6 the tribal side but for the -- a lot of landowners. But</div><div>7 you never hear that. You only hear the tribe, the tribe.</div><div>8 The tribe's going to make a statement for the landowners,</div><div>9 for the community. The tribe's going to make a statement</div><div>10 for the tribe.</div><div>11 You know, my mom -- my grandma used to get</div><div>12 this land here, back in the '70s, the most she would get</div><div>13 was \$700. Why did Pima put a 96-inch water line in the</div><div>14 area? There's a water line running right between -- right</div><div>15 down that, all that allotted land, to get some water</div><div>16 there. But yet there's nothing there. There's a storage</div><div>17 unit, and that's it.</div><div>18 I mean, when are you going to start</div><div>19 investing in your own people? That's my question. The</div><div>20 freeway was seen and discussed and approved by this</div><div>21 community. Do they know that? I did.</div><div>22 But I had to be kind of impartial when I was</div><div>23 sitting at the -- some of them wouldn't let me vote. And</div><div>24 I respected that. And I respected the decision when it</div><div>25 was just a no and not I wish. When there was -- when</div></div><div>Page 15</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 there's a vote, it's either yes or no. There's no I wish. 2 I wish was put in. I wish the freeway would fly away. 3 That's what they voted for. Is that going to be a 4 reality? I don't think so. 5 But that's how I feel when I see these 6 things, when I see that land over here. And then all 7 you -- all we hear, as landowners, is, oh, you're just 8 money hungry. 9 I mean, stop investing in sports stadiums 10 and all these other things and invest in your people, 11 because mark my word, it's going to come. You want to 12 throw some more money in making it come, I guess you guys 13 can do it, sitting up there in those 17 chairs. You make 14 that decision. You make everybody else suffer 5 percent 15 of the budgets, taking the children's clothing allowance 16 away. 17 I just wanted to share that, because that 18 document is there. The document is still active. If you 19 really want to see it, go to the council secretary. It's 20 on a sheet of paper. It's right there. Free. You 21 community members can have it. 22 I just wanted to share that, because I'm 23 hearing all these things about a statement for the 24 community. It took me almost a year and a half to get 25 into the transportation technical team. And when I got in</div></div><div>Page 16</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div>1 there, I heard everything going through, everything going</div><div>2 through. But -- might seem unreal.</div><div>3 So that's my testimony as a landowner, as a</div><div>4 community member, is that when are we going to respect the</div><div>5 wishes of those who have gone on that made that decision</div><div>6 in 1998? Because they knew that we would be here today.</div><div>7 I see that as very disrespectful.</div><div>8 Thank you.</div><div>9 MS. KISTO: Thank you, Mr. Nelson.</div><div>10 Again, if you'd like to provide public</div><div>11 testimony, please raise your hand, and we'll bring you a</div><div>12 card.</div><div>13 Next I'd like to call up Mr. Harry Williams.</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>Page 17</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Public Involvement	Public comments are a vital component in the decision-making process. Public comments have been solicited from project inception and through key milestones in the environmental impact statement process. The interests and needs of the public, along with all other social, economic, and environmental issues and impacts, must be fully analyzed and included in the Draft and Final Environmental Impact Statements. Comments made during development of the Draft Environmental Impact Statement have been used to adjust plans, explore new questions, or make changes, all within the scope of the National Environmental Policy Act. Public comments received on the Draft Environmental Impact Statement were reviewed and addressed in the Final Environmental Impact Statement. Public comments received on the Final Environmental Impact Statement were considered and addressed in this section of the Record of Decision. More information about the entire public involvement process is available in Chapter 6, <i>Comments and Coordination</i> , of the Final Environmental Impact Statement.
3	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Alternatives, W59 Alternative Versus W101 Alternative	
5	Purpose and Need, Old Plan or Use of Old Data	
6	Project Costs, Total Cost	

Code

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 12/26/14	INCOMING CALL TIME: 1:21 P.M.
STAKEHOLDER: MARILYN O'CONNELL	ADDRESS: NOT PROVIDED
PHONE: NOT PROVIDED	EMAIL: NOT PROVIDED
CONTACT METHOD: MESSAGE LEFT ON HOTLINE	

REMARKS/QUESTIONS:

- I have been waiting over 30 years for this freeway to be built
- When are you going to build it?
- Regarding PARC and others (homes, schools, church): why did they build in the path of the freeway?
- We bought our home 30 years ago, not in the path of the freeway, counting on this freeway to relieve congestion on I-10
- Tell PARC to go fly a kite
- Build the freeway now

1

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<p>-----Original Message----- From: eolvera@cox.net [mailto:eolvera@cox.net] Sent: Saturday, November 22, 2014 8:11 PM To: Projects Subject: Ahwatukee Well-Being Pledge</p> <p>Dear sir or madam,</p> <p>My name is Eduardo Olvera, I'm an Ahwatukee resident and a member of PARC. I'm writing to you out of deep concern regarding the Final Environmental Impact Statement that was recently published.</p> <p>I'm dumbfounded by the almost non-existing regard to very significant issues that do not only affect my entire family but also your as well as many generations to come.</p> <p>Looking at FEIS, are we really willing to sacrifice that much just to save people the time it is taking you to read this email? Are we really becoming that selfish that are willing to take the very first answer that "seems" to address a problem without seriously considering the consequences of our actions?</p> <p>I find it very hard to believe that ADOT would be even considering taking a 30-year old plan "as-is" without really re-assessing our current needs and situation; facts like the highways available now far to the south of the South Mountain Corridor that serve travel needs just fine which were not there 30 years ago seem to be completely ignored.</p> <p>And what about the impact on our health and safety? Once again, we as a nation are working tirelessly to find cures for things like AIDS and Ebola that threaten our families, yet are willing to move ahead with a project that WILL result in annual injuries and deaths, destruction of property and water sources, and exposure to elevated levels of air pollutants for over 13,000 students and elderly citizens just in our area.</p> <p>I know you've earned the right to be where you are, but that also comes with the responsibility of being our voice and to protect the well being of our community.</p> <p>I would like to thank you in advance for your time and sincerely hope you take all these facts into consideration when making a final decision</p> <p>Sincerely, Eduardo Olvera Ahwatukee Resident</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

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Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Health Effects	
4	Acquisitions and Relocations	
5	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
6	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Children’s and Seniors’ Health	

Code	Comment Document
	<div><div>1MS. ORTIZ: Hi. My name is Anna Ortiz. 2My -- I'm kind of nervous. 3My -- my mom's people come from the village 4right here in Santa Cruz. My dad's people come from Tijo. 5I've been here all my life. 6I wasn't going to say anything. And I just 7heard a lot of things -- a lot of things that I have 8something to say about. 9When you guys came, did anybody offer you 10something to eat? Something to drink? 11Everybody can point fingers and say, you 12know, it's because this; it's because of that. But this 13is our home. Yeah. Our people, we're here from way 14before. But what are we now? When the lady was saying 15you don't have to say why it's important; you don't have 16to tell what the story is. I know the story. But my 17little girl sits back there, at 12 years old, and I've 18never told it to her. 19How many of you guys and your kids and your 20grandkids know the story? 21The councilman came up, and he said there 22wasn't a budget to defend what we proposed. But our tribe 23gave how many millions of dollars to name a stadium after 24us. Really? 25And how many times do you read in the paper</div><div>Page 78</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><p>1 they're giving away money to outsiders, people that -- for</p><p>2 what? I'd like to know for what. I've never asked. And</p><p>3 maybe I shouldn't.</p><p>4 When we're all talking about it, when these</p><p>5 things come up in our houses, in our families, between one</p><p>6 another, we have things to say. I know I do. When it's</p><p>7 just me and my mom or me and my sister or me and just</p><p>8 somebody I can be rude with, I have a lot of things to</p><p>9 say. But I've never, given the opportunity, stood up and</p><p>10 said anything about what I feel about how things are and</p><p>11 the way that we take care of each other.</p><p>12 Our kids, yeah, we could talk about our</p><p>13 kids. But how many of us send our kids to school every</p><p>14 day regardless? How many of us -- is it so important --</p><p>15 I -- I was wondering that just before all these kids came</p><p>16 in. Where are all the kids at? Why -- why didn't anybody</p><p>17 bring their kids? How many -- how many people younger</p><p>18 than me know what's going on and what it's going to cause</p><p>19 and all these issues?</p><p>20 For us -- well, for me, I don't trust a lot</p><p>21 of people. And it's hard to send my kid to school where I</p><p>22 can't pick and choose, okay, yeah, you can be her teacher;</p><p>23 no, you can't be her teacher.</p><p>24 But in our community, we have a choice.</p><p>25 We're supposed to be all related, and we're all supposed</p></div> <div>Page 79</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1to help each other. And we're talking about what's going</div><div>2to happen to us. It's not up to anybody else but us what</div><div>3happens to us.</div><div>4And our future, yeah, it -- it's up to our</div><div>5kids. And I worry. I worry. Because I've worked with</div><div>6kids from the time -- from 2002 to right now. The class</div><div>7that I have, there's only one kid -- one kid -- they were</div><div>8eighth graders when I was working there. And there's only</div><div>9one that is now pursuing higher education. Just one out</div><div>10of all those years that I worked with the school.</div><div>11And just like that, when we vote for our</div><div>12council and... I -- I stopped voting. I used to be</div><div>13dedicated to the cause and go. And I used to go to Santa</div><div>14Cruz. They used to have us go vote in Santa Cruz. But</div><div>15for some reason, something that I never understood,</div><div>16something that made me mad was they didn't have them</div><div>17vote -- the villagers in Santa Cruz, they didn't vote</div><div>18there. We had to come to District 6. And for why ever --</div><div>19I don't even know why it made me mad. But I didn't want</div><div>20to come vote somewhere else that wasn't where I could</div><div>21vote.</div><div>22And all these outsiders, it's scary. When I</div><div>23was younger, they used to take us to the community</div><div>24meetings where we used to have to ask them for money when</div><div>25we were doing something or -- and I haven't been to a</div></div><div>Page 80</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
1	<div>community meeting in I don't know how long. It just -- it just seemed like no matter what people said, no matter how many times, just like that, they voted, and yet still, it doesn't matter.</div> <div>The council, whatever votes do, they're going do what they're going to do. And you get enough people -- and that number he used -- Mike used, it was, what, 720 people? There's more than 720 people in this community. Where was everybody else?</div> <div>I don't know what the future has. I don't know what we're all looking towards. I know -- what I do know is that my responsibility is to my child, my children, all my nieces, all my nephews, all the kids that I come across, to tell them and explain to them why it's important to get a good education, why they need it, and why it's going to help all of us in the end, not just our families, not just them and them and them, but all of us.</div> <div>It's -- it's hard to put everything together in my head the way it's running through my head.</div> <div>But I worry. I worry about what's going to happen. Yeah, if -- if that freeway comes through and -- I don't want it. No way. No way. Everything that comes of it and because of it, the health -- we're -- it's up to us. The same thing with our health. We have to make sure that our kids aren't eating McDonald's and junk just</div> <div>Page 81</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
1	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1 because. We have to tell them, you know what? You</div><div>2 pick -- you dropped that trash, you pick it up. You see</div><div>3 trash, you throw it where it belongs. The things that we</div><div>4 teach our kids and the things that we want them to know,</div><div>5 it takes us to be those good people to make sure that they</div><div>6 come up behind us and they have the same beliefs and they</div><div>7 do the same things that we do.</div><div>8 It's hard. But I trust that if there's</div><div>9 enough people -- all you guys, you guys are here, and you</div><div>10 cared enough to be here. And that says something about</div><div>11 all of you. And I thank you all for letting me see that,</div><div>12 because I thought, when I came here, I was going to see</div><div>13 like five, six people. And this is way more than I</div><div>14 thought I was going to see.</div><div>15 And it's my fault for -- for not coming and</div><div>16 trying to know what's going on myself. But I can talk a</div><div>17 lot of stuff about the things that I think without knowing</div><div>18 anything.</div><div>19 Thank you for the education. Thank you for</div><div>20 the true facts that I heard that I didn't even know</div><div>21 myself. Thank you for making me angry enough to want to</div><div>22 do something about it.</div><div>23 I hope that all these kids, the ones coming</div><div>24 up, even the babies, find it in themselves to feel</div><div>25 something and do something. The people that can. 'Cause,</div></div></div> <div><div>Page 82</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 yeah, you get enough voices -- and it does make -- it does</div><div>2 make it harder.</div><div>3 Thank you.</div><div>4 MS. KISTO: Thank you, Ms. Ortiz.</div><div>5 Next we'll have Ms. -- we'll just have you</div><div>6 come up now. You're familiar. I remember. But the name</div><div>7 is not coming to me.</div><div>8 Oh, yes. This is Ms. Connie Hunergardt.</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div>Page 83</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div style="text-align: right;">NOV 14 2014</div> <p>David Palty 2544 E Bighorn Avenue Phoenix, AZ 85048 (480) 352-4552</p> <p>November 3, 2014</p> <p>Karla Petty, Division Administrator Federal Highway Administration (FHWA) – Arizona Division 4000 N. Central Avenue, Suite 1500 Phoenix, Arizona 85012-3500</p> <p>Subject: Final Environmental Impact Statement for the Loop 202 South Mountain Freeway Study</p> <p>Dear Ms. Petty,</p> <p>1 I believe that the Final Environmental Impact Statement (FEIS) for the Loop 202 South Mountain Freeway study released by the Arizona Department of Transportation and Federal Highway Administration does NOT provide realistic emission estimates from increased traffic flow, road deterioration and other commonly recognized criteria. The report does not accurately project congestion relocation emission versus the preferred emission reduction goals that AZ needs to meet federal standards.</p> <p>2 Furthermore, the 51st route moves current congestion from the I10 Tempe/Phoenix west will create increased congestion further west without emission reductions. This routing simply moves the I10 bottlenecks from one area of the city to another which is NOT shown in the submitted FEIS and would result in significantly higher emissions than projected in the FEIS.</p> <p>3 4 Additionally, a largely overlooked component of this route is financially based. 51st is cheapest route of final ADOT routes. City of Phoenix and Maricopa County have significant financial incentives to keep vehicle traffic in their jurisdictions. The existing fuel tank farms in the 51st/53rd vicinity will increase heavy truck traffic as the metro area increases. No current limitations on large truck idling in AZ only increase emissions output of the added truck traffic.</p> <p>The current authorized bypass route for trucks lacks fueling infrastructure for truck traffic bypassing I10/Phoenix corridor which means trucks currently stop and idle in already congested areas which again is ignored in the FEIS. Example, trucks stopping for fuel or sleep will run systems (Cab or Generator) for air conditioning (Phoenix necessity) which again is not calculated as emissions in the FEIS. However, tax revenue is the more likely 51st alignment support criteria from a MAG perspective.</p> <p>5 MAG projected traffic volumes indicate that all planned freeways will be operating at full capacity by 2030 and recommended utilization of a bypass very much further west for the "West Segment" solution than 51st based on projected traffic volume increases in 2030 and 2050.</p> <p>Final Report I-10 Phoenix-Tucson Bypass Study Arizona Department of Transportation ES-6 January 2008 URS Job No. 23445042</p> <p><i>The projected traffic volumes by MAG in Phoenix indicate that all planned freeways will be operating at full capacity in 2030. The traffic forecasts prepared for this study indicate that the</i></p>

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1	Air Quality	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The impacts of shifting traffic patterns attributable to the project are accounted for in the mobile source air toxics analysis, which estimated emissions for the No-Action Alternative and the Preferred Alternative (see page 4-78 of the Final Environmental Impact Statement). Additionally, similar conditions are considered in the regional emissions analysis the Maricopa Association of Governments conducted for the determination of transportation conformity.</p>
2	Air Quality	<p>In preparing the Final Environmental Impact Statement, the Federal Highway Administration and Arizona Department of Transportation reanalyzed the Western Section action alternatives' effects on operations along Interstate 10 (see Final Environmental Impact Statement beginning on page 3-62). The analysis determined that the No-Action Alternative would result in the most sections along Interstate 10 operating at level of service E or F, and for the longest duration. The connection to Interstate 10 (Papago Freeway) at 59th Avenue will include substantial improvements (widening) along Interstate 10 to provide adequate operations on Interstate 10 in the area of the junction and to allow traffic moving to and from the South Mountain Freeway to enter and exit the Interstate 10 main line (see page 3-49 of the Final Environmental Impact Statement). The design of the Interstate 10 and South Mountain Freeway system traffic interchange at 59th Avenue has received preliminary acceptance from the Federal Highway Administration, subject to completion of the National Environmental Policy Act process. For more details, see the <i>Traffic Overview</i> report available on the project Web site: <azdot.gov/southmountainfreeway>.</p>
3	Alternatives	<p>As stated on page 3-24 of the Final Environmental Impact Statement, although the W59 Alternative will cost approximately 3 percent more than the W55 Alternative, the project team determined the operational benefits to Interstate 10 to be worth the additional expense.</p>
4	Air Quality	<p>The Maricopa Association of Governments regional emissions analyses for the determination of transportation conformity included truck idling emissions, but the air quality analysis described in the Final Environmental Impact Statement did not, as noted by the commenter. The air quality analyses described in the Final Environmental Impact Statement did include projected truck traffic. The carbon monoxide and particulate matter (PM₁₀) analyses demonstrated that the freeway will not contribute to any new localized violations, increase the frequency or severity of any existing violation, or delay timely attainment of the National Ambient Air Quality Standards or any required interim emissions reductions or other milestones. For mobile source air toxics, the analysis showed that for the Study Area, constructing the freeway will have a marginal effect on annual emissions in 2025 and 2035 (less than a 1 percent difference in total annual emissions between the Preferred Alternative and No-Action Alternative). With the Preferred Alternative in 2035, modeled mobile source air toxics emissions will decrease by 57 percent to more than 90 percent, depending on the pollutant, despite a 47 percent increase in vehicle miles traveled in the Study Area compared with 2012 conditions.</p>


(Response 4 continues on next page)

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6	<p><i>west segment could relieve I-10 by 44,100 vehicles per day (vpd) in 2030 and 97,100 vpd in 2050. The increase in diversion between 2030 and 2050 reflects the acceleration of growth in western Maricopa County and the worsening traffic congestion in Phoenix. The traffic to and from western Maricopa County that wants to go to Casa Grande, Tucson or points east, would use the potential bypass and avoid going through the rest of the Phoenix area. The traffic reduction equates to one lane in each direction in 2030 and two lanes in each direction in 2050.</i></p> <p>Emission decreased for eliminating one lane (or eliminating future expansion) can be calculated but was not properly included in the FEIS.</p> <p>The truck bypass route has already been established and underutilized. Better utilization of the existing bypass route would reduce congestion and corresponding emissions.</p> <p>Furthermore, Final Report I-10 Phoenix-Tucson Bypass Study Arizona Department of Transportation ES-6 January 2008 URS Job No. 23445042 reported that the following ADOT findings:</p> <p><i>The determination of need for the project is based on the Purpose and Need Statement. 2.1 West Segment The SR 85/I-8 route is designated as the Phoenix I-10 Bypass. I-8 is a four-lane interstate highway that is currently underutilized. SR 85 is being upgraded to a four-lane divided limited access highway. When the improvements to SR 85 are completed, a free-flow bypass will exist for through traffic to avoid the Phoenix area. This bypass will probably have the capacity to accommodate the bypass traffic demand for many years.</i></p> <p><i>a. Stakeholders and the public emphasized the most pressing need is to ... complete the SR 85/I-8 bypass ...</i></p> <p><i>2.3.5 SR 85 Together with I-8, SR 85 is the official truck bypass route around metropolitan Phoenix and has also been designated as the CANAMEX corridor as part of the North American Free Trade Agreement (NAFTA). In addition to serving as the I-10 bypass, this corridor also metropolitan Phoenix to I-8 which leads to Yuma and San Diego.</i></p> <p>The FEIS does not properly deduct emissions resulting from better utilization of the existing I8/AZ85 officially recognized bypass and inaccurately estimates emissions that are too low based on the assumption that moving one congested traffic area to new a new location will provide emissions relief. Additionally, improved 51st access will only increase heavy truck traffic in that vicinity with a corresponding emissions increase.</p> <p>In summary, I believe that the FEIS understates the emission impact for the 51st proposed route and that it will increase truck and congestion without reducing local emissions.</p> <p>Respectfully yours,</p> <p>Dave Palty</p>

Code	Issue	Response
4 (cont.)		Trucks must have a place to stop for extended and overnight idling. This project will not create new truck stops or rest areas. A number of truck stops are located in Casa Grande, Gila Bend, and Buckeye, and at locations in between along the Phoenix truck bypass route of Interstate 8 and State Route 85.
5	Alternatives, W59 Alternative Versus W101 Alternative	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The purpose of the bypass study was to make a preliminary assessment of the need for and feasibility of a new transportation corridor that would provide an alternative to Interstate 10 to divert through traffic out of the congested metropolitan areas of Phoenix and Tucson. By contrast, the South Mountain Freeway is part of a transportation system developed to improve mobility in the region by increasing capacity and allowing traffic—including truck traffic—to access a segment of the “loop” system (see pages 1-21, 1-22, 3-1, and 3-3 of the Final Environmental Impact Statement) in the Phoenix metropolitan area.</p>
6	Alternatives	<p>As noted on page 3-9 of the Final Environmental Impact Statement, State Route 85 is a four-lane, divided highway with limited-access control, and Interstate 8 is a four-lane, divided Interstate freeway with full access control.</p> <p>The road network in the Maricopa Association of Governments travel demand model includes the Interstate 8 and State Route 85 corridor. So, while the roads are not in the Study Area for the proposed action, traffic and trip distributions along the corridor are included in the traffic analysis for the proposed action. Any traffic that will shift from the Interstate 8 and State Route 85 corridor to the proposed action was included in the vehicle mix considered in the analysis.</p>

Code	Comment Document
12	<p>-----Original Message----- From: Sara Parks [mailto:parkssa347@yahoo.com] Sent: Monday, November 17, 2014 12:31 PM To: Projects Subject: Pecos Rd / 202 Fwy Proposal</p> <p>Has there been a decision on the Pecos Rd / 202 freeway expansion? And also, what homes will be affected along Pecos Rd?</p> <p>Thanks, Sara Parks Ahwatukee Homeowner</p> <p>Sent from my iPhone</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Project Development Process	The final decision is being made in this Record of Decision.
2	Acquisitions and Relocations	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>Aerial maps showing the freeway (W59 and E1 Alternatives) are accessible through the project Web site, <azdot.gov/southmountainfreeway>.</p>

Code	Comment Document
1	<p>From: Lauren Ghazikhanian [mailto:laurenashleypg@gmail.com] Sent: Wednesday, October 22, 2014 9:38 AM To: Felicia Beltran Subject: Re: FW: How to comment on Loop 202 EIR?</p> <p>Thanks Felicia.</p> <p>I wanted to write in to support the final EIR and the 202 expansion. I feel that ADOT has addressed all concerns to the best of its abilities. The alignment outside of the Gila River Tribal land, the various underpasses for pedestrian/wildlife movement and the retention basins address all of my concerns about this project.</p> <p>The Loop 202 is paramount to Phoenix's continued growth in population and in role as a regional and international trade leader. Allowing interstate traffic to bypass downtown on</p> <p>Loop 202 will make commutes and life easier for residents who drive I-10 every day. Additionally, the path will be very beneficial to those living in the East Valley and South Mountain, taking traffic off of roads such as Baseline and improving the quality of life for South Mountain residents.</p> <p>I support the Loop 202 expansion program and am excited to see it built.</p> <p>Sincerely,</p> <p>Lauren Pearce Gilbert, AZ</p> <p>On Tue, Oct 14, 2014 at 1:31 PM, Felicia Beltran <FBeltran@azdot.gov> wrote: Hello Lauren:</p> <p>Thank you for contacting the Arizona Department of Transportation. If you would like to leave a comment regarding the South Mountain Final Environmental Impact Statement, you can reply to this email or call 602-712-7006.</p> <p>Thank you, Felicia Beltran Senior Community Relations Officer 1655 W Jackson St. MD 126F Phoenix, AZ 85007 602-319-7709 azdot.gov </p> <hr/> <p>From: Projects Sent: Tuesday, October 14, 2014 12:57 PM To: Felicia Beltran Subject: FW: How to comment on Loop 202 EIR?</p> <p>From: Lauren Ghazikhanian [mailto:laurenashleypg@gmail.com] Sent: Tuesday, October 14, 2014 12:26 PM To: Projects Subject: How to comment on Loop 202 EIR?</p> <p>I would live to provide a comment but I can't find out how on the website. Where should I send my comments?</p> <p>Thanks</p>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<div>1MR. PEDRO: (Speaking in native language.)</div> <div>2Thank you guys for all coming out today, and</div> <div>3thank you for everybody in support of us fighting the</div> <div>4freeway.</div> <div>5And like everybody said before -- I'm sorry</div> <div>6if this seems very repetitive, but ADOT is racist. They</div> <div>7hold up resolutions. It's in the FEIS. They hold up</div> <div>8resolutions for other surrounding communities where</div> <div>9they've gone, but not for the Gila River Indian Community.</div> <div>10That definitely shows their amount of bias towards us. I</div> <div>11mean, we voted, and there's been district resolutions.</div> <div>12Council passed resolutions that they don't want the</div> <div>13freeway anywhere, not on the reservation or not off the</div> <div>14reservation. And the last time they were here, they had</div> <div>15signs that didn't even have the right information. And</div> <div>16then they told us that, well, it's correct, but it just</div> <div>17depends on how you understand it.</div> <div>18Now, we have -- Muhadagi Do'ag is sacred.</div> <div>19It's a sacred mountain to us. But not only that, there is</div> <div>20a lot of Huhugam and Hopi O'odham sites there. There's</div> <div>21pottery scattered. There's whole villages there. There</div> <div>22are two main villages in the pathway of the freeway. And</div> <div>23in the FEIS, they are called Pueblo del Alamo and Villa</div> <div>24Buena. Now, those are ancient villages of our ancestors,</div> <div>25the same people who looked upon the mountain, who prayed</div>
2	
3	
	<div>Page 72</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Gila River Indian Community No-Build Referendum	
3	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
3	<div>1 upon the mountain, just as we do today.</div> <div>2 And yet they have no concern of that. They</div> <div>3 say they'll mitigate on how to not impact it. But when</div> <div>4 you're -- you know, when you're bulldozing a site, you</div> <div>5 know, that's already affecting it.</div> <div>6 And also, this is not only part of -- the</div> <div>7 Loop 202 is not only part of the Arizona system, but also</div> <div>8 the south corridor is the future of capitalism in Arizona.</div> <div>9 And capitalism is not paid in favor of indigenous people.</div> <div>10 We are here today, in the reservation, because our lands</div> <div>11 have been stolen by Miligan. And they --</div> <div>12 You all live on stolen O'odham land. If you</div> <div>13 live in Arizona, Southern Arizona, from Phoenix down on</div> <div>14 into -- deep into Mexico, you're on occupied O'odham land.</div> <div>15 And you need to understand that, because this is our</div> <div>16 place. And we are all indigenous people. But where are</div> <div>17 you indigenous from? And you're not giving the respect</div> <div>18 that we deserve from our area. And you get respect from</div> <div>19 your own area. We are all indigenous people. But where</div> <div>20 are we from? You've got to remember where we're from.</div> <div>21 Now, the Loop 202 is a -- is a part of a</div> <div>22 system to enhance trade, international trade between the</div> <div>23 U.S., Canada, and Mexico. It's called the CANAMEX</div> <div>24 Corridor, and some even call it I-11, that it will -- I-11</div> <div>25 will go all the way from Canada into Mexico. And do you</div>
4	<div>Page 73</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
4	Trucks	<div>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</div> <div>This freeway will not be part of Interstate 11 or the CANAMEX corridor.</div>

Code	Comment Document
5	<div><div>1 know they -- this helps facilitate trade and -- through</div><div>2 border militarization? This helps them facilitate in</div><div>3 trade.</div><div>4 And like Roberta said earlier, drug cartels</div><div>5 use these same roads and affect the same people. We're</div><div>6 all here. And we all said no. And I've told all of you</div><div>7 people -- I've seen every last one of you at all of your</div><div>8 meetings before. And whatever it takes, by any means</div><div>9 necessary, we will stop this freeway.</div><div>10 MS. KISTO: Thank you, Mr. Pedro, for your</div><div>11 comment.</div><div>12 Next we'll have Ms. Shelby.</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>Page 74</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
5	Crime	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1212</div><div><div>1</div><div>2</div></div></div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div><div>MS. PEREZ: Hello. I've been on this reservation over 35 years. And I moved off of it to go into Phoenix. Myself and my children ended up having asthma. And it was really bad, to where they had to have medication, the machines at home to breathe on every four hours, inhalers.</div><div>And we finally got a house down here, moved down here, going to be ten years ago. My children are now off the medication. They no longer take machines. Their inhalers are only used only during the dust storms that we have here. And they do sports. They're doing things that they couldn't do before. And my worry is if the freeway comes in, what that's going to do to us again, having asthma, and to all of you who have asthma.</div><div>Thank you.</div><div>MS. KISTO: Thank you, Rosalinda.</div><div>At this time I just want to thank everybody that came out and participated and helped to put this forum together. Just, again, thank you for your time.</div><div>I'll have Governor-Elect Lewis come and do the closing.</div></div></div>

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Code	Issue	Response
1	Children’s and Seniors’ Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div></div><div><p>From: Eric and Jane Peterson [mailto:ericjanepeterson@gmail.com] Sent: Saturday, November 22, 2014 5:03 PM To: Projects Subject: Pecos Road Interstate</p><p>We live in the Ahwatukee area that would be impacted by the proposed freeway. We strenuously object to this highway. We have attended meetings about this issue and see more bad things than good that would come from this. Now that Interstate 8 provides a westbound bypass of the Phoenix area, this roadway is unnecessary. It will adversely affect many homes and families, at least one church, and schools. It will cut through a mountain sacred to the Native Americans, the original inhabitants of this area. It will bring pollution to an area that has little now. It will increase the crime in our area, which is small now. These are reasons we all moved here. We feel that any benefit obtained will be outweighed greatly by the negative impact. We support PARC and have contributed to its support to fight this issue. Please count us as AGAINST this project. We are not giving up. We will continue to fight against this misplaced, unneeded highway.</p><p>Eric and Jane Peterson</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Acquisitions and Relocations	
3	Children’s and Seniors’ Health	
4	Section 4(f) and Section 6(f), Traditional Cultural Properties	
5	Air Quality	
6	Crime	
7	Purpose and Need, Lack of Support	

Code Comment Document

From: Gant Wegner
Sent: Wednesday, November 26, 2014 9:20 AM
To: Projects
Cc: Gant Wegner
Subject: comment on Loop 202 South Mountain Freeway -- Envoy Ticket No. 1432974432

Below is a South Mountain Freeway comment received by ADOT Communications on 11/25/14 through the Envoy email system:

11/25/2014

8:32:50 PM

The Environmental report failed to address the growing 22,000 (15% plus per year growth) valley fever cases and breathing issues in Arizona southern area which has 65 %of the reported 22,000 plus cases in the USA in 2011 and is growing.Over 50% occur in Maricopa county where toxic spores are released from as little as 3 inches of desert soil from construction, wind etc The airborne particles released in the air will find weak human immune systems located in the Ahwatukee, Desert Foothills Laveen Chandler areas with over 250,000 residents. Construction of this highway of 22-24 miles will release trillions of diseased vallet fever spores from the earth and increase the number of deaths and breathing caused diseases. Failure to stop this highway could result in multi class lawsuits against AZ ADOT, AZ Government and others that ignore this major heath warning. There is no vaccine-cure for these diseases and they are not always detected by most hospitals Only Barrows and perhaps Mayo Clinic can diagnose and properly treat the patients. You must address this major health hazard before any start of the project. Any movement of dirt will release the airborne spore particles. You must protect the citizens of Arizona from major health issues.

Yours truly ,
Vince Petroniero for 250,000 AZ citizens.

Gant Wegner
Public Information Officer

206 S. 17th Ave.
MD 118A, Room 101
Phoenix, AZ 85007
602.712.7635
azdot.gov

The logo for ADOT Communications, featuring the letters "ADOT" in a stylized, bold font with a red and blue gradient, and the word "Communications" in a smaller, black font below it.

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Code	Issue	Response
1	Safety and Health	Detecting the fungus responsible for valley fever in soils is not practical at this time. However, to reduce the amount of construction dust generated that could carry the fungus, particulate control measures related to construction activities will be followed. Mitigation measures will be followed, when applicable, in accordance with the most recently accepted version of the Arizona Department of Transportation's <i>Standard Specifications for Road and Bridge Construction</i> (2008). Prior to construction and in accordance with Maricopa County Rule 310, Fugitive Dust Ordinance, the contractor shall obtain an approved dust permit from the Maricopa County Air Quality Department for all phases of the proposed action. The permit describes measures to be taken to control and regulate air pollutant emissions during construction (see page 4-173 of the Final Environmental Impact Statement). These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

Code	Comment Document
	<p>From: Jon Pike [mailto:jdpike@parkaveaz.com] Sent: Saturday, November 15, 2014 11:22 PM To: Projects Subject: Comment from member of the public regarding the proposed South Mountain Freeway</p> <p>Gentlemen,</p> <p>ADOT really needs to abandon it's ill-conceived plans for the SM Freeway along the GRIC boundary!</p> <p>For many year now, the freeway proponents have used deception to woo over SE valley residents about how this completely redundant expansion to a remote part of the Valley's freeway system will convey benefits to the public. NONSENSE!</p> <p>1 A private company was licensed to build a toll road along the proposed SMF alignment and concluded that there was INSUFFICIENT DEMAND from motorists to traverse that route to justify the cost of building a simple 2-lane toll road. Nothing has changed since then, as a rarely used dirt road is still available to traverse that alignment. A dirt road that is of sufficient quality to travel the unpaved 3 miles with cruise control set on 30 mph in a luxury car, I know from personal experience.</p> <p>2 So, when the potential traffic that would use the road for \$1 per passage could not justify the expense to build the road from the perspective of real people with skin in the game; the only option was to approach the most mindless investor in the word for financial support: the Federal Government. There is no way that Arizonans would want to see their state tax dollars used to build a road to nowhere, but the Feds are easily fooled, with their bias that there is no such thing as gov't waste.</p> <p>3 To build this freeway decades before there is demand for it, means paying for it multiple times over, in the form of the cost to maintain this unnecessary and obscenely massive construction project.</p> <p>4 Of course ADOT prevaricates once more, by claiming that the Phoenix metro area needs more East-West freeways. This is true, but one along the Southern boundary of the metro area will provide no relief to the overcrowded East-West surface roads 15 miles North of it that could use some relief; unless one is to believe that one would travel 30 miles out of the way for a faster 10 miles of East-West travel.</p> <p>5 ADOT is in love with this idea for no other reason other than to route truck traffic around downtown Phoenix. This can be accomplished with existing Riggs Rd and 51st Ave already, with almost no stop lights, but is rarely done by truck drivers. To remove hundreds of families from there homes unnecessarily, and to debase one of the Valley's most picturesque and high-tax-paying communities (Ahwatukee) for this misguided pipe dream only possible with the help of the perenially jejune federal gov't, is an affront to all American citizens.</p> <p>6</p> <p>3 With the cost to construct this boondoggle, ADOT could solve every other REAL shortcoming of the current freeway system-- but perhaps the plan is to leave those real needs unmet, to hit the Fed up for more easy money in the future, after the SMF is built.</p> <p>PARC Member Jon D. Pike 3826 E. Night Hawk Way Phoenix, AZ 85048</p>

Code	Issue	Response
1	Alternatives	In 1996, a consortium of private companies proposed to build the South Mountain Freeway as a toll road. The consortium later withdrew its proposal, saying the project was not financially feasible (see <i>Alignment Recommendation South Mountain Corridor Loop 202</i> , as noted on page 1-8 of the Final Environmental Impact Statement). The determination not to construct the freeway as a toll road was not an indication that the freeway was not needed. In the executive summary to the above-referenced report, the proposers state: “The Arizona Transportation Group, LLC still believes that the construction and financing of the South Mountain Portion of the Loop 202 as a toll road is feasible and looks forward to teaming with the Arizona Department of Transportation to provide this important segment of the Maricopa County’s regional highway system.” The reason the proposal was determined to not be financially feasible was because the public and policy makers were not supportive of paying tolls.
2	Alternatives, Gila River Indian Community Alignment	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	Purpose and Need, Lack of Support	
4	Alternatives, No-Action Alternative	
5	Purpose and Need, Truck Bypass	
6	Acquisitions and Relocations	

Code	Comment Document
	<div data-bbox="425 356 820 445"><hr/>From: Lisa P. [mailto:azlisap@cox.net] Sent: Monday, November 24, 2014 4:09 PM To: Projects Subject: FEIS on the South Mountain Freeway</div> <div data-bbox="425 469 842 522"><p>Dear South Mountain Freeway Project Team AZ Dept. of Transportation:</p></div> <div data-bbox="425 548 1292 701"><p>We would like to state our opposition to the building of the South Mountain Freeway through Ahwatukee. As members of PARC, we are very concerned about the environmental impact of this proposed freeway through our neighborhood. One over-arching concern is how the pollutants produced by the traffic on this potential freeway would be trapped by the south side of South Mountain and remain over the Ahwatukee area. This is unacceptable, and we ask your consideration in this matter.</p></div> <div data-bbox="425 725 1271 778"><p>The FEIS has provided no compelling case for a freeway to go through the South Mountain Corridor. Thank you for your time and consideration.</p></div> <div data-bbox="425 802 668 955"><p>Sincerely, Steve and Lisa Pomraning 1580 W. Saltsage Dr. Phoenix, AZ 85045 azlisap@cox.net 610-442-2071</p></div> <div data-bbox="425 1022 1286 1084"><hr/><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Lack of Support	

Code	Comment Document
	<p>From: Kelly Ramirez [mailto:kelly.ramirez@student.prescott.edu] Sent: Monday, November 03, 2014 5:29 PM To: Projects Subject: CANCEL THE PROPOSED PROJECT because the FEIS is deficient</p> <p>To whom it may concern,</p> <p>ADOT’s decision to double down on the construction of the proposed freeway even after Gila River Indian Community members voted for a “no build” option in an official vote is inherent environmental racism. ADOT’s disregard for the objections of Akimel O’odham people from the Gila River Indian Community, and their democratic process, shows that ADOT is committed to lining developers and construction companies’ pockets, not respecting the decision making of the original inhabitants of this region.</p> <p>Thank you, Kelly</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Title VI	

Code	Comment Document								
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div></div><div><div><div><div><div>CONTACT RECORD</div><div>SOUTH MOUNTAIN FREEWAY</div></div><div><table><tr><td>INCOMING CALL DATE: 12/29/14</td><td>INCOMING CALL TIME: 2:23 PM</td></tr><tr><td>STAKEHOLDER: PHIL REAPER</td><td>ADDRESS: 1401 W. THUNDERHILL DR, PHX 85045</td></tr><tr><td>PHONE: 480-262-1645</td><td>EMAIL: NOT PROVIDED</td></tr><tr><td colspan="2">CONTACT METHOD: HOTLINE</td></tr></table></div><div><div>REMARKS/QUESTIONS:</div><div><ul style="list-style-type: none">• Opposed to freeway because:<ul style="list-style-type: none">○ Grandchild has asthma and allergy to diesel smoke/fumes○ Home prices will drop due to increased noise and air pollution and increased potential or crime• Suggests moving freeway south of reservation</div></div></div></div></div></div>	INCOMING CALL DATE: 12/29/14	INCOMING CALL TIME: 2:23 PM	STAKEHOLDER: PHIL REAPER	ADDRESS: 1401 W. THUNDERHILL DR, PHX 85045	PHONE: 480-262-1645	EMAIL: NOT PROVIDED	CONTACT METHOD: HOTLINE	
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PHONE: 480-262-1645	EMAIL: NOT PROVIDED								
CONTACT METHOD: HOTLINE									

Code	Issue	Response
1	Children’s and Seniors’ Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Economics/ Socioeconomics	
3	Noise	
4	Air Quality	
5	Crime	
6	Alternatives	The study considered an alternative south of the Gila River Indian Community, such as running along Interstate 8 in Casa Grande to State Route 85 from Gila Bend to Interstate 10 (see text on page 3-9 of the Final Environmental Impact Statement). State Route 85 is a four-lane, divided highway with limited-access control, and Interstate 8 is a four-lane, divided Interstate freeway with full access control. Existing signs at each terminus designate the route as a truck bypass of the metropolitan Phoenix area. This route would continue to be available for interstate and interregional travel, but it would not meet the proposed action purpose and need as part of a regional transportation network and, therefore, was eliminated from further consideration.

Code	Comment Document
	<div><div><div>12345</div></div><div><p>-----Original Message----- From: mary ann reis [mailto:hot4hnl@gmail.com] Sent: Thursday, October 16, 2014 3:09 PM To: Projects Subject: south mountain freeway</p><p>Hello: I am a resident of Ahwatukee. I live on the east lake of the lakewood development. I am strongly opposed to building the south mountain freeway. I am concerned about property values, draining of the lakes and the increased crime and pollution. If you have to build please consider a south route.</p><p>Thank You</p><p>Mary Reis</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div></div>

Code	Issue	Response
1	Economics, Socioeconomics	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Groundwater	<p>If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.</p> <p>In the specific case of the Lakewood wells, it is anticipated that because the wells are located south of Pecos Road, they may not be directly affected by the freeway and could remain in place. The pipes associated with the water delivery system will need to be protected as they pass under the freeway, but production will not be affected.</p>
3	Crime	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Air Quality	
5	Alternatives, Gila River Indian Community Alignment	

Code	Comment Document
1	<p>1 MS. RIDDLE: Can everybody hear me?</p> <p>2 I wasn't prepared to do this right away, but</p> <p>3 I think I got all the information in my head anyway, so...</p> <p>4 So I don't have to tell anybody in this room</p> <p>5 except for ADOT representatives how important this</p> <p>6 mountain is to us. I don't have to tell anybody how</p> <p>7 important our culture and our history and our background</p> <p>8 is except to you guys.</p> <p>9 I agree with Mr. Williams about taking a</p> <p>10 closer look at the other animals and studying those other</p> <p>11 aspects. I don't like the fact that our sacred mountain</p> <p>12 is going to be cut into. This is ancestral land, and</p> <p>13 we -- gosh. I'm just really...</p> <p>14 For me, it's about everything, like</p> <p>15 environmental. How is this going to impact our people?</p> <p>16 The exhaust and the fumes and things dripping off the</p> <p>17 vehicles, how is that going to impact our people?</p> <p>18 Personally, I grew up on a Superfund site.</p> <p>19 I know what it feels like to be involved in contamination.</p> <p>20 I know what it feels like to be exposed to toxic</p> <p>21 materials, to see my child growing up with nosebleeds</p> <p>22 almost every day or pus oozing out of her ears. I don't</p> <p>23 want that for our community.</p> <p>24 We talk about financial stability for our</p> <p>25 future generations. But what do you think they want? Do</p>
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Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Air Quality	
4	Groundwater	To reduce the potential impact of contaminants such as oil, grease, soil, and trash, settling basins will be used to collect water and allow materials to settle. The basins could also serve to contain chemical spills resulting from vehicle accidents. Each basin will be designed to contain a certain rainfall runoff volume before allowing discharge. If an accident were to occur, and the basins were dry at the time of the accident, the spill volume, in most cases, could be accommodated. These settling basins will require periodic cleaning (see Final Environmental Impact Statement page 4-107).
5	Hazardous Materials	<p>The corridor analysis revealed sites that will need further assessment during the property acquisition phase of the project. The Arizona Department of Transportation employs a phased approach to site assessment that allows time for cleanup of any sites found to have hazardous waste issues. The project team concluded from the level of analysis conducted during the environmental impact statement process that the types of sites likely to be acquired contain common hazardous waste issues like underground storage tanks, asbestos and lead paint in buildings, and other commonly found issues (see Final Environmental Impact Statement page 4-164). The Arizona Department of Transportation maintains a process for addressing these issues in accordance with all applicable environmental laws and regulations.</p> <p>Both the Van Buren Tank Farm and the West Van Buren Water Quality Assurance Revolving Fund site were identified and considered during development of the Draft and Final Environmental Impact Statements (see the Draft Initial Site Assessment prepared for the project.) These sites are primarily groundwater-impact sites, and groundwater is found at a depth of over 60 feet below the footprint of the Selected Alternative. Given the separation distance between the adversely affected media (groundwater) and the construction zone (near surface in these locations), the project team determined that these sites will not pose a risk to construction or to the general public once the facility is completed. This assessment has been clarified in the Final Environmental Impact Statement on page 4-165.</p>

Code	Comment Document
6	<div>1 you think they want the money, or do you think they want</div> <div>2 their health? Which is important?</div> <div>3 As a person coming to you with a lot of</div> <div>4 health issues, I would say my health is more important</div> <div>5 than the almighty dollar. I would say yours should be</div> <div>6 too. That money is only going to last you so many years,</div> <div>7 a short time. It's just a drop in the bucket. Your</div> <div>8 health is way more important. Your children's health is</div> <div>9 way more important.</div> <div>10 The borderland study, I've already told the</div> <div>11 tribal leadership that this -- this is an outdated</div> <div>12 document, that there was no environmental issues addressed</div> <div>13 in it. It needs to be revamped. It was started in the</div> <div>14 '70s, when industry was big and heavy. But now that we're</div> <div>15 finding out and -- how bad certain things are to our</div> <div>16 health, that needs to be revamped with green technologies,</div> <div>17 with green plans.</div> <div>18 So like I said, I'm not -- I wasn't really</div> <div>19 prepared, at this time, to speak. I know that there's</div> <div>20 going to be plenty of people that are going to speak that</div> <div>21 want the freeway on this reservation. But I'm going to</div> <div>22 tell you, it's not good for the reservation. It's not</div> <div>23 good for Ahwatukee. It's not good for Laveen. And we</div> <div>24 won't realize it till it's too late.</div> <div>25 Once that freeway goes in, it's going to be</div>
7	
8	
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Code	Issue	Response
6	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Children’s and Seniors’ Health	
8	Alternatives, Gila River Indian Community Alignment	

Code	Issue	Response
9	Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<p>1 MS. RIDDLE: My apologies. Our legal rep</p> <p>2 has -- gave me this document that they have prepared for</p> <p>3 us. I wanted it to go into the record.</p> <p>4 So "Preliminary overview of comments on the</p> <p>5 South Mountain Freeway Final Environmental Impact</p> <p>6 Statement in Section 4(f) Evaluation issued September 2014</p> <p>7 regarding impacts to cultural resources.</p> <p>8 "November 15, 2014. The agencies are</p> <p>9 noncompliant with the requirements of the Section 106</p> <p>10 review process. The FEIS confirms the process is</p> <p>11 incomplete and only affirms partial proposed mitigations</p> <p>12 with no complaint. Pragmatic agreement at this late phase</p> <p>13 of the project, the agencies are noncompliant with the</p> <p>14 Handbook For Integrating NEPA and Section 106, March 2013,</p> <p>15 by CEQ, Office of the -- Office of the President, and the</p> <p>16 ACHP because they have not issued a Section 106 compliance</p> <p>17 agreement.</p> <p>18 "In addition, the agencies confirm that</p> <p>19 there will be adverse effects and -- to -- would affect</p> <p>20 two sites South Mountain traditional cultural property,</p> <p>21 and one site contributes to the SMTCP.</p> <p>22 "Did not sufficiently consult the tribes</p> <p>23 early nor consistently through the project, did not,</p> <p>24 therefore, have the input to properly spoke and identify</p> <p>25 cultural resources and TCPs missed or ignored as a</p> <p>Page 46</p> <p>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</p>

Code	Issue	Response
1	Cultural Resources	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>As noted in Table 4-47 on pages 4-151 through 4-153 of the Final Environmental Impact Statement, the Programmatic Agreement for the project was executed in 2006 by the signatories, the Federal Highway Administration and the Arizona State Historic Preservation Officer. The executed Programmatic Agreement can be found in Appendix 4-6 of the Final Environmental Impact Statement. Other groups were offered several opportunities to sign the Programmatic Agreement as a concurring party, but some elected not to do so. These other signatures are not required for the Programmatic Agreement to be executed in compliance with the National Historic Preservation Act or the National Environmental Policy Act.</p>
2	Section 4(f) and Section 6(f), Traditional Cultural Properties	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>

Code	Comment Document
	<div><div>1 substantial part of public comment and our tribal input,</div><div>2 as evidenced by comments within the FEIS.</div><div>3 "Ignored the community's position for a</div><div>4 no-build option inside of this election as to why they</div><div>5 must cause irreversible harm to Muhadagi Do'ag.</div><div>6 "Propose access to sacred sites by foot</div><div>7 under the highway without assessment of the quality and</div><div>8 hindrance of such mitigation proposal, for example,</div><div>9 View Scape.</div><div>10 "Have ignored volumus (sic) comments that</div><div>11 have validated the mountain beyond the land itself, the</div><div>12 View Scape, and therefore have not properly assessed the</div><div>13 full TCP.</div><div>14 "Claim that they have received no</div><div>15 information about the value of air, ground, or water</div><div>16 attributes during the consultation phase with tribes, so</div><div>17 did not weight these values in its assessment and now</div><div>18 claim Section 106 review and these components is now not</div><div>19 required.</div><div>20 "The statement evidences the agencies'</div><div>21 shortcomings in consultation and the devastating and</div><div>22 inaccurate effects of noncompliance with Section 106.</div><div>23 "Argues that a fraction, 0.3 percent of the</div><div>24 total area and two-tenths of the total mountain range, is</div><div>25 impacted. But such a fraction only considers land and not</div></div> <div>Page 47</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
3	Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Visual Resources	The Final Environmental Impact Statement discloses that the freeway will cause severe visual impacts attributable to the road cuts at the western end of the South Mountains, altering views from the Gila River Indian Community north to the mountains (see page 4-169).
5	Cultural Resources	As stated in the text box on page 4-141 of the Final Environmental Impact Statement, "... the South Mountains are part of a continuum of life and not an individual entity that can be isolated and analyzed. The South Mountains TCP extends beyond SMPP" (Figure 5-8). The Arizona Department of Transportation has committed to funding a National Register of Historic Places eligibility report for the South Mountains Traditional Cultural Property to be prepared by the Gila River Indian Community (see page 4-159 of the Final Environmental Impact Statement).

Code	Comment Document
6	<p>1 other attributes missed in the faulty and incomplete</p> <p>2 Section 106 review process, thereby neglecting a true and</p> <p>3 accurate impact.</p> <p>4 "Suggests that the mitigation managers will</p> <p>5 continue to reduce effects on the mountains, however, such</p> <p>6 measures are not secure. No timelines, other than up</p> <p>7 until the record of decision, the last day, is cited.</p>
1	<p>8 "Because the Section 106 process is not</p> <p>9 complete, faulty, and the records show that the agency now</p> <p>10 possess volumes of data to better assess and identify</p> <p>11 sites, the agency should immediately revise and execute</p>
2	<p>12 full TCP studies for the many aspects they missed, correct</p> <p>13 the inadequacies of the reports, and avoid harm to</p> <p>14 Muhadagi Do'ag."</p> <p>15 Thank you.</p> <p>16 MS. KISTO: Thank you, Ms. Riddle.</p> <p>17 I see we have some new attendees that showed</p> <p>18 up. So I'd just like to give a brief overview of what we</p> <p>19 are doing here today.</p> <p>20 On October 15th, the community council made</p> <p>21 a motion to have a public forum and include</p> <p>22 representatives from the Federal Highway Association as</p> <p>23 well as Arizona Department of Transportation. This public</p> <p>24 forum is to allow community members to provide public</p> <p>25 comment. You are more than welcome to talk to the</p>

Code	Issue	Response
6	Project Development Process	The final design and construction activities must adhere to the commitments made in the Record of Decision. Mitigation measures will be implemented immediately following the Record of Decision.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>3</div><div>12</div></div><div><p>From: Lynn Robbins [mailto:lgrunners@aol.com] Sent: Monday, November 24, 2014 9:14 AM To: Projects Subject: NO Freeway in my backyard!!!</p><p>To whom it may concern:</p><p>After living in this beautiful community of Ahwatukee for almost 20 years, I am compelled to write in stark opposition to this proposed UNNECESSARY freeway. We will be about 1/4 mile from the Desert Foothills Pkwy exchange and the attached 8 lane 22 miles of solid concrete. We will be subjected to air and noise pollution as well as crime with the new access in and out of the Foothills. This destruction of natural mountains and desert (not to mention our quality of life) serves no purpose for any of the families that reside in what the Indians call " The place of our dreams. " Those of us who have chosen to buy our homes and decided to spend the rest of our lives here WOULD NOT depend on this proposed freeway. The only people licking their chops would be the truckers and contractors who are looking for a more expedient way around Phoenix. According to the FEIS Pages 3-34,(travel times) Foothills residents would save a WHOPPING 60 seconds - - - translation - - - WASTE of BILLIONS of dollars!!!</p><p>We have experienced the wrath of freeways in our backyard in Los Angeles - - and will never go through that again!! There are numerous detrimental effects, not to mention ones health and the impact it will have on the young children as they are trying to develop. Contrary to the hype of rising home prices, in actuality the value decreases as most people want to be able to enjoy the peace and quiet of their backyards, especially those that have a mountain preserve lot with magnificent sunsets. Who wants to sit outside amid the constant 24/7 roar of truck and automobile tires. Currently when I'm outside I hear the gentle hum of AC units and an occasional dog.</p><p>We could have lived anywhere in the valley, but chose this little community of Ahwatukee (Our Paradise) because of the tranquility and the beauty of the desert and it sickens me to think that we might be uprooted - to benefit the truckers and contractors who DO NOT live here. We have and will continue to support PARC'S efforts in litigating this OUTDATED and UNNECESSARY destructive roadway!!!</p><p>Proud residents of Ahwatukee and members of PARC Lynn & Glenn Robbins</p><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Noise	
4	Crime	
5	Biology, Plants, and Wildlife	
6	Community Impacts	
7	Purpose and Need, Truck Bypass	
8	Alternatives, No-Action Alternative	
9	Health Effects	
10	Children's and Seniors' Health	
11	Economics, Socioeconomics	
12	Purpose and Need, Old Plan or Use of Old Data	

Code

Comment Document

1

1 MS. ROBINSON: I'm glad for the opportunity.
2 I could not have gone away today without having said my
3 words.

4 First of all, I would like to say that I'm
5 very glad for this meeting that took place today for many
6 reasons, one of them, first of all, no matter how harsh
7 the words today for the ADOT representatives, they needed
8 to hear this once again and maybe in a more powerful way
9 that was displayed here today.

10 One thing you learned in all of this,
11 together, learned today as a community, is that we have a
12 voice, that we are empowered. We can say what we feel
13 without fear.

14 And also, we hope -- one thing I regret that
15 did not happen today is that we did not have our council
16 representatives. And you are the ones we should be
17 speaking to today. You are the ones who are going to make
18 this final decision. That's what should have happened
19 before we had the ADOT people come in today. I believe
20 that. Because we are community, we are empowered to
21 discuss and re-discuss things among ourselves and to do it
22 in a productive and constructive way.

23 The young man over here talked about
24 marginality this morning. I'm a retired teacher, and
25 that's one of the things that I learned in education.

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Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<div><div><div>1 When we go on to become educated, we learn that we can</div><div>2 assume marginality, which means that you are empowered to</div><div>3 live within two worlds. But we have the power to choose</div><div>4 those -- those things in life that affect us in a</div><div>5 productive way. And we can leave those alone that do not</div><div>6 affect us, those negative things. We have that power.</div><div>7 That's marginality.</div><div>8 And we go to the movies when we want to. We</div><div>9 come back home, and we're among our family and do the</div><div>10 things we want to do as Native people. We go to the</div><div>11 different places, restaurants to eat, and we run into each</div><div>12 other down in Chandler, different places, and enjoy the</div><div>13 other things in life. But yet we come back home, and</div><div>14 we're a community, and we're all family.</div><div>15 And we -- you know, like my sister was</div><div>16 saying, there are seven of us that had to share the same</div><div>17 tub. And we didn't like it -- want to be the last one</div><div>18 either. But in those -- well, you older folks who know</div><div>19 about that, you know what that's all about.</div><div>20 The river was our lifeblood, as an Indian</div><div>21 community, because we were a farm nation. You know -- and</div><div>22 you see the river today. So I'm telling you today, as</div><div>23 Native people and community members, you know, look into</div><div>24 your hearts and trust, you know, your beliefs and go with</div><div>25 your decision and do it for yourselves, because you know</div></div><div>Page 114</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 in your heart what's best for you and your families. 2 And I hope that the people here today 3 listened with open minds, open hearts, and didn't take 4 anything personally that was said but took it in a way 5 that should be taken, constructively. 6 Thank you. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</div></div><div>Page 115</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1 our mountain. That's our creator. That's a part of us.</div><div>2 And I'm just here just to say to try and</div><div>3 open your hearts and try to understand and put yourself in</div><div>4 our shoes and just open your heart and try to understand.</div><div>5 If you were us, if you were me, how would you feel? Just</div><div>6 try. You might get lost in your job and money, but let it</div><div>7 go and open your heart and try to understand. Close your</div><div>8 eyes and just try to feel it.</div><div>9 That's all I have to say. Thank you.</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div><div>Page 98</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div></div>

Code	Issue	Response

Code Comment Document

From: Marty [<mailto:mrosso@q.com>]
Sent: Friday, September 26, 2014 8:42 PM
To: Projects
Subject: South Mountain Freeway route

Good evening,

We've lived in AZ since 1989 and are familiar with the Houston Loop Freeway System. I'm just curious as to why ADOT does not take the South Mountain Freeway out west as far as the Loop 101 so as to have a real loop effect?

Congrats to ADOT on the expansion of I10 Maricopa Freeway from the Loop 202 to Queen Creek in both directions. It looks as if the project is moving right along.

Maybe someday you'll expand it down to Riggs Road and then on to Casa Grande?? Anyway, in general, ADOT is doing a great job both on I10 and the Loop 101 from the 202 to Shea. Best Regards Marty Rosso

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Code	Issue	Response
1	Alternatives, W59 Alternative Versus W101 Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<p>-----Original Message----- From: Zoraida [mailto:z39chicago@gmail.com] Sent: Monday, November 24, 2014 2:15 PM To: Projects Subject: Pecos and potential new 202 freeway</p> <p>Dear ADOT Projects</p> <p>I moved here to Phoenix nine years ago and chose to live in Ahwatukee for its strong sense of community, good schools and active community. It's surrounded by wonderful mountains. But I also moved here for the better air and less traffic, see I used to live in Los Angeles. I strongly believe that if the freeway is built that more and more our cleaner, less congested city will look like Los Angeles and worse produce the smog and noise pollution that has plagued LA. We have zoning laws here in Phoenix against certain heights of buildings and homes to not block our mountain views, what good are those when the smog produced by the estimated 400,000 vehicles to travel on the 8 Lane highway will produce? Please understand I am not against progress, I grew up in Chicago a large metropolitan city. Why can we not look to other cities along the east coast or Midwest that use both public transit and private vehicles? Why isn't part of the plan an expansion of the light rail & fewer lanes highway? Can we limit this highway to only personal vehicles and keep large shipping vehicles (semi's) to the current I10 freeway?</p> <p>We continue to build out communities farther away from our city Phoenix and only support them via freeway. Imagine if a train or light rail had been available from East Valley to Tucson? People living here could work at the University, hospitals, good for the community and our states economy. I urge the board to re-think this current plan if it cares about our citizens health & our states financial future.</p> <p>Thank you for listening Zoraida Salas-Allison</p> <p>Sent from my iPad</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Alternatives, Nonfreeway Alternatives	
4	Traffic	Arizona highways, as with most highways across the United States, are open to all kinds of traffic, so long as the cargo being carried is in accordance with U.S. Department of Transportation regulations for the specific type of cargo. The South Mountain Freeway is expected to operate under the same rules as other similar facilities in the state.
5	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Project Costs, Total Cost	

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Range of Reasonable Alternatives	
3	National Environmental Policy Act Process	The minimum review period for a Final Environmental Impact Statement is 30 days; the Arizona Department of Transportation and Federal Highway Administration provided 60 days. Once the errata document was published, it was made available to the public at the same repositories (including multiple libraries and the project Web site) as the Final Environmental Impact Statement. The review period was extended by 30 days for the Final Environmental Impact Statement and errata.
4	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Air Quality	

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6	<p>transportation solutions to reduce pollution levels for the good of human, animal and plant health instead of bringing in more traffic into a highly urbanized area. In addition, the alignment connecting to I-10 west of downtown Phoenix and again south of downtown Phoenix will become a truck bypass for semi-trucks looking to avoid driving through the downtown with exhaust adding to the pollution concerns. The report further states that the Phoenix metro air quality regularly ranks in the top 15 for various air pollution problems:</p> <p>People at Risk In 25 U.S. Cities Most Polluted by Short-term Particle Pollution (24-hour PM 2.5) 2014 rank of 15 Phoenix-Mesa-Scottsdale, AZ People at Risk In 25 U.S. Cities Most Polluted by Year-Round Particle Pollution (Annual PM 2.5) 8 Phoenix -Mesa-Scottsdale, AZ People at Risk In 25 Most Ozone-Polluted Cities 11 Phoenix-Mesa-Scottsdale, AZ People at Risk in 25 Most Ozone-Polluted Counties 8 Maricopa</p> <p>Biology, Plants, and Wildlife ADOT DEIS Response Less than a mile of the proposed freeway would pass through the park. Issues such as heavy metals, pollutants from asphalt, and airborne emissions that would settle out would have inconsequential potential impacts on adjacent plant vitality and species composition.</p> <p>R Salthouse FEIS Comment ADOT's response is yet another example of poor and vague NEPA analysis in its mitigation to use stormwater runoff from the freeway to irrigate the Salt River in the Western Section and the Rio Salado Oeste project area. The FEIS makes no reference to the EPA's <i>Healthy Watershed Program</i> http://water.epa.gov/polwaste/nps/watershed/concept.cfm which defines stormwater runoff as a nonpoint source (NPS) pollution which is the leading remaining cause of water quality problems to recreation and wildlife. This freeway mitigation is an irresponsible solution to support the local wildlife with untreated water containing known toxins. Furthermore ADOT FEIS does not include best practices set forth by <i>The Handbook for Developing Watershed Plans to Restore and Protect our Waters</i>, which states "Each covered industrial facility or construction site is required to develop and implement a stormwater pollution prevention plan (SWPPP) that describes the activities that will be conducted to prevent stormwater pollution." Page 5-23 http://water.epa.gov/polwaste/nps/upload/2008_04_18_NPS_watershed_handbook_handbook-2.pdf</p> <p>The FEIS mitigation fails to adequately define the specific or unique design requirements and placement for wildlife movement areas defined in Fig. 4-38 (Vol. 1: Main Text, p4-126) and connectivity structures mentioned in Habitat Connectivity and the Proposed Action (Vol. 1: Main Text, p. 4-137) or a true understanding of the specific wildlife that will use this connectivity.</p> <p>The FEIS makes regular mention to Multifunctional crossing locations identified during a workshop "attended by a broad range of organizations and interests that interactively provide input and mapping for important wildlife linkages across Maricopa County (AGFD 2012), yet there is no mention of <i>Guidelines for Bridge Construction or Maintenance to Accommodate Fish & Wildlife Movement and Passage</i> (Arizona Game and Fish Department, Habitat Branch, November 2008. http://www.azgfd.gov/hgis/pdfs/BridgeGuidelines.pdf). This Arizona Game and Fish Department document specifically states on page 2:</p> <p>"Each project will have unique construction requirements, channel and floodplain geomorphology, hydrology, and associated biotic communities. As a result, we suggest that managers consider a broad range of potential impacts during project planning and when developing biological assessments and environmental impact statements. We recommend that transportation planners and design engineers work with interdisciplinary teams (biologists, hydrologists, ecologists) to develop a list of the potential physical, chemical, and biological components impacted by bridge construction and describe how impacts to these components could influence wildlife, their habitat, and movement corridors over space and time. New bridge construction also provides the opportunity for design considerations that will benefit fish and wildlife resources. Bats are of primary importance due to the benefits they provide to the ecosystem and their current decline in numbers and distribution. Bridges can be designed to provide suitable day and night roosting habitat for different species of bats. Structural habitat requirements of bats differ by species and will vary across the state. The Arizona Game and Fish Department (Department) may be able to provide help in determining which species may be present in the area of a proposed bridge. "</p> <p>Furthermore, the FEIS makes no mention of improvements addressing "road ecology" in their own document: PANEL SESSION PRESENTATION A DECADE OF PROACTIVE PROGRESS IN RESOLVING ARIZONA HIGHWAY WIDLIFE CONFLICTS) http://www.icoet.net/ICOET_2013/documents/papers/ICOET2013_Paper204A_Dodd_et_al.pdf</p> <p>Traffic ADOT DEIS Response In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system, including the shift of access to Foothills Reserve and Calabrea from Pecos Road to Chandler Boulevard. The City study found no adverse effects on the local street system from the proposed freeway (see</p>
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Code	Issue	Response
6	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Water Quality	<p>To reduce the potential impact of contaminants such as oil, grease, soil, and trash, settling basins will be used to collect water and allow materials to settle. The basins could also serve to contain chemical spills resulting from vehicle accidents. Each basin will be designed to contain a certain rainfall runoff volume before allowing discharge. If an accident were to occur, and the basins were dry at the time of the accident, the spill volume, in most cases, could be accommodated. These settling basins will require periodic cleaning (see Final Environmental Impact Statement page 4-107).</p> <p>Water quality-related regulatory requirements, potential impacts, and proposed mitigation are presented in the sections, <i>Water Resources</i>, <i>Floodplains</i>, and <i>Waters of the United States</i>, beginning on pages 4-101, 4-110, and 4-116, respectively, of the Final Environmental Impact Statement. As noted on page 4-102, a stormwater pollution prevention plan will be a requirement for this project.</p> <p>These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.</p>
8	Biology, Plants, and Wildlife	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>The analysis presented in the <i>Biological Resources</i> section of Chapter 4 of the Final Environmental Impact Statement and the Biological Evaluation completed in 2014 represent an appropriate analysis of existing conditions and potential impacts based on field surveys and available literature.</p> <p>The Final Environmental Impact Statement discusses wildlife-friendly design and a commitment to coordinate with the Arizona Game and Fish Department during the design of the multifunctional crossings. The design guidance for drainage structures was clarified in the Record of Decision to include the <i>Guidelines for Culvert Construction to Accommodate Fish & Wildlife Movement and Passage, Guidelines for Bridge Construction or Maintenance to Accommodate Fish and Wildlife Movement and Passage</i>, and <i>Recommended Standard Mitigation Measures for Projects in Sonoran Desert Tortoise Habitat</i>.</p> <p>These crossing structures and associated fences will be designed to reduce the incidence of vehicle-wildlife collisions.</p>
9	Traffic	The Arizona Department of Transportation and Federal Highway Administration's position has not changed regarding how the analysis was prepared and regarding our response to similar comments made on the Draft Environmental Impact Statement.

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	<p>Appendix 3-1 in the Final Environmental Impact Statement).</p> <p>R Salthouse FEIS Comment</p> <p>The2006 traffic study referenced Appendix 3-1 in the Final Environmental Impact Statement is not current and only analyzes the east, west traffic and not the north, south bound traffic volumes in the study area. The study does not provide conclusive data on how the SMF Loop 202 will affect the area. With the removal of Pecos Road as a major surface street for the community, the study is deficient in its omission projecting the traffic volumes for, Liberty Lane, Frye Road, and Lakewood Parkway which run parallel to Pecos. These roads will serve as alternates to Pecos Road, especially with the removal of the 32nd Street exit, to move traffic through the area and to Desert Vista High School. A current traffic study including the entire affected area needs to be performed to provide meaningful data on how the freeway will affect the area during and after freeway construction.</p> <p>Alternatives</p> <p>ADOT DEIS Response;</p> <p>The Arizona Department of Transportation purchased some right-of-way along Pecos Road when it was adopted as the freeway alignment in 1988 (see Draft Environmental Impact Statement page 3-53). Should another alternative be adopted as a result of this study, the Arizona Department of Transportation would dispose of the land that has been acquired.</p> <p>R. Salthouse FEIS Comment</p> <p>The purchase of property along a freeway alignment before the completion of the NEPA process is pre-decisional. The SMF Loop 202 process has not seriously addressed other possible alternatives. Any purchases along a route identified as an "adopted freeway alignment" is violating the NEPA process. ADOT has made the following property purchases along the only proposed alignment.</p> <p>3247 Cedarwood LN PHOENIX, AZ 85048 3429 Cedarwood LN PHOENIX, AZ 85048 3401 Cedarwood LN PHOENIX, AZ 8504 3043 W CEDARWOOD LN PHOENIX, AZ 85045 3048 W CEDARWOOD LN PHOENIX, AZ 85045 2718 E REDWOOD LN PHOENIX, AZ 85048 17011 S 27TH DR PHOENIX, AZ 85045 17012 S 27TH DR PHOENIX, AZ 85045 (source: http://mcassessor.maricopa.gov/ on November 19, 2104)</p> <p>Finally, the SMF FEIS still does not identify and address the impacts from the freeway for two City of Phoenix recreation areas in Chapter 5 Section 4(f)Evaluation.</p> <p>1. Bursera Trail is still not identified in figure. 5-5, <i>Recreational Trails System</i> or in Figure 5-8, <i>Public Parkland Resource</i>, after the trail's omission was pointed out during the DEIS. (https://www.phoenix.gov/parkssite/Documents/062880.pdf) This trail is located one mile north from Pecos Road on the south west side of SMPP. This trail will suffer significantly from noise and view impacts from the proposed freeway alignment. My family and friends frequently hike this trail to enjoy the serene environment and spectacular views. The eight-lane freeway's impacts were not properly analyzed, which violates NEPA.</p> <p>2. Vista Canyon Park in Figure 5-7, <i>Public Parkland</i>, located .6 miles from Pecos Road. My family and many other families with children use this neighborhood park for sports, Scouts and family recreation. Its close proximity to the proposed freeway requires it listing for evaluation during the NEPA process, especially for noise and air quality for the reasons listed above.</p> <p>(p. 2 https://www.phoenix.gov/pddsite/Documents/pdd_pz_pdf_00021.pdf#search=ahwatukee%2520village%2520parks)</p> <p>The City of Phoenix is currently working to create their General Plan that establishes policy for the city's physical development. During a variety community outreach events, City personnel gathered input and ideas from citizens. The data collected during these meetings showed that parks/open space are the things Phoenixians love most about Phoenix (page 21).</p> <p>https://www.phoenix.gov/streetssite/Documents/Plan%20Phx/planphx_present_131206.pdf#search=PlanPHX%2520findings</p> <p>Why would we allow and support an outdated and ill-conceived freeway plan that hasn't followed the process that has been put in place to ensure these fragile natural resources are kept intact? Once these environmentally unique and culturally important areas are destroyed, there is no turning back.</p> <p>Respectfully, Robin Salthouse 16208 S. 35th Way Phoenix, AZ 85048</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
10	Alternatives	<p>Land acquisition and relocation assistance services for the project are available to all individuals in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The implementing regulations for federally funded highway projects are 49 Code of Federal Regulations Part 24. The process for hardship and advanced acquisitions is explained in a text box on page 4-50 of the Final Environmental Impact Statement.</p> <p>The comment infers that by taking such action, the objective equal consideration of the alternatives studied in detail in the Draft and Final Environmental Impact Statements is tainted. Advanced acquisitions in parallel to a National Environmental Policy Act environmental determination process is not unprecedented and is common practice. In this case, property acquisitions by the Arizona Department of Transportation for purposes of implementing the freeway are done at risk as communicated to the agency by the Federal Highway Administration. If another alternative had been ultimately selected, the agency would have to place the acquired properties on the market for sale and purchase. The Arizona Department of Transportation attempts to balance the risk against its mission of timely delivery of transportation infrastructure to the traveling public. Further, Federal Highway Administration regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the selection of an alternative.</p>
11	Section 4(f) and Section 6(f)	<p>The map and table in Figure 5-5 on pages 5-8 and 5-9 of the Final Environmental Impact Statement include only those trails that will be directly affected by an action alternative. In this case, the Bursera Trail is not included based on its distance from any of the action alternatives. Figure 5-8 on page 5-15 of the Final Environmental Impact Statement presents the prominent resources of the park, including the Bursera Trail in its alignment as shown in the City of Phoenix trail map (see <phoenix.gov/parkssite/Documents/062880.pdf>).</p>
12	Noise	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
13	Visual Resources	<p>The Final Environmental Impact Statement discloses that the freeway will cause severe visual impacts, altering views from the South Mountains to the south (see page 4-169).</p>
14	Section 4(f) and Section 6(f)	<p>As noted on page 5-3 of the Final Environmental Impact Statement, the resources identified in the Final Environmental Impact Statement were located within 0.25 mile of the action alternatives. Vista Canyon Park is located farther than 0.25 mile from the E1 Alternative.</p>
15	Purpose and Need, Old Plan or Use of Old Data	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
16	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<p>-----Original Message----- From: John Schaffer [mailto:jcs3az@aol.com] Sent: Saturday, November 22, 2014 11:15 AM To: Projects; Kimberly Dawn Schaffer Subject: South Mnt Freeway</p> <p>Dear ADOT,</p> <p>My name is John Schaffer, and have been an Ahwatukee resident for over 17 years.</p> <p>I am writing to oppose the "South Mountain Freeway" project if the routing continues to be considered along Pecos Rd. In light of the outdated (old) environmental information used to estimate its' impact, I would like to see the freeway's location reevaluated.</p> <p>I also feel that an earnest effort with the Indian tribe to our immediate South could result in a win/win arrangement, if started fresh.</p> <p>Thank you for your' consideration.</p> <p>Sincerely, John Schaffer 407 East Brookwood Ct. Phoenix, AZ 85048</p> <p>Sent from my iPad</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p> <p>.</p>

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Gila River Indian Community Alignment	

Code

Comment Document

From: denniscschlueter@aol.com [mailto:denniscschlueter@aol.com]
Sent: Friday, November 21, 2014 9:09 AM
To: Projects
Subject: Fwd: Objection to South Mountain Freeway

1

Please accept the attached letter as our objection to the proposed South Mountain Freeway.

Dennis Schlueter

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1		Comments and responses appear on following pages.

Code	Comment Document
	<div>16405 S. 29th Ave. Phoenix, AZ 85045 November 20, 2014</div> <div>ADOT Community Relations 1655 W. Jackson St., MD126F Phoenix, AZ 85007</div> <div>To Whom It May Concern:</div> <div>The purpose of this letter is to object to the proposed Loop 202 Extension, South Mountain Freeway.</div> <div>The citizens most adversely impacted by this proposal object to it. The citizens of Laveen, Ahwatukee and the Gila Indian Community object for many reasons.</div> <div><div><div>2</div><div>3456</div><div>74</div></div><div>Those of us that live in Ahwatukee moved here for the quality of life. You will destroy our reasons for being here with the proposed route of the freeway. A recent study has been publish that documents the increase in the number of people leaving Phoenix and the decrease in the number of people moving here. The freeway will take away our views, our quietness, our clean air and our safety. As retired senior citizens with asthma, the cleaner air was a primary consideration for moving to this location. The noise pollution as it bounces and echoes off the mountain will ruin our peace and quiet.</div></div> <div><div><div>548</div><div>96</div></div><div>You will bring to us all the bad things from Phoenix on the north side of South Mountain. You will turn our neighborhoods into any other Phoenix neighborhood with bad air, noise, congestion, crime and dangerous loaded trucks. When done, you leave us with none of the reasons we moved here and no reason to stay. The lucky ones may be those whose homes you intend to take, as they will easily move to locations with higher quality of life. Those that remain will suffer from what you do.</div></div> <div><div><div>1011</div></div><div>Along with alienating the effected Phoenix citizens, you want to destroy the end of South Mountain Park and offend the Gila River Indian Community.</div></div> <div><div><div>12</div></div><div>The arguments of improved economic development are weak if not false. The available public land the proposed freeway will occupy will be better utilized by the development of additional desirable housing and local businesses, all attracted to the high quality of life in the area.</div></div> <div><div><div>13</div><div>14</div></div><div>If you must have a truck and other transportation by pass, then do the right thing by then Gila River Indian Community and successfully negotiate the use of the Riggs Road and Avenue transportation corridor that is already spoiled by truck traffic. Failing that, expand the Arizona 85 route from Interstate 8 to Interstate 10. Your transportation assumptions have been proven to be incorrect. These suggested alternative routes address the “problems” you seem to think need solutions while protecting, with great regard, the citizens, children and environment that is your responsibility.</div></div> <div>Dennis & Paulette Schlueter</div>

Code	Issue	Response
2	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
3	Visual Resources	Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.
4	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Air Quality	
6	Crime	
7	Children’s and Seniors’ Health	
8	Traffic	In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the proposed freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).
9	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
11	Section 4(f) and Section 6(f), Traditional Cultural Properties	
12	Alternatives, No-Action Alternative	
13	Purpose and Need, Truck Bypass	
14	Alternatives, Gila River Indian Community Alignment	

Code	Comment Document
	<div><p>1 MS. SHELBY: Hi. I'm Lisa Shelby from here</p><p>2 in District 6 community.</p><p>3 I guess I didn't really want to say</p><p>4 anything, but just hearing the other comments being made</p><p>5 and also from what I've seen in the video -- and that was</p><p>6 kind of my question, which would have been to DOT. But</p><p>7 the -- by the fact that, in viewing the video and the --</p><p>8 showing the -- the route for the freeway, I saw like --</p><p>9 like a yellowish line alongside that freeway. And I'm</p><p>10 thinking that's our borderland. So, in fact, it would</p><p>11 be -- the freeway would be on the Ahwatukee side, meaning</p><p>12 off reservation. And it flows all the way up to here,</p><p>13 where we are -- basically through South Mountain. So it</p><p>14 was saying to me that the freeway isn't on our land.</p><p>15 And I think that was the main issue in the</p><p>16 beginning, because in the beginning, we were shown two</p><p>17 options or three options. One was off; one was on. And</p><p>18 we all got excited because of the freeway showing on our</p><p>19 reservation.</p><p>20 And I'm also hearing today that DOT is not</p><p>21 listening to us. But, you know, they did by the fact that</p><p>22 the alignment is on the other side of the border. It's</p><p>23 not on our land.</p><p>24 And what was bothering me is the fact that</p><p>25 we aren't being listened to. But, yes, we are. And also</p></div> <div>Page 75</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

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1	<div>by the fact that the EIS statement didn't make reference to Gila River. Well, that's because Gila River isn't involved. It's not on our land at all. So what comments could be made if they were going to be affecting -- directly affecting Gila River? And it isn't.</div> <div>Overall, we do have those impacts, yes, coming from the freeway. It's going to be rough, I think, because, personally, I -- I see that it's coming whether we like it or not. But that's also because that's what progress is called. I mean, we have to wake up to that fact.</div> <div>And what -- what I also saw was the fact that the impact that -- without -- without that freeway, the impact would have been on 51st through Beltline through Riggs. That traffic would have tripled within ten years, had not this bypass been created.</div> <div>And even today, I don't like the traffic on that -- on this route today. The only time that -- it made me remember when I was a child, the traffic that we had through there was when we had to close off 51st to Maricopa Road on the same road because of the fire we had back in -- near Maricopa. They closed off the roads because they had the looky-loos come through. And it was such a quiet road, that it just took me back to my childhood.</div> <div>Page 76</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Issue	Response
2	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div data-bbox="425 352 864 441"><p>From: EPP /DLS [mailto:mykidsprelm@hotmail.com] Sent: Friday, November 14, 2014 7:58 AM To: Projects Subject: South Mountain Freeway</p></div> <div data-bbox="425 467 1274 806"><p>It appears to me that the proposed SMF is a no win situation, as it currently. Sure the residence on the west side, south of the I-10 are all for the proposed freeway, those in the Ahwatukee area along with the Gila River Indian Tribe, who's land will be affected are not. There is a simple and easy solution. USE infrastructure already in place. The west valley segment of the proposed freeway, heading south along 59th avenue can continue as planned. However instead of using Pecos Road, which was cause environmental harm and congestion, not to mention millions of dollars that can and should be used elsewhere, use Riggs Road which already connects to 51st Avenue, which connects to the I-10. Since, by your own admission, creating the SMF will have little to no impact on traffic through the Broadway curve and I-10, using already created infrastructure seems the most logical and cost efficient.</p></div> <div data-bbox="425 846 1289 1122"><p>Lets be honest, the "true" reason the proposed Freeway is nothing more than a avenue to provide big rigs a route from Mexico to Canada, that will by-pass the downtown Phoenix area and has little or nothing to do with easing traffic on the I-10. Since those commuting from the west valley to the downtown area, will see little to no relief past the proposed outer loop and those commuting from the East Valley will see no relief as most use the US 60 or the Red Mountain Freeway as their route into the downtown area. No one heading from either direction will use the proposed freeway route to get into the downtown area, as it will force them to back track, since there is no connection to the downtown area otherwise. This to me, will simple shift the congesting traffic from one source to another.</p></div> <div data-bbox="425 1159 1283 1340"><p>Moving the proposed SMF extension to a more southern route, will save South Mountain from any destruction, save homes, churches, schools and businesses in the proposed path, not to mention make the most sense. Lastly, moving the SMF to the Riggs Road/I-10 route, might just gain support of the Gila River Indian Tribe, since it will benefit their casino. It will also benefit the casino's in the West Valley too. Which I feel is really the true intent of the freeway.....MONEY!</p></div> <div data-bbox="425 1378 512 1405"><p>Sincerely,</p></div> <div data-bbox="425 1441 522 1465"><p>E. Shurwin</p></div> <div data-bbox="425 1683 1286 1745"><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives	<p>A Riggs Road Alternative was considered. It would replace 51st Avenue south of its connection to Interstate 10 (Papago Freeway) for approximately 21 miles. It would then replace approximately 4 miles of Beltline Road in an easterly direction. At the Riggs Road/State Route 347 intersection, the alternative would replace approximately 3 miles of Riggs Road before connecting to Interstate 10 (Maricopa Freeway) (see Final Environmental Impact Statement page 3-9). While the Riggs Road Alternative would serve regional mobility needs, particularly of those living in the Maricopa area, meeting this travel demand would not address specific planning goals for an integrated regional transportation network. The <i>Regional Transportation Plan</i> identifies the South Mountain Freeway as a critical link in the Regional Freeway and Highway System. The Riggs Road Alternative would not complete the Phoenix metropolitan area's loop system as part of State Route 202L, thereby causing substantial out-of-direction travel for motorists. Therefore, the Riggs Road Alternative would not meet the project's purpose and need criteria and was eliminated from further study.</p> <p>In addition, nearly two-thirds of any alternative using Riggs Road would be on Gila River Indian Community land. Tribal sovereignty is based in the inherent authority of Native American Tribes to govern themselves. While this notion of sovereignty is manifested in many areas, generally Native American land is held in trust by the United States. Native American communities have the authority to regulate land uses and activities on their lands. States have very limited authority over activities within tribal land (see page 2-1 of the Final Environmental Impact Statement). From a practical standpoint, this means that the Arizona Department of Transportation and Federal Highway Administration do not have the authority to survey tribal land, make land use (including transportation) determinations directly affecting tribal land, or condemn tribal land for public benefit through an eminent domain process.</p>
3	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Purpose and Need, Truck Bypass	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div></div><div><div>4</div><div>5</div><div>6</div></div><div><div>7</div></div></div> <div><div><div><div></div><div></div><div></div></div><div><div>From: Mitchell Siegel [mailto:msiegel@axway.com]</div><div>Sent: Tuesday, November 18, 2014 10:53 AM</div><div>To: Projects</div><div>Cc: 'Dawn Siegel'; Mitchell Siegel</div><div>Subject: Loop 202 denied!!!!!!!!!!</div></div></div><div><div>Hey Sir,</div><div><div>STOP OPPRESSION</div> to the Gila River Indian Community and the Ahwatukee community! I disagree with the Loop 202 freeway and am member of PARC. The ADOT destroys the Native American tribes for sacred land and the Ahwatukee’s homes. When the ADOT plans to set up the walls on the 32nd street . Last time, the weather was flash flooded on the 40th street and 24th street when we can’t drive thru the 40th street and 24th street road. That’s bad ideas and blocked all cars in Ahwatukee area. We live so close to the right-of-way that the construction of the freeway essentially robs the Ahwatukee’s homes of the value of homes. This is possible for lawsuit for the inverse condemnation. You already bought several homes in 32nd street area. You break the laws for the 5th Amendment of Constitution. The ADOT did not follow the EPA results. You kill the Ahwatukee people and Gila River Indian people.</div><div>STOP OPPRESSION!!! NO BUILD THE FREEWAY!</div><div>Regards, Mitchell Siegel Ahwatukee resident</div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div>

Code	Issue	Response
1	Title VI	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Section 4(f) and Section 6(f), Traditional Cultural Properties	
3	Acquisitions and Relocations	
4	Drainage	Flood protection levels are dictated by the design class of the highway. In the case of the South Mountain Freeway, it is designated as a Class I highway. Therefore, flood protection levels will be designed to the 50-year (storm) level. However, as a standard Arizona Department of Transportation practice, the floodwaters developing upstream of the culvert entrance will be reviewed at the 100-year level to ensure “headwaters” do not adversely affect existing properties. (See Final Environmental Impact Statement page 4-110.) All bridges on major waterways such as the Salt River are designed to maintain minimum water surface elevations at the 100-year level for flood levels and are built to structurally withstand the superflood, a flood expected only once in 500 years.
5	Economics, Socioeconomics	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Air Quality	
7	Alternatives, No-Action Alternative	

Code

Comment Document

From: Lisa Smith [mailto:consgrl50@hotmail.com]
Sent: Tuesday, November 11, 2014 3:48 PM
To: Projects
Subject: 202 Freeway extension

Dear Sir or Madam,

1 2

Do not build this freeway. It isn't needed, not for what your excuses say it's needed for. We all understand there is a truck route further south off the 10. The 85 bypass that connects to the 10 by way of the 8 is a perfectly good bypass. And we do not exist for the purpose of giving people a faster route to the east valley. If they need to get to the east valley, they take the bypass or the 10.

3
4

You're using all manner of excuses to do something just for the sake of doing it. Your minds are settled in cement and have no possible way of considering an alternative. How about more money for public transportation? Light rail, buses, trains. Improving the Broadway curve, all of which are a much more viable alternative to destroying communities and lives.

Do not build. Do not do this.

Lisa Smith

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Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Truck Bypass	
3	Alternatives, Nonfreeway Alternatives	
4	Alternatives	Chapter 1 of the Final Environmental Impact Statement discloses the purpose and need for the proposed action. The analyses results disclose existing and future capacity deficiencies throughout the regional system including, as noted in the comment, at the Broadway Curve. The transportation problem identified specific to the purpose and need relates to east-west regional mobility in the southwest valley unique from the Broadway Curve. While the Final Environmental Impact Statement further discloses the freeway will help reduce congestion at the Broadway Curve, improvements to Interstate 10 through the curve are a part of another planned project adopted in the region's <i>Regional Transportation Plan</i> .

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Alternatives, Nonfreeway Alternatives	
4	Purpose and Need, Truck Bypass	
5	Air Quality	

Code	Comment Document
6	<p>consideration has been given to the effects of the South Mountain air shed on air quality. Claims in the FEIS that the South Mountain Freeway would not degrade air quality are outrageous!</p> <p>4. PARC has found scientific proof that over 13,000 students in schools within ½ mile of the South Mountain Freeway would be at significant risk for increased respiratory ailments and retarded lung development. PARC has also found that seniors who live within ½ mile of the proposed freeway would be at significantly higher risk of heart attack or death. Yet the FEIS does not even consider these issues.</p>
7	<p>5. The FEIS does not consider the true cost of the South Mountain Freeway. To start with, the FEIS has left so many design questions unanswered that the actual cost of the freeway is likely to be closer to \$4 billion rather than the \$2 billion ADOT has estimated. Further, the FEIS has no discussion of the annual injuries, deaths, and property destruction that could be expected from the freeway, nor the health implications for school children and seniors. The small discussion in the FEIS about potential cancer deaths from elevated levels of certain air pollutants is dismissive, indicating that those particular air pollutants don’t count, and the number of increased deaths would be insignificant. The FEIS approach to human suffering is outrageous!</p>
8	<p>6. In building the South Mountain Freeway, wells that feed the lakes in Lakewood and the Foothills and Club West golf courses would be destroyed. The FEIS claims that ADOT will replace these water sources, but at what cost?</p>
9	<p>7. The FEIS does not mention the danger of trucks transporting hazardous materials (hazmats) over the South Mountain Freeway. While the chances that a hazmat spill would occur at any particular time are quite small, the chance that a spill would happen SOMETIME is significant, and the public has a need to know about the potential effects of such a spill. Within the “world’s largest cul de sac” of Ahwatukee, evacuation in a timely manner without using the freeway would be difficult if not impossible. And the effects of the South Mountain air shed (apparently not studied by ADOT) are likely to trap air borne toxins in the village for a much longer period of time than would be expected in an open area where air blows freely. One of the hazmats expected to be transported on the freeway would be chlorine, a particularly deadly gas that seeps into buildings and cars. So immediate escape would be necessary, for chlorine turns human membranes into hydrochloric acid and makes it difficult, if not impossible, for one to see or breathe. The transport of hazmats through Ahwatukee is unacceptable, so they must be banned from the freeway.</p>
10	<p>8. The FEIS proposes blasting through 3 ridges of South Mountain in building the South Mountain Freeway. This land in South Mountain is a part of the South Mountain Park Preserve. As the name suggests, this land is to be preserved! It is also a part of the largest municipal park in the country – a crown jewel of Phoenix! Further, South Mountain is sacred land to several of the Native American tribes in Arizona. No freeway has a need or a right to desecrate this land!</p>
11	<p>Please do NOT go forward with this project as proposed. Do not destroy an entire community because you can. Consider the options and go with another option that will not do this damage.</p> <p>Respectfully,</p> <p>Lisa Smith</p>

Code	Issue	Response
6	Children’s and Seniors’ Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Project Costs, Total Cost	
8	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
9	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
11	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div data-bbox="444 376 811 495"><hr/><p>From: consgrl50@hotmail.com To: projects@azdot.gov Subject: 202 Freeway Date: Sat, 15 Nov 2014 10:27:18 -0700</p></div> <div data-bbox="444 530 696 550"><p>To Whom It May Concern,</p></div> <div data-bbox="444 586 1299 669"><p>The recent revelation of the omissions of comment on the FEIS are another example of the obstinacy of the commission to see any alternatives to the loop extension other than Pecos Road.</p></div> <div data-bbox="444 711 1302 828"><p>This is a bad idea, any way you look at it. You will ruin a community that has thrived and flourished for over 2 and half decades. Families and schools will be forced to close or move, Mountain Park Community Church will be torn down, and the landscape forever altered in such a way that the environment will never recover from.</p></div> <div data-bbox="444 870 1311 953"><p>Please reconsider this route. Look at alternatives and see the positive in them. Do not destroy South Mountain by blowing out a place for this freeway. Your decision will be fought in court and will hold up this decision either way you look at it for possibly years.</p></div> <div data-bbox="444 1028 736 1048"><p>I implore you to drop this plan.</p></div> <div data-bbox="444 1120 562 1143"><p>Respectfully,</p></div> <div data-bbox="444 1215 624 1298"><p>Lisa Smith 16667 S 14th St. Phoenix, AZ 85048</p></div>

Code	Issue	Response
1	Alternatives, Range of Reasonable Alternatives	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Freeway Awareness	
3	Acquisitions and Relocations	
4	Visual Resources	Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.
5	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
6	Alternatives, No-Action Alternative	

Code	Comment Document
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Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Old Plan or Use of Old Data	
3	Freeway Awareness	
4	Alternatives	Chapter 1 of the Final Environmental Impact Statement discloses the purpose and need for the proposed action. The analyses results disclose existing and future capacity deficiencies throughout the regional system including, as noted in the comment, at the Broadway Curve. The transportation problem identified specific to the purpose and need relates to east–west regional mobility in the southwest valley unique from the Broadway Curve. While the Final Environmental Impact Statement further discloses the freeway will help reduce congestion at the Broadway Curve, improvements to Interstate 10 through the curve are a part of another planned project adopted in the region’s <i>Regional Transportation Plan</i> .
5	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div data-bbox="459 431 879 518"><hr/><p>From: Lisa Smith [mailto:consgrl50@hotmail.com] Sent: Friday, December 12, 2014 7:07 AM To: Projects Subject: RE: 202 Freeway</p></div> <div data-bbox="459 548 519 570"><p>ADOT,</p></div> <div data-bbox="459 610 1317 758"><p>The assumption that this freeway will be built as you have planned is incorrect. You have ignored studies and homeowners for years now and we will fight this build in the courts if we must. Do not make the mistake of thinking if you have a few homeowners associations and realtors on board that you will succeed. The fear you enjoy spreading is not going to be effective.</p></div> <div data-bbox="459 828 1286 885"><div data-bbox="205 826 313 885"><div>1</div><div>2</div></div><p>Reconsider the build, talk to the Gila reservation counsel, rethink the route and come up with something that is actually helpful.</p></div> <div data-bbox="459 955 553 979"><p>Lisa Smith</p></div>

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Gila River Indian Community Alignment	

Code

Comment Document

From: tom snyder [mailto:snydert0@yahoo.com]
Sent: Wednesday, November 19, 2014 1:25 PM
To: Projects
Subject: proposed 202 west around ahwatukee

dear sirs: i support the building of the 202 continuation. looking at the best interests of the southeast valley related to congestion on I10 and the US 60 transition, this will reduce the load of through traffic and trucking through phoenix. most truckers do not need or want to be part of the daily morning backups in the area due to the schedules they must meet and loss of income based on not being paid for downtime waiting to move their trucks. most over the road truckers are paid by the mile and get no compensation when sitting in traffic not moving. so again, i and many of my neighbors and, i suspect, most of ahwatukee support the 202 construction.

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Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<div>1 MS. SPRING: I don't know how to follow that</div> <div>2 up, but I'll try.</div> <div>3 I would like to tell you that this FEIS is</div> <div>4 incomplete. It does not speak to the Gila River Indian</div> <div>5 Community people. It does not take into regards any of</div> <div>6 our people. It doesn't have any statistics from our</div> <div>7 community. It doesn't say how many people live in 51st</div> <div>8 Avenue. It doesn't say how many people live in the</div> <div>9 circles. It doesn't say anything about our clinic being</div> <div>10 right there, our dialysis center being right there. It</div> <div>11 doesn't say anything about the new school that's going to</div> <div>12 be built there. It doesn't say anything about this Boys &</div> <div>13 Girls Club, how many people attend this Boys & Girls Club.</div> <div>14 Has no numbers, no figures. They could care less.</div> <div>15 That's why we say that you're racist. And</div> <div>16 that's why we say that you don't care about us. And</div> <div>17 that's why we say that you're disrespecting us. Not</div> <div>18 because we just think that, but we read your book. And</div> <div>19 your book doesn't say anything about us. You could care</div> <div>20 less about us. Certainly doesn't say anything about our</div> <div>21 culture, you know. How could you understand our culture?</div> <div>22 You don't even listen to anything that we say, at any time</div> <div>23 do you do that.</div> <div>24 We are still here. We still visit our</div> <div>25 mountain. We still give thanks to our mountain. We</div> <div>Page 56</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1	Gila River Indian Community	<p>Chapter 2, <i>Gila River Indian Community Coordination</i>, is dedicated entirely to presenting information about the Gila River Indian Community and the project team's interaction with the Gila River Indian Community.</p> <p>The Gila River Indian Community Council has not allowed development of alternatives on Gila River Indian Community land (Chapter 2, <i>Gila River Indian Community Coordination</i>, provides more information). The Natural Resources Standing Committee granted an extension of a right-of-entry permit in December 2007 for the project team to examine impacts related to construction and operation of the E1 Alternative. Therefore, impacts on the Gila River Indian Community from the proposed action as presented in the Draft and Final Environmental Impact Statements are based on data available to the general public and on field observation as appropriate, and discussions are limited to only those areas where impacts will occur.</p>
2	Title VI	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>

Code	Comment Document
3	<div>1 thank -- every day I wake up and pray in the direction of</div> <div>2 that mountain, to my God, Jesus Christ, to that mountain.</div> <div>3 And everybody, you know, that's affiliated, we all do</div> <div>4 that -- I don't know about all of us. But a lot of people</div> <div>5 do.</div> <div>6 We lived around this community hundreds of</div> <div>7 years. I think if your FEIS was going to be anywhere near</div> <div>8 complete, you would take into consideration the air</div> <div>9 pollutants that are going to come into this community not</div> <div>10 for 10 years, not for 5 years, not for 20 years. Because</div> <div>11 that's probably how long you people have lived out here.</div> <div>12 But our people, we have lived out here since the beginning</div> <div>13 of the United States Government. So if you're going to</div> <div>14 stick any numbers out there, you need to at least forecast</div> <div>15 another 500 years, 'cause that's how long we intend to be</div> <div>16 here, we hope to be here, if you don't try to kill us off</div> <div>17 with this.</div> <div>18 We do consider it -- I myself consider it to</div> <div>19 be genocide on our people, building that freeway right</div> <div>20 there. Don't -- I mean, can't you see the landscape here?</div> <div>21 The South Mountain is right there. The Estrella Mountain</div> <div>22 is right there. Our own Gila River CEQ said -- and it's</div> <div>23 not in your study. I know you guys could care less. But,</div> <div>24 you know, they said that South Mountain protects us, at</div> <div>25 this point, from the pollutions that's going there.</div> <div>Page 57</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
3	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Health Effects	

Code	Comment Document
5	<div>1 And anybody that lives around here, I mean, 2 you should know, if you look out your window, down towards 3 the Phoenix area, nothing but clouds of smoke all over the 4 place. And so South Mountain protects us from that. 5 And if they build a freeway, which they 6 anticipate -- I don't know -- 150, 200 vehicles per day 7 coming in here -- and that was one of their justifications 8 for building it, so that 17,000 vehicles wouldn't travel 9 to 51st Avenue. But, no, we'll just allow 150, 200,000 to 10 come through, you know. That's no justification. 11 Anyways, that all of that smog, all that 12 smoke will be trapped here. And you know where you live 13 at. You should know that you live in District 6 of the 14 Gila River Indian Community. That means the river runs 15 south. It goes down south. Everything is sloped down 16 south. Everything comes this way. So it will be a big 17 bubble, and it will just go straight down. 18 And then it won't just stop there. Maybe in 19 a hundred years, your grandkids -- think about that. Your 20 grandkids, our grandkids, the ones that will be our future 21 generations, they'll have to live with this now. All the 22 smog that's trapped down here, it will start going, 23 creeping up towards your own districts, if you live in 24 District 4, if you live in District 3, 2, 1. I mean, 25 where else is it going to go? There's no place else. And</div> <div>Page 58 Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
5	Children's and Seniors' Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
2	<div>1 if you really read the statistics in there -- which they</div> <div>2 really don't put in there. So that's why we say that you</div> <div>3 guys have no concern for us.</div> <div>4 And we definitely believe that another</div> <div>5 reason that you're racist is because in this FEIS, you say</div> <div>6 that you have respect for the Litchfield area; you have</div> <div>7 respect for the Buckeye area and how they said they didn't</div> <div>8 want the freeway coming through their land. Yeah. I'm</div> <div>9 sure they don't. But when it comes to our -- our</div> <div>10 sovereign nation, you refuse to acknowledge the fact that</div> <div>11 we have a no-build resolution, a no-build vote.</div> <div>12 I mean, we had to take it to a vote for the</div> <div>13 people to come out. And they still said no build.</div> <div>14 Everybody says no build. And nobody -- no, you guys don't</div> <div>15 seem to consider that and care about that, you know.</div> <div>16 But we are people, and we are here. And</div> <div>17 we're not stupid, and we're not ignorant. We're not just</div> <div>18 going to let you do that.</div> <div>19 Not only that, but I don't see anywhere in</div> <div>20 here, when I talk about the statistics of the people that</div> <div>21 live on 51st, the housing back there, nowhere does -- I</div> <div>22 mean, you're going to blast the mountain. That's obvious.</div> <div>23 It's in here. It says you're going to blast the mountain.</div> <div>24 You have the dynamite sites that you're going to blow it</div> <div>25 up.</div>
6	
7	
8	
	<div>Page 59</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
6	Alternatives, Gila River Indian Community Alignment	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Alternatives, Gila River Indian Community No-Build Referendum	
8	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code Comment Document

9

1 We just came from there. We were all just
2 there. We ran from over there -- well, I didn't run, but
3 my friends did. And it's all taped off. It's all yellow
4 taped, black taped off right where you're going to blow up
5 the mountain, you know, build your little freeway for
6 people --

7

7 Oh, if you didn't know -- and I don't know
8 who has read this FEIS. I'm sure not too many people.
9 But let me enlighten you that it says that they'll save
10 20, 24 minutes at the most on their commute from Phoenix.
11 Which has nothing to do with us. We don't have -- that
12 has nothing to do with us. 24 minutes. That's the
13 commute saved time. That's how much this means to them.
14 That's what they want to do.

10

15 Anyways, as I was saying, blasting up the
16 mountain, where's all that dust going to go, all those
17 particles going to go? Huh. I don't know. Maybe towards
18 51st Avenue and all over us. I mean, you're going to be
19 breathing in those toxins. Your kids are going to be
20 breathing in those toxins. Your little grandbabies are
21 going to be breathing in those toxins. They're going to
22 be out here playing in their little field, thinking
23 everything's okay. The whole time, they're getting
24 poisoned, 'cause, you know, carcinogenics from the
25 freeway, from the emissions, those travel. They're little

5

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Code	Issue	Response
9	Construction	The items noted in the comment were not installed by the Arizona Department of Transportation, but by the private land owner in that area.
10	Temporary Construction Impacts	Mitigation and regulatory requirements related to construction-related air quality impacts are presented in the Final Environmental Impact Statement beginning on page 4-173. These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.

Code	Comment Document
11	<div>1 tiny little particles. They get stuck in your lungs and</div> <div>2 your everything, and they cause cancer, you know,</div> <div>3 bronchitis, you know, asthma, all those types of things.</div> <div>4 Your kids, your grandkids.</div> <div>5 They don't care. They don't live out here.</div> <div>6 They could care less. They have no concern. It's not in</div> <div>7 here. Believe it. If you don't believe me, here. You</div> <div>8 can read our book. You know, I'm sure they have some out</div> <div>9 here. You can ask them. They don't talk about it. They</div> <div>10 could -- no. They don't care. Just letting you know.</div> <div>11 Protect the animals? There's protected</div> <div>12 animals in that mountain, our sacred animals that have</div> <div>13 been around for way longer than any of us have been</div> <div>14 around. They mention them. Oh, too bad for them. Pretty</div> <div>15 much what it says. They're not going to have a habitat,</div> <div>16 especially for the wild horses that run wild. They're not</div> <div>17 going to be able to have -- be in that place.</div> <div>18 Not only does it say that, you know, the</div> <div>19 wild -- the turtles, the eagles -- there's eagles that</div> <div>20 nest around here. I'm sure many -- well, many of you</div> <div>21 might not know that, but they are. They're not going to</div> <div>22 have -- this all affects their wildlife habitat. It's in</div> <div>23 here, but they just say, well, that's just one of the</div> <div>24 things that happens when you build a freeway. So too bad.</div> <div>25 That's just how they are. And that's how</div> <div>Page 61</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
11	Biology, Plants, and Wildlife	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
12	Biology, Plants, and Wildlife	The Pee Posh bald eagle breeding area is discussed in the Final Environmental Impact Statement on page 4-136. The freeway is not expected to affect the nesting activities of these eagles because of the distance of the project from the nesting area. The project might temporarily affect eagle foraging behavior along the Salt River by discouraging use of foraging areas closer to the freeway if the eagles are sensitive to some phases of construction. This type of temporary effect would not constitute a “take” under the Bald and Golden Eagle Protection Act.

Code	Comment Document
	<div><div><div>1 they feel about us. We're just one of those things that</div><div>2 happens while they build that freeway. Too bad for you.</div><div>3 Thank you.</div><div>4 MS. KISTO: Thank you, Ms. Spring.</div><div>5 Anybody else?</div><div>6 Roberta.</div><div>7 And then -- I'm sorry, but your Facebook</div><div>8 name is popping in my head. What is your real name?</div><div>9 MS. JACKSON: Renee.</div><div>10 MS. KISTO: Renee. Then Renee. So we'll do</div><div>11 Roberta and then Renee.</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div><div>Page 62</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div></div>

Code	Issue	Response

Code	Comment Document
1	<p>-----Original Message----- From: Luke Stokebrand [mailto:huskermba@gmail.com] Sent: Monday, October 06, 2014 6:00 PM To: Projects Subject: support for the SM 202</p> <p>To Whom It May Concern,</p> <p>I just wanted to reiterate my support for the SM 202 freeway. This is a vital project for Laveen and the Valley as a whole. Looking at the ADOT master plan, this addition is a must have for the greater regional plan including future integration into the 303. Now with Laveen and the SW Valley building out more it is even more critical than it was a few years ago. I came to the meeting and voiced my support, and now as we get to this critical junction I wanted to take a few minutes to voice it again! LET BUILD THE SM 202!</p> <p>Thanks for all your work on this matter, I know it is a massive undertaking.</p> <p>Luke Stokebrand</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p> <p>.</p>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<p>-----Original Message----- From: Bill Strickler [mailto:bill.strickler@cox.net] Sent: Friday, October 24, 2014 10:35 AM To: Projects Cc: Councilman Sal DiCiccio; mayor.stanton@phoenix.gov Subject: Pecos alignment/Loop 202 comment-impact on cyclists</p> <p>I am writing as an AZ citizen, voter, and taxpayer to express my opposition to the Pecos alignment of the loop 202 extension.</p> <p>My prime reason for this is that the new alignment will eliminate the safest cycling area in Ahwatukee.</p> <p>The current cycling lanes along Pecos road are wide, long, safe, and are used by hundreds of AZ cyclists each day. Elimination of Pecos road and its cycling lanes will have a large, negative impact on both the safety and quality of life for cyclists in our community. At a time when we are trying to encourage exercise and alternative means of transportation, this would be a huge blow and step backwards for Arizona.</p> <p>I encourage ADOT to seek either an alternate alignment, or the provision of a new dedicated biking path along the 7+ mile length of the current roadway.</p> <p>Respectfully,</p> <p>Bill Strickler</p> <hr/> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p> <p>.</p>

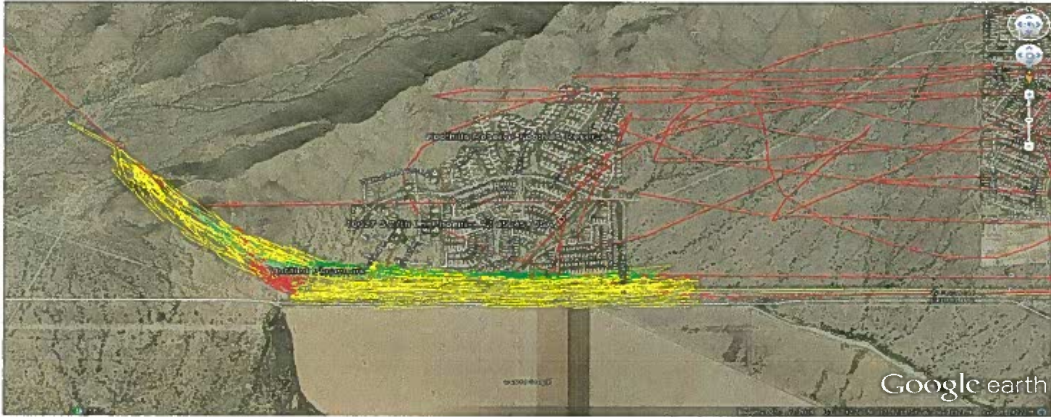
Code	Issue	Response
1	Design	<p>The study has considered concepts for parallel multiuse paths; however, the main line of the freeway will not have a bicycle route as part of the design. The design of the traffic interchanges includes provisions for pedestrian and bicycle movement in accordance with current design guidelines and regulations. While not currently included, enhancements such as pedestrian bridges or multiuse paths may be added as a separate project by the City of Phoenix (see page 3-60 of the Final Environmental Impact Statement). The cost and maintenance of these enhancements would be the responsibility of the City of Phoenix.</p>

Code	Comment Document
	<p>From: Stacy Stuart [mailto:stacyfstuart@gmail.com] Sent: Wednesday, October 01, 2014 4:59 PM To: Projects Subject: Proposed Loop 202 - Local Homeowner in Ahwatukee</p> <p>Hi,</p> <p>I am a homeowner in Ahwatukee. A first time home owner with two young kids who attend Kyrene de la Estrella Elementary School and Kyrene Akimel A-al Middle School. I love that my kids schools are snuggled up within our neighborhood. It feels safe and provides us with the community-feel that drove us to Ahwatukee. Being a young family, it was a dream of ours to get to own our first home and we feel our home is the most perfect location possible. We have the elementary, middle and high school all within walking distance. We also have a beautiful view in our backyard. Sitting on the top balcony in our backyard, we have the Estrella Mountains in our west view and San Tan Mountains in our east view. We bought our house for the great schools, great location, great neighborhood, and a beautiful view with the privacy of having no neighbors behind us. We love it.</p> <p>1 We've owned the home for almost two years (this Fall). After moving in, we were almost immediately struck with fear when we were told that there may be an 8-lane freeway going behind our house; directly behind our house. No more beautiful views, no more safe walks around the neighborhood, no more peace that my kids can walk and ride their bikes to school. Instead of the normal day-to-day commuters driving down Pecos, we will have truckers going from state-to-state, people coming from all over the valley traveling through our neighborhood, and the what used to be Pecos Road that would go to sleep by 10 pm each night, will be a memory. We will never see the stars shining bright at night anymore. Hearing the high school games, the band, the kids playing baseball at the middle school... Hearing the toads, seeing the coyotes and other wildlife that we've learned to love and respect so much; it will all be gone. It's one thing to not have control over whether or not you're local grocery store is a Fry's or a Wal-Mart, or someone tearing down your favorite diner to build a bank franchise... Being a homeowner, it's understandable that things change around you that are out of your control. But to take the something that directly affects every single aspect of someone's lifestyle and jeopardize it all? It is devastating.</p> <p>2</p> <p>3</p> <p>4 5</p> <p>6 7</p> <p>8 9</p> <p>I've never been a person to be against change; I can promise you that. This is a change that I've thought about long and hard. There will be no good that comes from this change for my family. My kids - their school; my home - it's value; my kids - their commute and safety; my neighbors - gone; my view – gone; our air – polluted; our first home – a mistake we never even saw coming.</p>

Code	Issue	Response
1	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Community Impacts	
3	Visual	Light from the freeway will be produced from vehicle headlights and taillights and from fixed light poles at interchanges along the freeway. Nighttime users of the park and residents of Ahwatukee Foothills Village may see lines of seemingly crawling vehicles, each with lights front and back. Freeway lighting will be provided along the median of the freeway and at interchanges to achieve desired lighting levels for safety reasons. Any freeway lighting will be designed to reduce illumination spillover onto sensitive light receptors (such as residential and natural areas) (see page 3-58 of the Final Environmental Impact Statement).
4	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Biology, Plants, and Wildlife	
6	Purpose and Need, Lack of Support	
7	Economics, Socioeconomics	
8	Acquisitions and Relocations	
9	Air Quality	

Code	Comment Document
11	<p>COMMENTS – I would love for someone to address these.</p> <p>1. Needless to say, my husband and I were not around for the proposition vote in 1985 (well, we were too young to vote), nor were we residents in our current home for the proposition vote in 2004. If anything, It would only be fair to ask the voters of this community for a vote; a current day vote. No one feels like they have a voice or choice. We can comment – but a vote feels like we actually help with the decision. If everyone decides to build it, then the community made their choice. I can tell you, Ahwatukee does not appear they want this, nor do we feel heard.</p> <p>2. What will happen to the homes that ADOT does not own? My home is located on 2845 E. Redwood Lane. My backyard is Pecos Road and lots of my neighbors are losing their homes. Will mine be one of them?</p> <p>3. Regardless of if my house is part of this or not, how is ADOT handling the “acquired” properties (aka – removal of people’s home)? How many days “final” notice do they get? Does ADOT pay the appraised value of their home?</p> <p>4. What will happen to the value of my home (especially is ADOT under-pays for others values)? I’d like to see statistics on how this affects houses when interstates are built directly behind their houses.</p> <p>5. How tall will the (?) sound wall be that gets built behind the houses on Pecos Road?</p> <p>6. Will this new wall be my backyard wall OR will it be against my backyard flush with my current wall (I fear this will look like two mix-matched buildings next to one another)? Even worse, will there be a section of un-maintained land between my house and the wall (room for potential garbage or graffiti)?</p> <p>7. Given that the interstate will be higher than what Pecos Road is currently, how high will the new interstate be? Ideally, it’d be nice (given a choice) that the “wall” cover the interstate so that when we are in our backyard (relaxing on the patio or swimming) that we aren’t awkwardly seeing nothing but truckers and commuters passing by.</p> <p>8. Will this wall provide any protection against pollution, rubber from tires, etc.?</p> <p>9. How is a pool in a backyard (being so close to an interstate) affected? Again, statistically speaking. Should we plan on filling our pool? If so, why should we have to pay this when we’ve previously enjoyed it?</p> <p>10. What if someone has an accident into my backyard from the interstate. The plans make the roads look much closer to my house than Pecos Road currently is.</p> <p>11. Is there an option to sell our house to ADOT? I’ve never considered this but I’m not sure I want to continue living here. We bought our house with the intentions of both children graduated Desert Vista High School. The whole plan has me very stressed and crushed.</p> <p>Stacy Stuart</p> <p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
11	Public Involvement	<p>No public vote will be held. Members of the public were encouraged to participate and submit their comments on the Draft and Final Environmental Impact Statements.</p> <p>The South Mountain Freeway has been a critical part of the Maricopa Association of Governments’ Regional Freeway and Highway System since it was first included in funding approved by Maricopa County voters in 1985. It was also part of the <i>Regional Transportation Plan</i> funding passed by Maricopa County voters in 2004 through Proposition 400.</p>
12	Acquisitions and Relocations	<p>It is not anticipated that the property at the noted address will be required for construction of the freeway.</p>
13	Noise	<p>Although noise walls are planned for the residential areas along Pecos Road, as noted on page 4-91 of the Final Environmental Impact Statement, locations and/or extent of barriers could change. Noise walls will range in height from 8 feet to 20 feet tall in the Ahwatukee Foothills area. Exact noise barrier locations and dimensions will be determined during the design phase when the precise design of the freeway is determined. The public will be encouraged to continue to be engaged in freeway-related noise issues through construction and operation of the freeway.</p>
14	Noise	<p>The freeway will have a rolling profile (see page 3-41 of the Final Environmental Impact Statement), and the freeway will be elevated to pass over arterial streets. Potential elevations are presented in Figure 3-25 on page 3-47 of the Final Environmental Impact Statement. The final freeway elevations will be determined during final design. To maximize the effectiveness of noise walls and to minimize costs, walls are normally constructed on the elevated grades with the freeway.</p> <p>The area between the freeway noise wall and the residential property boundary wall will be landscaped and maintained by the Arizona Department of Transportation (see text beginning on page 4-167 of the Final Environmental Impact Statement for more information).</p>
15	Air Quality	<p>According to the U.S. Environmental Protection Agency’s Near Roadway Air Pollution and Health assessments, research suggests that noise walls can potentially reduce traffic-related air pollutants immediately downwind of a roadway. Research is still underway to quantify the specific impacts these features have in reducing air pollutants in near-roadway areas (see <epa.gov/otaq/nearroadway.htm>). There are many poorly-understood factors that affect the ability of sound walls to reduce near-roadway pollutant concentrations, including meteorology, wall height, materials, etc. At this time, the Federal Highway Administration is unable to quantify the benefits, if any.</p>
16	Design	<p>As currently planned, there will be a concrete barrier in addition to the planned noise wall between the freeway and the residents north of Pecos Road.</p>

Code	Comment Document
	<p>ADOT Loop 202 South Mountain Freeway Study 1655 W. Jackson Street MD 126F Phoenix, AZ 85007</p> <p>Dear ADOT,</p> <p>1 We have lived in this community for 10 years. I formally request you extend your home buyout program to all the homeowners' below for the follow reasons;</p> <p>2 A) It has been clearly proven that health is severely impacted by communities who live with in 1/2 mile of 4-8 lane freeways. In the Calabrea and Foothills Subdivisions special impacts exist due to wind factors make distance to these freeways more relevant. Other homes along the E1 Pecos freeway are also at risk as well. This SMF (south Mountain Freeway loop 202 expansion), section built at the end of W. Pecos Road (where it dead ends), West of S. Chandler Boulevard and South Of W. Shaughnessey Road on E1 and W sections, will knowingly cause additional and severe health impacts to the 680 Homes (approximately 2050 residents). In addition it is known that the freeway will be south of these homes and also west of these homes. 2 sections of freeways will be locking in additional freeway toxins. Both sections of traffic on E1 and W potentially will doubling the known health impacts. In addition these homes are also down wind of both sections of freeway and at ground or above. In addition the South Mountain Preserve will trap and hold in these toxins and will cause them to build up after the freeway is built. This project will cause additional levels of toxins into this area.</p>  <p>3 This remains a violation of clean air act and creates a health risk the new freeway will knowingly imposed on residents, not being relocated out of new increased dangerous health toxic zone. FEIS should take out and relocate the entire 660 homes or at a minimum relocate the ones South of Shaughnessey. Specifically relocate all residents from the geographical area and the freeway as seen in Chapter 3 , Detail B page 3-57. Homes with wind flow are actually impacted more than those located in comparable distance without wind flow. All of these homes are with in .4 miles. All homes South Of W. Shaughnessey Road on E1 are with in .25. Certainly Adot , EPA, Phoenix City Council, Mag, FHWA, and Camex National Highway system should err on the conservative side and move these residents out of the toxic health risk zone. By moving residents out of this zone you will reduce future and costly litigation and class action lawsuits .</p>

Code	Issue	Response
1	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	
3	Air Quality	

Code	Comment Document
2	<p>Various health studies including but not limited to the following have not been included in the study area and have not had health mitigation or risk reductions adequate to insure health and safety to residents who remain in homes in the non take zone. These studies are focuses on impacts caused by homes within .1-.5 miles of freeways;</p> <ul style="list-style-type: none">- The JATAP monitoring results were reported in 2006, found levels of certain toxic chemicals associated with vehicular emissions were above the standard of a one in a million chance of cancer in a lifetime of exposure in the west Phoenix, south Phoenix, and GRIC sites.-USC (US) research at Keck School of Medicine of the University of Southern California USC (Los Angeles Highway) Details of the study are reported in the Journal Plos One 2012- Health Effects Institute and publication of panel of expert testimony. Reviews 700 studies Jan 2010- American Lung Association study on urban pollution and health inequities. The cancer risk standards have been promulgated and published by EPA after extensive research, and are well-known. See studies.)- Studies in Boston, MA and Los Angeles, CA 2011 – 2013 proof submitted to the EPA in studies found health risks from living within 1 mile of 6 lane highways <p>And FEIS should consider the following additional studies and the specific PDF data contained there in;</p> <p>Criteria Air Pollution and Marginalized Populations: Environmental Inequity in MetropolitanPhoenix, Arizona* S Grineski, B Bolin, C Boone - Social Science Quarterly, 2007 - Wiley Online Library ... a postdoctoral research assistant in the Fluid Dynamics Laboratory at Arizona State University ... Phoenixians seem cognizant of air pollution and its health effects—local officials publicize levels on ... In-depth interviews with 53 Phoenix parents of children with asthma revealed that ... Cited by 75Related articlesAll 10 versionsCiteSave</p> <p>Incorporating health outcomes into environmental justice research: The case of children's asthma and air pollution in Phoenix, Arizona SE Grineski - Environmental Hazards, 2007 - Elsevier ... surface for ozone was obtained from the Environmental Engineering Department at Arizona State University ... In addition to lacking spatial data on access to health care, the use of zip ... This study in metro Phoenix (AZ) supports their findings and demonstrates that the same types of ... Cited by 27Related articlesAll 5 versionsCiteSave</p> <p>Cardiovascular disease and air pollutants: evaluating and improving epidemiological data implicating traffic exposure SD Adar, JD Kaufman - Inhalation Toxicology, 2007 - informahealthcare.com ... study, each group analyzed identical exposure data from Washington, DC, and Phoenix AZ, and generally ... Air pollution and cardiovascular disease—A statement for healthcare professionals from the expert panel ... Health 1999; 54(2)130–139. Chang CC, Tsai SS, Ho SC, Yang C ... Cited by 71Related articlesAll 5 versionsCiteSave</p> <p>Pinnacles and pitfalls for source apportionment of potential health effects from airborne particle exposure</p>
4	

Code	Issue	Response
4	Air Quality	<p>The Council on Environmental Quality’s Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act state that environmental impact statements should be analytic rather than encyclopedic [40 Code of Federal Regulations Part 1502.2(a)]. The information presented in the Final Environmental Impact Statements adequately disclosed health risks associated with the project (see page 4-79).</p> <p>The Federal Highway Administration acknowledges that the selection of studies reported in the Final Environmental Impact Statement represents a small fraction of the available articles and research reports regarding near-road air pollution health impacts. Rather than cite the hundreds of available studies individually, the Federal Highway Administration summary attempts to capture the important synthesis works, that is, the collections of related studies that are compared and summarized for policymakers and regulators. The Federal Highway Administration also prefers to include information about the studies that we have been involved with in some way (such as the work of the Health Effects Institute), because those are the studies that we are most familiar with.</p>

Code	Comment Document
	<p>T Grahame, GM Hidy - Inhalation toxicology, 2007 - informahealthcare.com ... analysis could come from regional copper smelters, including Arizona plants and possibly a large smelter in Sonora ... (2007) with other factor analyses of the Phoenix, AZ area, for ... In the example cited for the Phoenix analyses, comingling of different sources of S was a probable ... Cited by 27Related articlesAll 5 versionsCiteSave</p> <p>Quantifying the ozone “weekend effect” at various locations in Phoenix, Arizona CM Atkinson-Palombo, JA Miller, RC Balling Jr - Atmospheric Environment, 2006 - Elsevier ... Department of Geography, Arizona State University, Tempe, AZ 85287 0104, USA. Received 15 July ... 4. Traffic count data were taken from Arizona Department of Transportation (ADOT) and ... of measurement, monitoring objective, distance in km from Central Phoenix, total lengths ... Cited by 45Related articlesAll 4 versionsCiteSave [PDF] from thelancet.com</p> <p>Air pollution and health B Brunekreef, ST Holgate - The lancet, 2002 - Elsevier ... and 94 oxidant pathways are activated 95 and 96 with the downstream consequences of stimulating ... because no threshold concentration was identified below which no effects on health were expected. ... The effect estimates given in the table were based on information as it was ... Cited by 1865Related articlesAll 21 versionsCiteSave</p> <p>Quiet Pavement-Coming to a Highway Near You W Jones - Asphalt, 2005 - trid.trb.org ... Abstract: Noise, particularly transportation noise, is a pervasive form of pollution that can lead to anxiety, stress, and other health problems. ... The Arizona Department of Transportation subsequently used this type of overlap on all the freeways in the Phoenix area. ...</p> <p>[HTML] Symptoms and medication use in children with asthma and traffic-related sources of fine particle pollution JF Gent, P Koutrakis, K Belanger, E Triche... - Environ Health ..., 2009 - ehpniehs.nih.gov ... Source apportionment of fine particulate matter in Phoenix, AZ, using positive matrix factorization J Air ... Associations between air pollution and mortality in Phoenix, 1995–1997 Environ Health ... Washington, DC:National Institutes of Health, National Heart, Lung, and Blood Institute ... Cited by 68Related articlesAll 10 versionsCiteSaveMore</p> <p>Correlating bioaerosol load with PM2. 5 and PM10cf concentrations: a comparison between natural desert and urban-fringe aerosols J Boreson, AM Dillner, J Peccia - Atmospheric Environment, 2004 - Elsevier ... of Chemical and Materials Engineering, Arizona State University, Tempe, AZ 85284-6006 ... area and an urban fringe site located in the expanding Phoenix, Arizona metropolitan area ... are representative of the general seasonal patterns observed in the Phoenix and surrounding ... Cited by 51Related articlesAll 8 versionsCiteSave</p>

Code	Issue	Response

Code	Comment Document
	<p>Childhood Asthma, Public Housing, and Environmental Control: Differences Between Families Renting with Section 8 Vouchers and Those Living in the Projects S Grineski - Journal of Poverty, 2008 - Taylor & Francis ... Social Vulnerability, Environmental Injustice and Childhood Asthma in Phoenix, AZ, Tempe: Unpublished PhD Dissertation, Arizona State University. ... The children also suffer from other health problems (eg, incontinence and loss of vision), which April ties to their ... Cited by 2Related articlesAll 2 versionsCiteSave</p> <p>[HTML] from wiley.com [HTML] An aerosol climatology for a rapidly growing arid region (southern Arizona): Major aerosol species and remotely sensed aerosol properties A Sorooshian, A Wonschütz... - Journal of ..., 2011 - Wiley Online Library ... occurring during the monsoon season, can rapidly diminish visibility and increase health and safety ... cira.colostate.edu/web/] were obtained for seven ground stations in Arizona (Figure 2 ... Data from Queen Valley/Phoenix, Saguaro West, and Organ Pipe are only available since ... Cited by 16Related articlesAll 7 versionsCiteSave</p> <p>Sustainable urban regeneration in Phoenix, Arizona: Implications for multi-dimensional governance C Balsas - Sustainable City Regions, 2008 - Springer ... 15.4 Governance in Phoenix, AZ ... tribal governments also conduct regional planning and coordination activities (eg Active Management Areas of the Arizona Department of ... MAG is a council of governments that serves as the regional agency for the metropolitan Phoenix area. ... Cited by 3Related articlesAll 4 versionsCiteSave</p> <p>Human-Environment Interactions and Environmental Justice: How Do Diverse Parents of Asthmatic Children Minimize Hazards? SE Grineski - Society and Natural Resources, 2009 - Taylor & Francis ... Phoenix, AZ : Division of Public Health Services, Bureau of Epidemiology and Disease Control, Office of ... limited in her opportunities to leave the house during the extreme Phoenix summer because ... adoptive parent to three children with asthma explained: Living in Arizona is a ... Cited by 2Related articlesAll 4 versionsCiteSave</p> <p>Community analysis for health planning with vulnerable populations TA BADGER, MJO GAGAN... - Clinical Nurse Specialist, 2001 - journals.lww.com ... 31st Annual Communicating Nursing Research: Quality Research for Quality Practice conference in Phoenix, AZ, May 7 ... College of Nursing, The University of Arizona, POB 210203, Tucson, AZ 85721-0203 ... near a freeway in an older, low-income neighborhood in Arizona, with no ... Cited by 10Related articlesAll 3 versionsCiteSave</p> <p>Childhood incident asthma and traffic-related air pollution at home and school R McConnell, T Islam, K Shankardass, M Jerrett... - Environmental health ..., 2010 - JSTOR ... freeways had higher concentrations of oxides of nitrogen (NOx) and higher asthma prevalence rates ... Health effect estimates based on models in which the contribution of school to the com</p> <p>Motor vehicle exhaust and chronic respiratory symptoms in children living near freeways P van Vliet, M Knape, J de Hartog, N Janssen... - Environmental ..., 1997 - Elsevier</p>

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	<p>... Effects of exposure to vehicle exhaust on health. Scand. J. Work Environ. Health, 13 (1987), pp. 505–512. ... Reduction in adverse effect on pulmonary function after exposure to filtered diesel exhaust. Am. J. Ind. Med., 17 (1990), pp. 341–347. ...</p> <p>Childhood asthma and exposure to traffic and nitrogen dioxide WJ Gauderman, E Avol, F Lurmann, N Kuenzli... - ..., 2005 - journals.lww.com ... in many, 3–7 but not all, 8–11 studies that have examined the impact of local ... The samplers were prepared for field use and analyzed at the Harvard School of Public Health. ... traveling within 150 meters of the residence each day, including vehicles on freeways, arterials, major ...</p> <p>Recent evidence for adverse effects of residential proximity to traffic sources on asthma MT Salam, T Islam, FD Gilliland - Current opinion in pulmonary ..., 2008 - journals.lww.com ... factors and to identify specific pollutants that underlie the adverse effect of traffic ... to traffic emissions are associated with increased risk of adverse respiratory health outcomes including ... examined associations with ambient air pollution without assessing the local impact of traffic ...</p> <p>Traffic-related air pollution near busy roads: the East Bay Children's Respiratory Health Study JJ Kim, S Smorodinsky, M Lipsett... - American journal of ..., 2004 - Am Thoracic Soc ... smoke (eg, socioeconomic status and race–ethnicity) did not change the pollutant effect estimates, suggesting ... EF, von Mutius E. Road traffic and adverse effects on respiratory health in children. ... Road traffic and adverse respiratory effects in children:SIDRIA Collaborative Group ...</p> <p>Near-highway pollutants in motor vehicle exhaust: a review of epidemiologic evidence of cardiac and pulmonary health risks D Brugge, JL Durant, C Rioux - Environmental Health, 2007 - biomedcentral.com ... Similarly, driving conditions, fuel chemistry, and meteorology can also significantly impact emissions rates as well ... A 2007 paper from the Woman's' Health Initiative used data from 573 PM 2.5 monitors ... FEV 25–75 was the outcome measure that most clearly showed an effect [75 ...</p> <p>Effect of exposure to traffic on lung development from 10 to 18 years of age: a cohort study WJ Gauderman, H Vora, R McConnell, K Berhane... - The Lancet, 2007 - Elsevier ... with a deficit at this time will probably continue to have less than healthy lung function ... research is needed to identify the specific traffic pollutants that bring about health effects, and to ... for the full 8-year duration of the study and also noted significant traffic-effect estimates, which ...</p> <p>Traffic, susceptibility, and childhood asthma R McConnell, K Berhane, L Yao, M Jerrett... - Environmental health ..., 2006 - JSTOR ... 1993) studies that have examined the impact of local traffic or traffic-related air pollutants ... and responding parent's edu- cation, current coverage of the child by a health insurance plan ... of allergic symptoms and sex by modeling the interac- tion of the potential effect modifier with ... [PDF] from ictf-jpa.org</p> <p>Study of ultrafine particles near a major highway with heavy-duty diesel traffic Y Zhu, WC Hinds, S Kim, S Shen, C Sioutas - Atmospheric Environment, 2002 - Elsevier ... are several hypotheses used to explain the association of PM and observed adverse health effect. ... of ultrafine particles, is needed to better assess ambient air quality and its</p>

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	<p>potential health effects. ... the 405 freeway, and the control CPC responded to these effects reasonably well ... Cited by 631 Related articles All 17 versions Cite Save</p> <p>The Effect of Risk Beliefs on Property Values: A Case Study of a Hazardous Waste Site¹ GH McClelland, WD Schulze, B Hurd - Risk analysis, 1990 - Wiley Online Library ... moni- toring of the area indicates that with the levels of chem- icals found, long-term [health] problems would not be ... Effect of Risk Beliefs on Property Values ... Of course, current epidemiolo- gical studies may not indicate serious health effects that may arise in the future because of ...</p> <p>Long-term personal exposure to PM< sub> 2.5</sub>, soot and NO< i> x</i> in children attending schools located near busy roads, a validation study S Van Roosbroeck, J Jacobs, NAH Janssen... - Atmospheric ..., 2007 - Elsevier ... estimate for personal exposure in epidemiological studies on the long-term effects of traffic ... air monitoring station (site 363) operated by National Institute for Public Health and the ... Mixed effect model repeated measures analysis (proc mixed) was applied to perform a multiple ... Cited by 63 Related articles All 6 versions Cite Save [PDF] from uc.edu</p> <p>Spatial and temporal variations of PM< sub> 2.5</sub> concentration and composition throughout an urban area with high freeway density—the Greater Cincinnati ... D Martuzevicius, SA Grinshpun, T Reponen... - Atmospheric ..., 2004 - Elsevier ... Respiratory problems, including allergies and asthma, have been associated with the finer fractions of ... toxic metal compounds have been particularly linked to adverse health effects (ATSDR, 1999 ... A Teflon filter substrate was used for subsequent XRF analysis; effects of bounce ... Cited by 90 Related articles All 8 versions Cite Save [PDF] from icff-jpa.org</p> <p>Repeated hospital encounters for asthma in children and exposure to traffic-related air pollution near the home RJ Delfino, J Chang, J Wu, C Ren, T Tjoa... - Annals of Allergy, ..., 2009 - Elsevier ... in separate models including product terms (interactions) of the air pollutant with the potential effect modifier, including age ... Think globally, breath locally: why the worldwide health impact of air pollution on young children begins in our ... Environ Health Perspect, 114 (2006), pp. ... Cited by 48 Related articles All 10 versions Cite Save [PDF] from unimaas.nl</p> <p>[PDF] Estimation of long-term average exposure to outdoor air pollution for a cohort study on mortality B BRUNEKREEF - Journal of exposure analysis and ..., 2001 - arno.unimaas.nl ... RDM) using a GIS system available at the National Institute of Public Health and the ... The effect of the local scale is mostly in the highest concentrations, consistent with the small ... Figure 3 illustrates the impact of ignoring spatial variation related to degree of urbanization and ... Cited by 145 Related articles All 6 versions Cite Save [HTML] from nih.gov</p> <p>Housing characteristics and children's respiratory health in the Russian Federation JD Spengler, JJK Jaakkola... - ... of public health, 2004 - ajph.aphapublications.org ... 4 American Journal of Public Health ... served lower risk among exposed compared to unexposed</p>

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	<p>young children is consistent with a protective effect in this ... Yet examining possible interactive effects</p> <p>for cooking fuel and ventila- tion offered no evidence for increased associa- tion ...</p> <p>Cited by 87 Related articles All 9 versions Cite Save</p> <p>[PDF] from jmsmd.net</p> <p>The health effects of nonindustrial indoor air pollution</p> <p>JA Bernstein, N Alexis, H Bacchus, IL Bernstein... - Journal of Allergy and ..., 2008 - Elsevier</p> <p>... Nasal provocation studies in a healthy individual using a relatively high concentration of ... together</p> <p>with these allergens or endotoxin may exert a proinflammatory effect, leading to ... respiratory symptoms than those living further away, suggesting that adverse health effects can be ...</p> <p>Cited by 192 Related articles All 10 versions Cite Save</p> <p>[BOOK] Health and community design: The impact of the built environment on physical activity</p> <p>L Frank, P Engelke, T Schmid - 2003 - books.google.com</p> <p>... or dull. Urban design denotes small-scale features of the built environment that impact how people ...</p> <p>food venues is another way that the built environment impacts our health; in poorer ... to be fewer</p> <p>food establish- ments—restaurants and grocery stores—serving healthy foods.) As ...</p> <p>Cited by 501 Related articles All 2 versions Cite Save More</p> <p>[PDF] from indiaenvironmentportal.org.in</p> <p>[PDF] Research Children's Health</p> <p>JJ Kim, K Huen, S Adams, S Smorodinsky... - 2008 - sa.indiaenvironmentportal.org.in</p> <p>... AH, a research assistant with Impact Assessment, Inc. ... Paternal history of asthma was not a risk</p> <p>fac- tor or effect modifier for current asthma ... Other American studies of traffic and respiratory health</p> <p>involving populations from Southern California, the northeastern United States, and ...</p> <p>Cited by 69 Related articles All 23 versions Cite Save More</p> <p>Assessment of exposure to traffic related air pollution of children attending schools nearmotorways</p> <p>NAH Janssen, PHN van Vliet, F Aarts... - Atmospheric ..., 2001 - Elsevier</p> <p>... and outdoor concentrations of NO 2 of subjects selected from participants of a health effects study</p> <p>which ... Three schools, which were also involved in a study on respiratory health of children living ...</p> <p>No such effect was observed when red caps instead of transparent caps were used ...</p> <p>Cited by 251 Related articles All 9 versions Cite Save</p> <p>A wide area of air pollutant impact downwind of a freeway during pre-sunrise hours</p> <p>S Hu, S Fruin, K Kozawa, S Mara, SE Paulson... - Atmospheric ..., 2009 - Elsevier</p> <p>... of air pollutants are frequently present in the vicinity of roadways and may result in adverse health effects. ... These occasional impacts on the nominal upwind side of the freeway appear to have had ...</p> <p>a small local airport, located south of the pre-sunrise route, had no impact on any ...</p> <p>Cited by 76 Related articles All 5 versions Cite Save</p> <p>Penetration of freeway ultrafine particles into indoor environments</p> <p>Y Zhu, WC Hinds, M Krudysz, T Kuhn, J Froines... - Journal of Aerosol ..., 2005 - Elsevier</p> <p>... transport of ultrafine particles from outdoor to indoor environments is important for assessing the impact of exposure to ... Keywords. Ultrafine particles; Indoor environments; Freeways; Penetration factors; I/O, Indoor to outdoor. ... Traffic density has been associated with health effects. ...</p>

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	<p>Cited by 111 Related articles All 7 versions Cite Save [PDF] from nih.gov</p> <p>Residential proximity to traffic and adverse birth outcomes in Los Angeles county, California, 1994-1996. M Wilhelm, B Ritz - Environmental Health Perspectives, 2003 - ncbi.nlm.nih.gov ... pattern was apparent (Table 6). Adjusting for background air pollution concentrations, presence of one of more freeways near the resi ... to a term low weight infant compared to women in the lowest DWTD quintile, whereas no effect was found ... Children's Health Wilhelm and Ritz ... Cited by 275 Related articles All 13 versions Cite Save [PDF] from researchgate.net</p> <p>[PDF] Traffic-related air pollution and asthma onset in children: a prospective cohort study with individual exposure measurement M Jerrett, K Shankardass, K Berhane... - Environ Health ..., 2008 - researchgate.net ... Thus, the impact of humidity was negatively biased when we excluded NO2 from the model, which is consistent with the positive confounding effect observed in the NO2 ... evidence supports the potential for NO2 as a direct causative agent for respiratory health effects at high ... Cited by 162 Related articles All 14 versions Cite Save More [PDF] from ucla.edu</p> <p>[PDF] Proximity of licensed child care facilities to near-roadway vehicle pollution D Houston, P Ong, J Wu... - ... of public health, 2006 - spoutingoff.environment.ucla.edu ... After control for other factors, facility capacity had a significant but relatively small impact on the odds of a ... of traffic is associated with high concentrations of vehicle-related pollutants and a variety of adverse health effects, particularly for ... 9 American Journal of Public Health ... Cited by 36 Related articles All 17 versions Cite Save More</p> <p>Inhalation of concentrated ambient particulate matter near a heavily trafficked road stimulates antigen-induced airway responses in mice MT Kleinman, C Sioutas, JR Froines... - Inhalation ..., 2007 - informahealthcare.com ... by T H 2 cytokines IL-5 and 13, and whether adjuvant effects could be ... 150 m downwind had a considerably smaller response, suggesting that the effect was attenuated ... The research was also supported in part by the Southern California Environmental Health Sciences Center ... Cited by 43 Related articles All 5 versions Cite Save [HTML] from ersj.org.uk</p> <p>Traffic-related air pollution and respiratory health during the first 2 yrs of life U Gehring, J Cyrys, G Sedlmeir... - European respiratory ..., 2002 - Eur Respiratory Soc ... From September 1995-June 1998, a total of 5,991 healthy, term newborns, whose parents had a sufficient knowledge of the German language, were ... Public health impact of outdoor and traffic - related air pollution: a European assessment. ... Arch Environ Health 1993;48:53-58. ... Cited by 235 Related articles All 6 versions Cite Save [PDF] from nih.gov</p> <p>Road traffic and adverse respiratory effects in children. SIDRIA Collaborative Group. G Ciccone, F Forastiere, N Agabiti, A Biggeri... - Occupational and ..., 1998 - oem.bmj.com ... Fine particulate matter and ozone have been associated with acute adverse effects. ... for each</p>

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	<p>if ... Panel studies—serial measurements of personal exposure and health status in groups of ... Cited by 27 Related articles All 4 versions Cite Save [HTML] from nih.gov</p> <p>Transforming growth factor-β1 C-509T polymorphism, oxidant stress, and early-onset childhood asthma MT Salam, WJ Gauderman, R McConnell... - American journal of ..., 2007 - Am Thoracic Soc ... 16.9%, p < 0.0001), and have health insurance (92.5 vs. ... Although data were sparse to formally test for modifying effects of freeway distance and maternal smoking during ... β1 C-509T and asthma, our data suggest that the two exposures may impart a synergistic effect (Table E9). ... Cited by 65 Related articles All 6 versions Cite Save</p> <p>Living near a main road and the risk of wheezing illness in children AJ Venn, SA Lewis, M Cooper... - American journal of ..., 2001 - Am Thoracic Soc ... Why girls appear more susceptible to the impact of pollution than boys is unclear ... primary pollutants arising from vehicle exhaust emissions are known to be increased, support a causal effect of exposure ... Supported by the Department of Health and the National Asthma Campaign ... Cited by 268 Related articles All 5 versions Cite Save</p> <p>Air pollution from traffic in city districts near major motorways MC Roorda-Knape, NAH Janssen, JJ De Hartog... - Atmospheric ..., 1998 - Elsevier ... Subjects were selected from participants of a health effects study which was conducted some years ... conducted on the respiratory health of children living in six areas near major motorways ... In 12 of the 13 schools that participated in the health effect study, indoor measurements ... Cited by 236 Related articles All 10 versions Cite Save</p> <p>Traffic and outdoor air pollution levels near residences and poorly controlled asthma in adults YY Meng, M Wilhelm, RP Rull, P English... - Annals of Allergy, Asthma & ..., 2007 - Elsevier ... Zeman, C Kim; Variability of fine particle deposition in healthy adults: effect of age and gender. Am J Respir Crit Care Med, 153 (1996), pp. 1641–1647. ... 16; CHIS 2001 methodology: California Health Interview Survey. CHIS 2001 ... Cited by 54 Related articles All 8 versions Cite Save</p> <p>[PDF] from qut.edu.au Concentrations of submicrometre particles from vehicle emissions near a major road J Hitchins, L Morawska, R Wolff, D Gilbert - Atmospheric environment, 2000 - Elsevier ... This can lead to a misrepresentation of the quantity of pollutants present and hence of the air quality and the potential health effects. ... With concern already expressed elsewhere regarding the effect on human health of exposure to airborne particles, future research examining ... Cited by 342 Related articles All 13 versions Cite Save</p> <p>Measurements and predictors of on-road ultrafine particle concentrations and associated pollutants in Los Angeles S Fruin, D Westerdahl, T Sax, C Sioutas... - Atmospheric Environment, 2008 - Elsevier ... the size of airborne particulate is an important factor in generating health effects; ultrafine particulate ... This is likely due to the offsetting effects of greater following distances and greater ... effect roadway UFP concentrations, similar to that observed on freeways, and the effect of the ... Cited by 127 Related articles All 6 versions Cite Save</p> <p>[PDF] from uc.edu Is it traffic type, volume, or distance? Wheezing in infants living near truck and bus traffic</p>

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	<p>PH Ryan, G LeMasters, J Biagini, D Bernstein... - Journal of allergy and ..., 2005 - Elsevier ... Although studies have found associations between parental smoking and wheezing in infants, the multivariate model showed no additional smoking effect. ... Biology of diesel exhaust effects on respiratory function. ... Health assessment document for diesel engine exhaust. ... Cited by 141 Related articles All 13 versions Cite Save</p> <p>Age-specific risk factors for lead absorption in children SD Walter, AJ Yankel, IH Lindern - ... Health: An International Journal, 1980 - Taylor & Francis ... What is the status of knowledge of the toxic effect of lead on identifiable groups in the ... with elevated body burdens of lead, In his recent letter to Archives of Environmental Health (Vol. ... 5, p, 379), Cole asserts that it cannot be proven that lead causes observed effects, because the ... Cited by 67 Related articles All 5 versions Cite Save Effect of air pollution on children</p> <p>N Kulkarni, J Grigg - Paediatrics and Child Health, 2008 - Elsevier ... 20. Full-size image (32 K) Full-size image (32 K) Figure 2. Airway macrophage from a healthy child, showing carbon areas (phagocytosed PM 10). ... Impact of ambient air pollution on gestational age is modified by season in Sydney, Australia. Environ Health, 6 (2007), p. 16. ... Cited by 14 Related articles All 3 versions Cite Save [PDF] from scienceopen.com</p> <p>[PDF] The influence of living near roadways on spirometry and exhaled nitric oxide in elementary schoolchildren R Dales, A Wheeler, M Mahmud... - Environ Health ..., 2008 - scienceopen.com ... have found adverse effects on children's respiratory health from living near major roadways or freeways. ... density may be a better indi- cator of traffic-related respiratory health effects than are ... eNO measure, indicating that it was not con- founded by an unmeasured acute effect. ... Cited by 44 Related articles All 7 versions Cite Save More</p> <p>Respiratory symptoms in primary schoolchildren living near a freeway in Taiwan CY Yang, ST Yu, CC Chang - ... and Environmental Health Part A, 2002 - Taylor & Francis ... 753 Page 8. sure is likely and will dilute any effect because of the ubiquitous occur- rence and distribution of car exhaust (Wjst et al., 1993). ... Effects of inhalable particles on respiratory health of children. Am. Rev. Respir. Dis. ... J. Toxicol. Environ. Health A 55:169–184. ... Cited by 13 Related articles All 4 versions Cite Save [HTML] from ersj.org.uk</p> <p>Urban traffic and pollutant exposure related to respiratory outcomes and atopy in a large sample of children T Nicolai, D Carr, SK Weiland, H Duhme... - European respiratory ..., 2003 - Eur Respiratory Soc ... The less clear association of pollutants compared with traffic counts and lack of dose/response effect suggests that the observed association with traffic may not be mediated directly via the measured pollutants. ... Road traffic and adverse effects on respiratory health in children. ... Cited by 264 Related articles All 6 versions Cite Save</p> <p>[PDF] from princeton.edu Traffic congestion and infant health: Evidence from E-ZPass J Currie, WR Walker - 2009 - nber.org ... These results suggest that the estimated health effects of E-ZPass are not due to changes in the</p>

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	<p>composition of mothers who live ... maternal characteristics has little impact on the estimated coefficients. These estimates suggest that ... exposure to pollution has a larger effect. ... Cited by 138 Related articles All 25 versions Cite Save More</p> <p>[PDF] from usc.edu Air pollution from traffic and the development of respiratory infections and asthmatic and allergic symptoms in children M Brauer, G Hoek, P Van Vliet, K Meliefste... - American journal of ..., 2002 - Am Thoracic Soc ... at 2 years of age, we conducted sensitivity analyses to assess the impact of retaining ... Additional sensitivity analyses were conducted to evaluate the effect of maternal and paternal allergy ... time of asthma diagnosis on the associations between air pollution and health outcomes. ... Cited by 448 Related articles All 9 versions Cite Save</p> <p>[PDF] from indiaenvironmentportal.org.in [PDF] Research Children's Health M Wilhelm, YY Meng, RP Rull, P English, J Balmes... - 2008 - re.indiaenvironmentportal.org.in ... The 500-foot criterion is based on environmental measurement data showing that the impact of direct ... Because the effect estimates in the three middle quintiles ... Los Angeles.) Discussion This project demonstrated methods for linking and analyzing existing health and environ ... Cited by 34 Related articles All 19 versions Cite Save More</p> <p>[PDF] from researchgate.net Validity of residential traffic intensity as an estimate of long-term personal exposure to traffic-related air pollution among adults SV Roosbroeck, G Hoek, K Meliefste... - science & technology, 2008 - ACS Publications ... Some recent studies have specifically focused on the health of adults living near busy roads ... Effect of Time Activity Patterns The difference in personal exposure to soot between subjects living ... To evaluate the impact of spending time in traffic (car) and spending time outdoors, we ... Cited by 33 Related articles All 6 versions Cite Save</p> <p>[HTML] from nih.gov Exposure to traffic: Lung function and health status in adults with asthma JR Balmes, G Earnest, PP Katz, EH Yelin... - Journal of Allergy and ..., 2009 - Elsevier ... associated with either road distance metric (although the effects were in the direction of an adverse impact of traffic on ... Exposure to traffic has been associated with asthma outcomes in children, but its effect on asthma in adults has ... J Epidemiol Community Health, 54 (2000), pp. ... Cited by 40 Related articles All 10 versions Cite Save</p> <p>Residential exposure to traffic in California and childhood cancer P Reynolds, J Von Behren, RB Gunier... - ..., 2004 - journals.lww.com ... Branch, Oakland, California; the †Public Health Institute, Berkeley, California; and ‡Impact Assessment Inc ... The California Health and Human Services Agency, Committee for the Protection of Human ... maternal age, birth weight, and neighborhood income had little effect on point ... Cited by 77 Related articles All 5 versions Cite Save</p> <p>Ambient nitrogen dioxide and distance from a major highway NL Gilbert, S Woodhouse, DM Stieb... - Science of the Total ..., 2003 - Elsevier ... van Vliet et al., 1997 and Hoek et al., 2002), ie based on distance from highways, could be used</p>

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	<p>in North America to assess health effects of traffic ... Environ Health Perspect, 107 (1999), pp. ... Motor vehicle exhaust and chronic respiratory symptoms in children living near freeways. ... Cited by 184 Related articles All 10 versions Cite Save</p> <p>[PDF] from atlantaregional.com Use of health impact assessment in the US: 27 case studies, 1999–2007 AL Dannenberg, R Bhatia, BL Cole, SK Heaton... - American Journal of ..., 2008 - Elsevier ... 3, 4, 8 and 28 Information on the outcome and impact of these HIAs is ... The Healthy Development Measurement Tool, 34 developed through the ENCHIA process in San Francisco ... development plans and projects on over 100 community-level indicators of health, using objective ... Cited by 121 Related articles All 26 versions Cite Save</p> <p>[PDF] from environment-and-planning.com [PDF] The exposure of disadvantaged populations in freeway air-pollution sheds: a case study of the Seattle and Portland regions C Bae, G Sandlin, A Bassok... - ENVIRONMENT ..., 2007 - environment-and-planning.com ... Of particular interest in epidemiological research is the effect of mobile-source pollutants on sensitive ... impacts of a highway expansion in Las Vegas, Nevada, on the health of nearby ... and air-quality planning to identify whether there is a disproportionate impact on minority and ... Cited by 23 Related articles All 12 versions Cite Save More</p> <p>[PDF] from usc.edu Potential role of ultrafine particles in associations between airborne particle mass and cardiovascular health RJ Delfino, C Sioutas, S Malik - Environmental health perspectives, 2005 - JSTOR ... Although time-series investigations have provided important information regarding the overall public health impact of ambient air pollutants on severe outcomes ... Cardiovascular health and ultrafine particles ... (2004) conducted a cross- sectional study of 798 healthy adults with ... Cited by 451 Related articles All 14 versions Cite Save Near-road air pollution impacts of goods movement in communities adjacent to the Ports of Los Angeles and Long Beach KH Kozawa, SA Fruin, AM Winer - Atmospheric Environment, 2009 - Elsevier ... spaced, fixed-site monitoring stations, even though many studies have shown persons living adjacent to sources like busy roadways exhibit significantly increased incidences of many adverse health effects (Brugge et ... 4 shows the more modest impact zone effects typical of ... Cited by 36 Related articles All 4 versions Cite Save</p> <p>[HTML] from thelancet.com Association between mortality and indicators of traffic-related air pollution in the Netherlands: a cohort study G Hoek, B Brunekreef, S Goldbohm, P Fischer... - The lancet, 2002 - Elsevier ... the consistency with chronic morbidity studies, adds to the plausibility of traffic-related air pollution effects. ... 27 The effect estimates for living near a major road in our study tended to ... In a recent health impact assessment 28 from Switzerland, France, and Austria, estimates of the ... Cited by 1229 Related articles All 25 versions Cite Save Exposure of PM< sub> 2.5</sub> and EC from diesel and gasoline vehicles in communitiesnear the Ports of Los Angeles and Long Beach, California J Wu, D Houston, F Lurmann, P Ong, A Winer - Atmospheric Environment, 2009 - Elsevier ... The North Long Beach station operated by the southern California Children's Health Study showed</p>

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	<p>an ... We also did not account for the impact from built environment (eg skyscrapers, smaller ... height/road width >2.0), ideally we would consider building and land-use effect and use ... Cited by 28 Related articles All 4 versions Cite Save</p> <p>[PDF] from nih.gov Proximity of the home to roads and the risk of wheeze in an Ethiopian population A Venn, H Yemaneberhan, S Lewis, E Parry... - Occupational and ..., 2005 - oem.bmj.com ... asthma conducted in the UK have used a larger cut-off point (150 m or 200 m) and shown weaker, non-significant effects. ... traffic are significantly lower than in the Western world, exposure to pollution arising from road vehicle traffic has an adverse effect on respiratory health. ... Cited by 44 Related articles All 9 versions Cite Save</p> <p>[HTML] from oxfordjournals.org Bayesian modeling of air pollution health effects with missing exposure data J Molitor, NT Molitor, M Jerrett... - American journal of ..., 2006 - Oxford Univ Press ... exposure assessment (5). Therefore, this approach may be useful for assessing the impact of local ... as asthma and lung function growth, and in other studies of the health effects of ambient ... the pilot study analyzed in this paper to make inference regarding the effect of modeled ... Cited by 25 Related articles All 8 versions Cite Save</p> <p>Exposure assessment for atmospheric ultrafine particles (UFPs) and implications in epidemiologic research C Sioutas, RJ Delfino, M Singh - Environmental Health Perspectives, 2005 - JSTOR ... UFPs sources and their impact on human exposure are discussed in the following sections. ... Smaller particles thus have to grow fast enough to minimize their Kelvin effect before the ... ways raise concerns on population exposure level (and its health implications) during com- mute ... Cited by 320 Related articles All 17 versions Cite Save</p> <p>[PDF] from aseanenvironment.info The health effects of combustion-generated aerosols IM Kennedy - Proceedings of the Combustion Institute, 2007 - Elsevier ... These characteristics are expected to have an impact on the health effects following inhalation of this material. ... [77] found that the response of human airway epithelial cells to soot depended on the operating load of a diesel engine; they related the effect to differences in the ... Cited by 124 Related articles All 5 versions Cite Save</p> <p>Continuous weeklong measurements of personal exposures and indoor concentrations of fine particles for 37 health-impaired North Carolina residents for up to four ... L Wallace, R Williams, A Rea, C Croghan - Atmospheric Environment, 2006 - Elsevier ... and outdoor concentrations of particles was carried out in 2000–2001 for 37 health-impaired residents ... We discuss the results and also develop a method to estimate the impact of outdoor ... The possible effect of RH on pDR readings is analyzed further in the Discussion section. ... Cited by 57 Related articles All 5 versions Cite Save</p> <p>[PDF] from researchgate.net Near-roadway air quality: synthesizing the findings from real-world data AA Karner, DS Eisinger... - Environmental science & ..., 2010 - ACS Publications ... Spatial extent was defined as the distance at which roadway effects were no longer observable; it focused ... health impacts), pollutant type, and local meteorology. ... Studies typically used prevailing wind patterns to orient monitors to measure downwind impacts, but four studies (13 ...</p>

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	<p>Cited by 107 Related articles All 7 versions Cite Save</p> <p>Repeated respiratory hospital encounters among children with asthma and residential proximity to traffic J Chang, RJ Delfino, D Gillen, T Tjoa... - Occupational and ..., 2009 - oem.bmj.com ... of traffic-related exposures have been consistently linked to adverse respiratory health effects among children ... diagnosis of asthma since we are also interested in the impact of traffic ... To examine the potential effect modification between gender and traffic exposure, and between ... Cited by 39 Related articles All 6 versions Cite Save</p> <p>[PDF] from openrepository.com Long-term personal exposure to traffic-related air pollution among school children, a validation study S Van Roosbroeck, J Wichmann, NAH Janssen... - Science of the Total ..., 2006 - Elsevier ... studies have also shown associations between traffic-related air pollution and adverse health effects (Delfino, 2002). ... did not influence the results; neither had sampling day an effect on the effect estimates. ... demonstrated little impact of indoor sources on 'soot' (Götschi et al., 2002 ... Cited by 73 Related articles All 11 versions Cite Save</p> <p>[PDF] from doe.gov Evaluating the health risk from secondary sulfates in eastern North American regional ambient air particulate matter TJ Grahame, RB Schlesinger - Inhalation toxicology, 2005 - informahealthcare.com ... air inhalation; while this effect is unlikely to harm a healthy young adult ... a high school education are exposed to secondary sulfate, but apparently without any adverse health impact. ... implausible that secondary sulfate would be the cause of adverse health impacts associated with ... Cited by 46 Related articles All 10 versions Cite Save</p> <p>Blood lead of persons living near freeways HV Thomas, BK Milmore, GA Heidbreder... - ... Environmental Health: ..., 1967 - Taylor & Francis ... The near-ocean population of this study is certainly not representative of the Los Angeles population not living near freeways. It ... Arch Environ Health-Vol 15, Dec 1967 Page 7. ... A specific effect of residential proximity (25 to 250 feet) to a freeway has not been demonstrated. ... Cited by 83 Related articles All 3 versions Cite Save</p> <p>[PDF] from rolandpark.org An ecological approach to creating active living communities JF Sallis, RB Cervero, W Ascher... - ... Rev. Public Health, 2006 - annualreviews.org ... actual investment to date has been small, especially in light of the potential public health impact. ... in numbers, and partnering with colleagues from the medical and public health fields provides a potentially potent force for promoting active living and healthy cities while ... Cited by 940 Related articles All 10 versions Cite Save</p> <p>[HTML] from nih.gov Respiratory health and individual estimated exposure to traffic-related air pollutants in a cohort of young children V Morgenstern, A Zutavern, J Cyrys... - Occupational and ..., 2007 - oem.bmj.com ... As a major source of particulate matter, traffic substantially contributes to the overall effect of outdoor ... exposure to traffic-related air pollutants, living close to major roads and health effects at 2 ... Briefly, the GINI birth cohort consists of 5991 healthy newborns, who were recruited in ... Cited by 179 Related articles All 14 versions Cite Save</p>

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	<p>Air pollution and development of asthma, allergy and infections in a birth cohort M Brauer, G Hoek, HA Smit... - European ..., 2007 - Eur Respiratory Soc ... The high correlations among the different pollutants that were measured precluded analysis of the impact of specific pollutants or indicators of specific components ... Traffic related pollutants in Europe and their effect on allergic disease ... Environ Health Perspect 2006;114:766–772 ... Cited by 294 Related articles All 14 versions Cite Save</p> <p>[PDF] from nih.gov Personal and outdoor nitrogen dioxide concentrations in relation to degree of urbanization and traffic density E Rijnders, NA Janssen, PH Van Vliet... - Environmental health ..., 2001 - ncbi.nlm.nih.gov ... a study on health effects of exposure to traffic-related air pollution of children attend- ing schools ... For children from the three schools near a highway, the distance of the home from the ... The all-seasons combined effect of degree of urbanization or traffic density on personal and ... Cited by 107 Related articles All 13 versions Cite Save</p> <p>Automobile traffic around the home and attained body mass index: a longitudinal cohort study of children aged 10–18 years M Jerrett, R McConnell, CC Chang, J Wolch... - Preventive ..., 2010 - Elsevier ... Healthy food nodes, InfoUSA detailed business data on grocery stores. ... Therefore, the larger buffers examined the influence of more distant traffic, assuming a more gradual decline in the impact of traffic with distance from the home. ... Health insurance availability. ... Cited by 33 Related articles All 8 versions Cite Save</p> <p>Traffic density as a surrogate measure of environmental exposures in studies of air pollutionhealth effects: Long-term mortality in a cohort of US veterans FW Lipfert, RE Wyzga, JD Baty, JP Miller - Atmospheric Environment, 2006 - Elsevier ... Thus, in cross-sectional health studies, there is an advantage in choosing the smallest possible ... the underlying mortality dose-response function might be non-linear (larger effects in more ... dose-response function has the same slope (representing the excess mortality effect) at all ... Cited by 61 Related articles All 8 versions Cite Save</p> <p>Measurement of genotoxic air pollutant exposures in street vendors and school children in andnear Bangkok M Ruchirawat, P Navasumrit, D Settachan... - Toxicology and Applied ..., 2005 - Elsevier ... Schoolchildren were healthy 10 to 12 year-old boys. ... Comparison of the health effects between indoor and outdoor air pollution in northeastern Japan. ... Environmental air pollution and DNA adducts in Copenhagen bus drivers-effect of GSTM1 and NAT2 genotypes on adduct ... Cited by 51 Related articles All 7 versions Cite Save</p> <p>[HTML] from nih.gov Organic compound characterization and source apportionment of indoor and outdoor quasi - ultrafine particulate matter in retirement homes of the Los Angeles Basin M Arhami, MC Minguiñón, A Polidori, JJ Schauer... - Indoor ..., 2010 - Wiley Online Library ... These results may reflect the possible impact of outdoor sources (eg, motor-vehicle emissions ... However, CV was calculated separately for colder and warmer phases to reduce this effect. ... This finding has important exposure and health implications considering that in an earlier ... Cited by 31 Related articles All 12 versions Cite Save</p> <p>[PDF] from thelancet.com</p>

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	<p>Air pollution and health B Brunekreef, ST Holgate - The lancet, 2002 - Elsevier ... 49 Effects of PM10 on COPD admissions were 1·5% (1·0–1·9) and on CVD admissions 1·1 ... There was also a weak effect of ozone on mortality in the summer but not winter. ... been done on panels of individuals with daily or weekly observations of their exposure and health status. ... Cited by 1865 Related articles All 21 versions Cite Save</p> <p>[HTML] from nih.gov [HTML] Air pollution exposures and circulating biomarkers of effect in a susceptible population: clues to potential causal component mixtures and mechanisms RJ Delfino, N Staimer, T Tjoa, DL Gillen... - Environ Health ..., 2009 - ehpniehs.nih.gov ... to exclude person-weeks with acute infectious illnesses, given their known impact on measured ... air pollution and bio-markers of systemic inflammation in healthy young adults ... ultrafine particles (UFP) and implications in epidemiological research Environ Health Perspect 113:947 ... Cited by 127 Related articles All 10 versions Cite Save More</p> <p>[PDF] from neicon.ru Impact of improved housing on morale and life satisfaction FM Carp - The Gerontologist, 1975 - gerontologist.oxfordjournals.org ... Very few tenants felt that living in the Plaza had had no effect on their life styles (10% at 1 year and 1% at 8). The most ... Carp, FM A regression model for analysis of change overtime, (in press a) Carp, FM Impact of improved living environment on health and life ... Cited by 69 Related articles All 7 versions Cite Save</p> <p>Cardiovascular disease and air pollutants: evaluating and improving epidemiological data implicating traffic exposure SD Adar, JD Kaufman - Inhalation Toxicology, 2007 - informahealthcare.com ... interaction could occur if ownership of a car was examined as an effect modifier (Jerrett ... be collected in a small subset of individuals to examine the impact of activity ... housing parameters and personal activity patterns on the associations between traffic and cardiovascular health. ... Cited by 71 Related articles All 5 versions Cite S</p> <p>[HTML] Residence near a major road and respiratory symptoms in US veterans E Garshick, F Laden, JE Hart... - Epidemiology (Cambridge, ..., 2003 - ncbi.nlm.nih.gov ... There was also no evidence of confounding or effect modification by educational attainment, job category, and urban ... We also lack information regarding the health status of nonresponders. ... Thus, if the effects of living near a roadway are real, we might have underestimated them ... Cited by 84 Related articles All 10 versions Cite Save</p> <p>Measurements of the photochemical production of aerosols in ambient air near a freeway for a range of SO<sub>2</sub> concentrations WE Clark, DA Landis, AB Harker - Atmospheric Environment (1967), 1976 - Elsevier ... for initially particle-free ambient air collected downwind from a freeway in two ... Environmental Health Effects Research Series, EPA-650/1-74-004Research Triangle Park, NC (1974). ... The effect of atmospheric SO 2 photochemistry upon observed nitrate concentrations in aerosols. ... Cited by 21 Related articles All 5 versions Cite Save</p> <p>[HTML] from bmj.com</p> <p>Comparison between various indices of exposure to traffic-related air pollution and theirimpact on respiratory health in adults</p>

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G Cesaroni, C Badaloni, D Porta... - Occupational and ..., 2008 - oem.bmj.com
 ... various indices of exposure to traffic-related air pollution and their **impact** on respiratory ...
 59-year-old Rome residents completed a self-administered questionnaire on respiratory **health**
 and various ... traffic exposures among children, 3 – 5 but the evidence of an **effect** among
 adults ...

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[Traffic-related PM_{2.5} aerosol in residential houses located near major highways:
 Indoor versus outdoor concentrations](#)

D Martuzevicius, SA Grinshpun, T Lee, S Hu... - Atmospheric ..., 2008 - Elsevier

... Traffic-related PM_{2.5} aerosol in residential **houses** located **near** major highways: Indoor
 versus ...

Airborne particulate matter (PM) has been associated with various adverse **health effects**
 (Schwartz et al ... apartments located within 60 m from the centerline of the 405 **Freeway** in
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[Effect of living close to a main road on asthma, allergy, lung function and chronic obstructive
 pulmonary disease](#)

M Pujades-Rodriguez, S Lewis, T McKeever... - Occupational and ..., 2009 - oem.bmj.com

... Characteristics of **Health** Survey for England participants included and excluded from the
 analyses

by age ... versus >150 m. 31 Therefore for our main analyses, some dilution of **effects** may
 have ... m

bands, misclassification will be greater and a true dose-response **effect** across the ...

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[Transit's value-added effects: light and commuter rail services and commercial land values](#)

R Cervero, M Duncan - Transportation Research Record: Journal ..., 2002 - Trans Res Board

... to be the great- est in fast-growing, congested areas with buoyant and **healthy** economies,
 such ...

introduced to lever- age TOD have been tax-exempt financing, sliding-scale **impact** fees,
 public ...

because being **near** an ACE station was found to have no appreciable **effect** on land ...

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JE Clougherty - Environ **Health** Perspect, 2010 - scienceopen.com

... epidemiology. In the Public **Health** and Air Pollution in Asia (PAPA) study, Kan et al. ...

persons. Table 2. Studies examining **effect** modification by sex among children. ... females
 Studies reporting stronger **effects** among girls Brunekreef et al. ...

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MM Patel, RL Miller - Current opinion in pediatrics, 2009 - ncbi.nlm.nih.gov

... [17•], increases in ambient particulate matter had no significant **effect** on levels ... Future
 research

directions should also include a greater study of the **impact** of climate change ... and toxic
 constituents

of air pollution and accurately assessing air pollutant-related **health** outcomes are ...

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[Air pollutant concentrations near three Texas roadways. Part I: ultrafine particles](#)

Y Zhu, J Pudota, D Collins, D Allen, A Clements... - Atmospheric ..., 2009 - Elsevier

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	<p>... and expression of adhesion molecules indicating a potential role of UFPs in causing detrimental health effects among allergen ... Effects of roadway type, traffic, and meteorology on particle number concentrations. ... To demonstrate the effect when the wind switches its direction, Fig. ... Cited by 29 Related articles All 4 versions Cite Save</p> <p>Childhood obesity and proximity to urban parks and recreational resources: A longitudinal cohort study J Wolch, M Jerrett, K Reynolds, R McConnell, R Chang... - Health & place, 2011 - Elsevier ... of children sampled from overweight to normal—a smaller but important implication for children's health. ... This study breaks new ground, being the first to consider the impact of public ... otherwise active families would locate into neighborhood that supported their healthy lifestyle. ... Cited by 65 Related articles All 7 versions Cite Save</p> <p>Adverse effects of low-level air pollution on the respiratory health of schoolchildren in Hong Kong Ti Yu, TW Wong, XR Wang, H Song... - ... of occupational and ..., 2001 - journals.lww.com ... Moreover, few Hong Kong studies have reported long-term effects of air pollution on pulmonary function in ... The other variables related to the health outcomes were selected using a forward stepwise approach ... than in boys (29 mL for FVC and 54 mL for FEV 1). No effect of either ... Cited by 34 Related articles All 7 versions Cite Save</p> <p>[PDF] from epa.gov Predicting residential ozone deficits from nearby traffic R McConnell, K Berhane, L Yao, FW Lurmann... - Science of the total ..., 2006 - Elsevier ... Finally, the predictions from the model were used to examine the possible impact of residential NO ... long-term residential ozone concentrations at homes of all participants in the Children's Health Study in ... We also estimated the effect based on a single 1994-year average for the ... Cited by 15 Related articles All 7 versions Cite Save</p> <p>[PDF] from nih.gov Ultrafine particles in alveolar macrophages from normal children HJ Bunn, D Dinsdale, T Smith, J Grigg - Thorax, 2001 - thorax.bmj.com ... particles have been reported in AM from three non-industrially exposed healthy adults.6 ... use the phagocytic capacity of AM to identify which environmental particles impact on the ... hypothesis that UF particles are a major determinant of the adverse health effects associated with ... Cited by 35 Related articles All 7 versions Cite Save</p> <p>[HTML] from nih.gov Respiratory health effects of air pollution: update on biomass smoke and traffic pollution RJ Laumbach, HM Kipen - Journal of allergy and clinical immunology, 2012 - Elsevier ... The most firmly established health effects of BMF emissions are acute lower respiratory tract infections ... and a global burden of disease of approximately 2.5% of all healthy life years ... demonstrated a stronger effect than those from freeways, possibly reflecting an effect of frequent ... Cited by 88 Related articles All 10 versions Cite Save</p> <p>The influence of neighborhood roadways on respiratory symptoms among elementary schoolchildren R Dales, AJ Wheeler, M Mahmud... - ... of Occupational and ..., 2009 - journals.lww.com</p>

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	<p>... be causally related to proximity to traffic in which case adjustment for parental asthma may reduce the estimate of effect on children ... Sociodemographic, family, and residential factors were investigated to assess the impact of these potential predictors on respiratory health. ... Cited by 27 Related articles All 6 versions Cite Save</p> <p>[PDF] from ucla.edu</p> <p>Structural disparities of urban traffic in southern California: Implications for vehicle - related air pollution exposure in minority and high - poverty neighborhoods D Houston, J Wu, P Ong, A Winer - Journal of Urban Affairs, 2004 - Wiley Online Library ... an essential first-step towards estimating the vehicle-related pollutant concentrations and their associated health effects. ... into our air, soil, food, and water pose a range of health risks to ... First, it expands our understanding of the potential distributional impact of mobile sources of ... Cited by 91 Related articles All 9 versions Cite Save</p> <p>Assessment of the future impact on health of a proposed freeway development DR Dunt, MJ Abramson... - ... journal of public health, 1995 - Wiley Online Library ... IMPACT OF A FREEWAY DEVELOPMENT ... Healthy nonsmoking adults exposed to 8 to 20 PPM per hour of 0 s had a complex array of pulmonary responses.15 These included decreases in respiratory function and athletic ... AUSTRALIAN JOURNAL OF WBUC HEALTH 1995 va. ... Cited by 10 Related articles All 5 versions Cite Save</p> <p>[PDF] from walkboston.org</p> <p>Health impact assessments are needed in decision making about environmental and land-use policy A Wernham - Health Affairs, 2011 - Health Affairs ... 33 These indicators were used to develop a Healthy Development Measurement Tool, 37 ... Officials in nonhealth agencies should view health impact assessments as an approach that may ... can provide a structured way to identify and address health effects, determine baseline ... Cited by 21 Related articles All 6 versions Cite Save</p> <p>The occupational and environmental health history RH Goldman, JM Peters - Jama, 1981 - jama.jamanetwork.com ... to the Occupational Health Program, Department of Physiology, Harvard School of Public Health, 665 Huntington ... Immediate or Short-term Effects Dermatoses (allergic or irritant) Headache ... Hepatitis (may become a long-term effect) Latent or Long-term Effects Chronic dyspnea ... Cited by 78 Related articles All 4 versions Cite Save</p> <p>[HTML] from nih.gov</p> <p>Smart growth: a prescription for livable cities AL Geller - American Journal of Public Health, 2003 - ajph.aphapublications.org ... United States, Portland was rated number one in meeting key Healthy People 2000 ... just about conventional preventive health care," says Multnomah County Health Department Director ... that initiatives such as urban growth boundaries and "development impact fees" increase ... Cited by 70 Related articles All 8 versions Cite Save</p> <p>[BOOK] Ecocity Berkeley: building cities for a healthy future R Register - 1987 - books.google.com ... Ecocities seek the health and vitality of humanity and nature, and that is all ... Auto Sprawl Syndrome</p>

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	<p>is hard on commuters and degrades the environment for all of us, the impact is small ... The fact is, if we want to leave any energy reserves and a reasonably healthy biosphere to our ... Cited by 255 Related articles All 2 versions Cite Save More</p> <p>Spatial analysis of volatile organic compounds from a community-based air toxics monitoring network in Deer Park, Texas, USA LA Smith, TH Stock, KC Chung, S Mukerjee... - Environmental ..., 2007 - Springer ... During the study, wind direction had a significant effect on concentration of the VOCs. ... Previous respiratory health studies examining impact from traffic sources have suggested associations of health effects with gaseous pollutants such as nitrogen dioxide for subjects ... Cited by 27 Related articles All 10 versions Cite Save</p> <p>[PDF] from kensingtonassociation.org.au Noise pollution: non-auditory effects on health SA Stansfeld, MP Matheson - British Medical Bulletin, 2003 - British Council ... on health may be augmented by, or in turn may augment, the impact of other ... There was little difference between healthy and cold subjects' performance tested in quiet conditions, but for ... represent a group which is particularly vulnerable to the non-auditory health effects of noise. ... Cited by 373 Related articles All 18 versions Cite Save</p> <p>The near-road exposures and effects of urban air pollutants study (NEXUS): study design and methods A Vette, J Burke, G Norris, M Landis... - Science of the Total ..., 2013 - Elsevier ... Emissions of traffic related air pollutants impact air quality and exposures near-roads, but it ... The study focused on evaluating three domains of respiratory health effect potentially associated with ... approaches for assessing exposure to traffic-related pollution in the health analysis. ... Cited by 15 Related articles All 7 versions Cite Save</p> <p>[PDF] from umassmed.edu A case-control analysis of exposure to traffic and acute myocardial infarction C Tonne, S Melly, M Mittleman, B Coull... - Environmental health ..., 2007 - JSTOR ... that may influ- ence the risk of AMI include availability and relative cost of healthy foods and ... they live in have been shown to be important predic- tors of cardiovascular health (Diez-Roux et al. ... Processes underlying the observed effect modification require further investigation. ... Cited by 160 Related articles All 19 versions Cite Save</p> <p>[PDF] from tandfonline.com Combining regional-and local-scale air quality models with exposure models for use in environmental health studies V Isakov, JS Touma, J Burke, DT Lobdell... - Journal of the Air & ..., 2009 - Taylor & Francis ... The need for incorporating the effects of commute patterns is well recognized.23 As can be ... Figure 7. Impact of key model components on exposure concentrations: (a–c) median and (d–f ... be used as a reliable surrogate of personal exposures in air pollution health effect studies. ... Cited by 58 Related articles All 7 versions Cite Save</p> <p>[PDF] from ku.edu Environmentalism and the politics of equity: emergent trends in the black community R Bullard, BH Wright - Mid-American Review of Sociology, 1987 - JSTOR ... have an impact on the stressful situation (Lazarus, 1981; Collis, et al., 1983; Bachrach and Zautra, 1985). ... harmful health effects of tobacco and alcohol. ... inner-city neighborhoods and areas</p>

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	<p>which pose extreme health risks from pollution and other environmental problems. ... Cited by 91 Related articles All 3 versions Cite Save</p> <p>[PDF] from legambientepadova.it Environmental air pollution V Stone - American journal of respiratory and critical care ..., 2000 - Am Thoracic Soc ... it is easy to see how localized indoor particle changes could have an impact on health ... laboratory investigations into the proinflammatory effects of PM 10 use models involving healthy animals or ... Air Pollution and Health: Issues in Environmental Science and Technology, Vol 10. ... Cited by 55 Related articles All 5 versions Cite Save</p> <p>[PDF] from aseanenvironment.info Application of land use regression to estimate long-term concentrations of traffic-related nitrogen oxides and fine particulate matter SB Henderson, B Beckerman, M Jerrett... - ..., science & technology, 2007 - ACS Publications ... Several epidemiological studies have assessed the association between health impacts and simple measures of proximity ... Both NO models are driven by traffic impact variables with 100 and 1000 m ... was identified as being significantly predictive for PM 2.5 , and the effect of AD ... Cited by 201 Related articles All 7 versions Cite Save</p> <p>Diesel truck traffic in low-income and minority communities adjacent to ports: environmental justice implications of near-roadway land use conflicts D Houston, M Krudysz, A Winer - Transportation Research Record ..., 2008 - Trans Res Board ... Near-Roadway Vehicle Pollution and Health Effects Studies ... This intersection was monitored for a second weekday because of the potential impact of a longshoremen union strike on ... these sensitive land uses for much of the day and into the night, raising serious health concerns ... Cited by 20 Related articles All 2 versions Cite Save</p> <p>Impact of roadside noise barriers on particle size distributions and pollutants concentrationsnear freeways Z Ning, N Hudda, N Daher, W Kam, J Herner... - Atmospheric ..., 2010 - Elsevier ... a community's proximity to highly trafficked roadways and the risk of adverse health effects among the ... measured at different distances downwind of the freeways to investigate the effect of noise ... out in the present study during June–July, 2009 to investigate the impact of roadside ... Cited by 27 Related articles All 6 versions Cite Save Decibel hell</p> <p>R Chepesiuk - Environmental health perspectives, 2005 - JSTOR ... The results showed that exposure to noise caused stomach contractions in healthy human beings. ... by 2007, will be fed into computer models that will help test the sound impact of street ... mine noise limits to protect the public health and welfare, and to establish a noise control ... Cited by 25 Related articles All 5 versions Cite Save</p> <p>[HTML] from biomedcentral.com [HTML] Influence of geocoding quality on environmental exposure assessment of children livingnear high traffic roads PA Zandbergen - BMC public health, 2007 - biomedcentral.com ... So far, only one recent study investigating the effects of traffic-related air pollution on children ...</p>

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	<p>of street geocoding have been addressed in recent review articles in public health and epidemiology ... has been assumed to be small in magnitude and random in its effect on analysis ... Cited by 65 Related articles All 17 versions Cite Save More</p> <p>A study of twelve Southern California communities with differing levels and types of air pollution: I. Prevalence of respiratory morbidity JM Peters, E Avol, W Navidi, SJ London... - American journal of ..., 1999 - Am Thoracic Soc ... This heavy but nonuniform impact of air pollution makes Southern California well suited for epidemiologic studies. ... RC, Avol EL, Hackney JDEffects of prolonged, repeated exposure to ozone, sulfuric acid, and their combination in healthy and asthmatic ... Health 1990;6:155-171. ... Cited by 379 Related articles All 4 versions Cite Save</p> <p>Development of a distance-to-roadway proximity metric to compare near-road pollutant levels to a central site monitor TM Barzyk, BJ George, AF Vette, RW Williams... - Atmospheric ..., 2009 - Elsevier ... Epidemiological studies typically evaluate associations between health effects and central site measurements or ... aerodynamic diameter $\leq 2.5 \mu\text{m}$) showed the same pattern, with effect estimates and ... EMAs) targeted to represent various regional and local source impact areas. ... Cited by 19 Related articles All 4 versions Cite Save</p> <p>Nonauditory effects of noise on children: A critical review GW Evans, SJ Lepore - Children's environments, 1993 - JSTOR ... The potential pathways among chronic noise exposure, helplessness, and psychological health warrant further research. ... normal (1975) classroom noise (healthy control, classroom ... speech-deficit group performed worse in noise than in quiet, but the effect was not significant. ... Cited by 187 Related articles Cite Save More [PDF] from escholarship.org</p> <p>Intake fraction of primary pollutants: motor vehicle emissions in the South Coast Air Basin JD Marshall, WJ Riley, TE McKone... - Atmospheric Environment, 2003 - Elsevier ... Berkeley, CA 94720, USA; d Environmental Health Sciences, School of Public Health, University of ... line source (Nazaroff and Alvarez-Cohen, 2001), which indicates that the impact distance is ... Combining this 200 m characteristic distance with the length of freeways in the SoCAB ... Cited by 68 Related articles All 13 versions Cite Save</p> <p>Breathless in Houston: a political ecology of health approach to understanding environmentalhealth concerns J Harper - Medical anthropology, 2004 - Taylor & Francis ... to environmental change, political ecologists tend to view the social impact of environmental ... journals have established a link between ground-level ozone and respiratory health problems. ... preventable: "Studies of the independent effects of [ozone] on healthy individuals and on ... Cited by 23 Related articles All 6 versions Cite Save</p> <p>[PDF] from nih.gov The relationship between air pollution from heavy traffic and allergic sensitization, bronchial hyperresponsiveness, and respiratory symptoms in Dutch schoolchildren NAH Janssen, B Brunekreef, P van Vliet... - Environmental health ..., 2003 - ncbi.nlm.nih.gov ... Some studies have also employed health care use data to assess the health impact of exposure to ... Environmental Health Perspectives • VOLUME 111 NUMBER 12 September 2003 ... To</p>

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	<p>evaluate the possibility of a stronger effect of traffic-related air pollution among susceptible ... Cited by 333 Related articles All 18 versions Cite Save</p> <p>Neighbourhood socioeconomic status, maternal education and adverse birth outcomes among mothers living near highways M Genereux, N Auger, M Goneau... - ... and community health, 2008 - jech.bmj.com ... Neighbourhood socioeconomic status, maternal education and adverse birth outcomes among mothers living near highways. ... and LBW relative to mothers in high SES areas.23 24 Effect modification by SES of the role of traffic-related pollution on newborn health is supported ... Cited by 60 Related articles All 8 versions Cite Save More</p>
2	<p>No detailed analysis has happened, no actions for reductions on health damage, no health assessments, have been considered, no indoor air analysis studied nor anything mitigated for this topic in DEIS or FEIS. I would recommend and Independent study of this micro climate and area and residential section along E1.</p>
53	<p>The DEIS and EIS have not studied the current air toxins from above before the freeway build in zip code 85045 nor have they modeled and analyzed the wind flow impacts, the 2 sections of freeway toxins E1 and w at the designed the curve and angle into 3 ridges of freeway, which will be unique, nor the mountains retention of toxins and toxin build up. Clearly these homes within .1- .5 of the 2 sections of freeway have not adequately studied and nor have had health impact risks assessed and mitigated. All homes would need to be removed since they will be land located by 2 sides of freeways,(west and south) and or retrofitted for fine and ultra fine pollution filtration systems and noise dampening due to unique position of wind currents and mountain positions. This area is unlike any area near a freeway in the entire adot metro phoenix system since its elevated and has winds and mountains unique to homes at the foot of south mountain park and reserve. This uniqueness exponentially increases the know health impacts when compared to other homes near where plain straight freeways are built, i.e. 202, 101, 303.</p>
1	
2	<p>Currently members of my household have health issues of CPAP, sleep apnea, NAION, Allergies and Low thyroid conditions which dictate we cannot live within .1-.3 miles of this freeway. The increased toxins and anticipated poor air quality near the freeway with winds that will blow directly into our home, will make us sick and cause serious additional health damage. Also to note are the health impact of these toxins being kept in the area, and will build up due to the mountains trapping them from flowing out of the community. Please note this additional health damage can not be treated with modern medicine. Our family are all current medical patients of Mayo Clinic in Scottsdale, who can validate my health conditions / records, address the need to not live in the home which turns out to be .1 - .2 mile from the freeway, according to your final FEIS.</p>
6	<p>B) In addition the FEIS indicates 32000 plus vehicles will be diverted to this freeway which will be built on " land take" at the end of my sub division in Ahwatukee. It is also indicated that trucks from Mexico, will be allowed to use this freeway as sited in the FEIS, which will burn (non US regulated) High sulfur diesel emissions. This and 20 other additional particulate matters, will dramatically deteriorate my health and lung function. (see additional commentary below).</p>
17	<p>I want to formally ask for you to expand your home buyout plans to include all homes within a 1/3 mile of this end of E1 and corner of the SMF. We request formal assistance in relocation to an area, where there will be no new or increased health impact to me. Also request noise dampening to any remaining homes and new pollution air filtrations system.</p>
12	<p>Please expand your program for buyout and home modifications requests to the appropriate departments, so you can help mitigate these issues that will be cause by the freeway. Due to family members medical condition and proximity</p>

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5	Mobile Source Air Toxics	The noted zip code is included in the Eastern Subarea and in the project study area used in the analysis of mobile source air toxics emissions (see page 4-78 of the Final Environmental Impact Statement).
6	Trucks	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Noise	

Code	Comment Document
8	<p>to the final E1 freeway design and we must relocate and protect our health. Without assisting remaining homeowners this freeway, will knowingly cause serious additional harm to our family who is now retiring here.</p> <p>C) Further more it was not disclosed to many when we purchased these homes, that a 8 lane super freeway could / would be built on Pecos and take land from the many of the subdivisions. We were not disclosed of where this freeway was targeted for being built on subdivision land. If we had know what your disclosing in the FEIS we obviously would not have bought here. I also was not informed, I would loose the access to Pecos road. All of this should have been legally disclosed to us when we purchased as indicated in your FEIS, but was not disclosed to us as purchaser.</p> <p>I hope and pray, you and your agencies, can help me mitigate the undue harm we will experience in the future, due to the build of the SMF loop 202 on Pecos E-1 alignment.</p> <p>Sincerely,</p> <p>Concerned family members</p>

25

Code	Issue	Response
8	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
9	<p>New Health Findings from Studies in Boston, MA and Los Angeles, CA 2011 – 2013 not incorporated in DEIS</p> <p>Documented proof submitted to the EPA in studies found health risks from living within 1 mile of 6 lane highways which create fine and ultrafine particulate matter. Impact of living so close to the highway causes: child hood leukemia, asthma, autism, increase of coronary disease, cancer and lung disease. This impact to thousands of nearby school children, adults and elderly needs to be studied and put in DEIS. Past studies from 2005, 2011, 2012 and 2013 facts have not been included in DEIS as requested. Impacts to the families who will remain after the highway is built in Ahwatukee’s Calabrea have clearly not been addressed. In addition sound decibel studies of the SMF’s impact to our community and its wild life, including constant compounded sound echo’s off the 2 nearby mountain ranges in this unique micro climate have not been addressed in the DEIS as requested. Facts on ultra-fine and fine particulates caused by the project have not been reported nor its health impacts reported with current scientific facts from those experts throughout the United States. All serious health impacts have to take a priority over shorter commutes and business development.</p>
10	7
2	
6	
11	<p>High-Sulfur Diesel and added benzene increase; Truck Bypass Negated due to added Truck Traffic from Mexico</p> <p>The modeling of air pollution impacts in the DEIS do not include the additional air pollution from truck traffic from Mexico. The DEIS briefly mentions the issue, but it claims it has no way to know what impact this would be. Patently absurd. This bypass is also now the designated route of the Canamex Highway, and it is Interstate 8 (south of Casa Grande) to State Highway 85, to Interstate 10, west of the Phoenix metro area. Further, trucks originating in Mexico will be fueled with diesel that doesn't meet the CARB diesel standards adopted by Arizona over a decade ago. In Mexico, there is no regulation about the sulfur in diesel fuel. Once this additional pollution is honestly quantified and factored in, there would be a huge net increase in air pollution from the SMF, and associated increases in asthma, heart disease, premature death, and other adverse health impacts. Truck restriction laws need to be written.</p>
2	
12	<p>Air Toxics Already a Crisis but Not Mentioned and Local Specific Data not Gathered nor Updated since 2006</p> <p>In 2005, there was an extensive air monitoring of certain toxic chemicals (air toxics) conducted by EPA and ADEQ in a joint effort named the Joint Air Toxics Assessment Program (JATAP). The monitoring sites included a site near St. Johns on the GRIC, and some in west Phoenix and South Phoenix. The JATAP monitoring results were reported in 2006, during a time the data for the DEIS was being gathered, and it found levels of certain toxic chemicals associated with vehicular emissions were above the standard of a one in a million chance of cancer in a lifetime of exposure in the west Phoenix, south Phoenix, and GRIC sites. The JATAP monitoring found in the high end of the monitoring levels, formaldehyde at 34 times this standard; benzene at 8 times this standard, 1,3 butadiene at 7.5 times this standard, acetaldehyde at 3.4 times this standard. And, remember, citizens are being subjected to all of these carcinogens, not just one. Some o chemicals are attributed to “mobile sources,” or vehicular traffic burning hydrocarbons. Adding more vehicular traffic emissions by building a freeway where there had not been one would add to this toxic burden. The JATAP results are not included in the DEIS/FEIS, but instead there is a strange conclusion about the uncertainty of the risk from these air toxics standards, which is not true. The cancer risk standards have been promulgated and published by EPA after extensive research, and are well-known. See studies.)</p>
13	<p>Risks from Hazardous Materials Transportation Incidents Due to the SMF</p> <p>There are no industries using and emitting toxic chemicals in Ahwatukee, and no hazardous materials (hazmat) transportation issues and risks because none of these chemicals, other than gasoline and diesel, are being shipped into the area, other than incidentally adjacent on Interstate 10, which is east of the area. Since the NEPA process started, Ahwatukee residents and others have consistently raised concerns about the added risks from the transportation of hazmat on the new NEPA requires examination of cultural, social, and economic impacts, and the new hazmat traffic and risks caused by the SMF would affect all of these topic areas.</p>

Code	Issue	Response
9	Children’s and Seniors’ Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Biology, Plants, and Wildlife	
11	Purpose and Need, Truck Bypass	
12	Air Quality	Summary information about the findings of the Joint Air Toxics Assessment Project study is provided as background information in the Draft and Final Environmental Impact Statements, but the study itself is not relevant to the type of analysis done pursuant to the Federal Highway Administration’s interim mobile source air toxics guidance, which is an emissions analysis. Monitored ambient concentrations of mobile source air toxics (the focus of the Joint Air Toxics Assessment Project) do not inform this type of analysis. While monitoring data can be useful for defining current conditions in the affected environment (to the extent that the monitoring data are current), they don’t tell us anything about future conditions, or the impacts of the project itself, which is why an emissions analysis was performed. The mobile source air toxic analysis presented beginning on page 4-78 of the Final Environmental Impact Statement is an estimated inventory of mobile source air toxic emissions for the entire Study Area for 2025 and 2035. This approach was used because the inventory estimate accounts for changes in traffic and emissions on all roadways affected by a proposed project, and will, therefore, be a more reliable predictor of changes in exposure to mobile source air toxics. The U.S. Environmental Protection Agency’s published Integrated Risk Information System cancer risk values are believed to include uncertainty spanning an order of magnitude (factor of 10) (see <epa.gov/iris/help_ques.htm#rfd>).
13	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1MS. TACALLA: Good morning. My name is</div><div>2Roberta Tacalla. I come to tell you guys that, you know,</div><div>3I'm against this freeway.</div><div>4AUDIENCE MEMBER: Can't hear you.</div><div>5MS. TACALLA: One of the main reasons --</div><div>6AUDIENCE MEMBER: Roberta, pull it down, the</div><div>7mic.</div><div>8MS. TACALLA: Can you guys hear me now.</div><div>9AUDIENCE MEMBER: Yeah.</div><div>10MS. TACALLA: My name is Roberta Tacalla,</div><div>11and I'm a Tohono O'odham, and I come from the Village of</div><div>12Santa Rosa, but I was born and raised here in -- well,</div><div>13born and raised in Phoenix but grew up in Sacaton.</div><div>14I'm familiar with this area because of the</div><div>15O'odham territory that extends within the boundaries</div><div>16beyond -- if you were to -- you know, if you were to take</div><div>17away the boundaries, this land would expand all the way</div><div>18into Phoenix.</div><div>19But I'm against this freeway just because of</div><div>20the fact of how many times have we seen so many drug</div><div>21cartels coming through from Tucson to Phoenix? It opens</div><div>22the door again to our families, the violence, the crimes,</div><div>23the pollutions.</div><div>24And I'm against this. I'm against this</div><div>25because I have -- standing here is my grandchild, which is</div></div><div><div>1</div><div>2</div></div><div>Page 63</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response
1	Crime	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	

Code	Comment Document
	<div><div><div>21</div><div>2</div></div><div><div>1</div><div>2</div></div></div> <div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>from this district. And it means a lot for me to -- to represent and be strong for him. I'm his voice. And many others within my family -- I have four grandchildren. I have a mother that lives here in this community but not in this particular one. She's from District 4. And so I come up here, again, it's because I want you guys to think about the pollution, the crime, the statistics that are not in that book. I haven't read through it, but at the same time, I'm hearing stories, and I see it. I see it firsthand coming from Tucson. I see what this -- this drug cartel has done. And this opens the door from their end all the way up to Canada. And a lot of people don't know that. I come straight from the border, and I see this every day and what it's doing to my community, the pollution. I mean, you guys may sit there and not think about the negative. But there are negatives. And, again, I come because I want you guys to understand that my children are being affected and what this, our land, our elders have always said; do not sell your land. And this is the land that we have, what little we have. We have politicians in here. We have government in here. They need to -- they need to understand for their people and what this means to their</div>

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Code	Issue	Response

Code	Comment Document
	<div><div><div>1 generations in due time. And for me, land. There's no</div><div>2 money in the world that will ever buy this land. None.</div><div>3 And I want you guys to understand, as well as the State.</div><div>4 I am State employee. And I know what you</div><div>5 guys do. I've been there. In fact, I work for the</div><div>6 Department of Revenue. I'm an auditor. So I see the</div><div>7 money that's coming into this. But, again, this is my</div><div>8 children. This is my future. My legacy. And I want the</div><div>9 community out there to understand that -- the negatives,</div><div>10 because if you guys haven't and you guys think that you</div><div>11 can brush it away, it will come, but, again, our elders</div><div>12 did say never sell this land.</div><div>13 Thank you.</div><div>14 MS. KISTO: Thank you, Ms. Tacalla.</div><div>15 And next we'll have Renee come up and give</div><div>16 her public comment.</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div><div><div>Page 65</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div></div>

Code	Issue	Response

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Health Effects	
4	Alternatives, Environmentally Preferable Alternative	
5	Alternatives, Nonfreeway Alternatives	

Code	Comment Document
1	<div>1MR. TASHQUINTH: (Speaking in native</div> <div>2language.)</div> <div>3Good afternoon. I welcome you from ADOT or</div> <div>4from the State or wherever you come from. I welcome you</div> <div>5to the land of our people, the Akimel O'odham and the</div> <div>6Pee-Posh. You are guests here. You have come to our</div> <div>7lands again to bring this EIS study. We have told you --</div> <div>8in this district, District 6, we have told you no.</div> <div>9You come here, and you want to talk of this,</div> <div>10and those mountains are already marked up. That's what</div> <div>11you do all the time. You say you want to come smoke the</div> <div>12pipe, sit down and talk, let us hear what you have to say.</div> <div>13But you don't want to hear what we have to say.</div> <div>14We have been here for thousands and</div> <div>15thousands of years. Our grandfathers, our</div> <div>16great-grandfathers helped all of the American settlers</div> <div>17coming through here, from the time the Spanish came, to</div> <div>18the Mexicans, and to the Americans. Chief Antonio Azul</div> <div>19made a handshake deal with the lieutenant that came</div> <div>20through here. He asked to hold our horses. He did it.</div> <div>21The Spanish government didn't like it. They came up and</div> <div>22demanded those horses. Antonio Azul said no. I made a</div> <div>23handshake. I made a man's promise. I'm keeping them. If</div> <div>24you want them, come and take them. He had over a thousand</div> <div>25warriors dressed and painted and ready for a fight.</div> <div>Page 50</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1	Alternatives, Gila River Indian Community No-Build Referendum	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>After that time, our allegiance and our loyalty no longer belonged to the Spanish Government or to the Mexican Government. We gave our loyalty and our allegiance to the American Government. We protected you. We helped your 49ers cross through here. Mercy patrols ran through the desert looking for your people because they were lost. We protected Phoenix. We protected everywhere from the Apaches and the Mojaves and the Yumas, all of the war-like tribes. We protected you. We took care of you.</div> <div>And yet you come here. You want to know what we said? All the people that walked in with me? We all say no build. We all say we don't want that through here. You walk out that door. Look around. Look around. Look around from Muhadagi Do'ag to the Estrellas. We live in a bowl. If you put that freeway through here, you're going to kill us off.</div> <div>You better make sure that what you're writing down right now, you write down this. The State of Arizona will exterminate the Gila River Indian Community. The State of Arizona and the federal government will exterminate a tribe, an indigenous people, people that have been here for thousands of years and have taken care of you. And this is how you repay us.</div> <div>We never went to war with you. We never</div>
	<div>Page 51</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
2	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<div><p>1 signed a treaty with you. We gave you our word. We gave</p><p>2 you our promise. Many of our grandfathers and</p><p>3 great-grandfathers served in the service, whether they</p><p>4 were in the Army, the Navy, the Marines, the Air Force.</p><p>5 They joined up. They fought alongside many of them, the</p><p>6 black, the white, Mexicans, Chinese, Japanese, all the</p><p>7 other peoples. And yet you treat us like this. You</p><p>8 disrespect us like this.</p><p>9 We already have a resolution that says no</p><p>10 build. Our council representatives, our governor, our</p><p>11 lieutenant governor, the newly elected ones and all those</p><p>12 past and present. That's us. We are the people. We have</p><p>13 spoken in that vote. 720 people have spoken and said no</p><p>14 build.</p><p>15 And yet you don't listen to us. You don't</p><p>16 hear us. You don't care about us. You want to eradicate</p><p>17 us. You want to exterminate us.</p><p>18 My question is why? Your Christian God</p><p>19 tells you to love one another. Your Christian Bible tells</p><p>20 you to take care of your brothers and sisters, not to</p><p>21 steal, not to lie, not to cheat, not to covet your</p><p>22 neighbor's lands and goods. And yet here you are, coming</p><p>23 back to us when we, the people, the Akimel O'odham and the</p><p>24 Pee-Posh people, have told you and told you, especially</p><p>25 here at District 6.</p></div> <div><p>Page 52</p><p>Driver and Nix Court Reporters - (602) 266-6525</p><p>www.drivernix.com</p></div>

Code	Issue	Response

Code	Comment Document
1	<div><p>1 We will continue. We will always say no</p><p>2 build. We don't want it. We are a sovereign nation. We</p><p>3 are a sovereign people. That sovereignty was given to us</p><p>4 by your government as a federally recognized tribe. You</p><p>5 disrespect your federal government. You disrespect us as</p><p>6 a people.</p><p>7 What's wrong? Are you greedy? Is it true</p><p>8 that the white man is the devil? Did you come here to</p><p>9 want to steal our lands? You bring other people to come</p><p>10 and try to get our people to sell the land?</p><p>11 I grew up always understanding. I grew up</p><p>12 hearing from the old people, the Kukuert, you never sell</p><p>13 the land. The land doesn't belong to you. Elder Brother</p><p>14 gave us his land to take care of, to live with it, to be</p><p>15 here for us. If we understand and you understand, we take</p><p>16 care of this land, this land will take care of us, because</p><p>17 it has always done that for thousands and thousands of</p><p>18 years.</p><p>19 But if you want to kill us off, you make</p><p>20 sure you make the history books right. You make sure you</p><p>21 write it in your history books that you, the American</p><p>22 Government, you, the State of Arizona, you who are not in</p><p>23 this, who are not Native Americans, who are not indigenous</p><p>24 people, you're the ones that got rid of us, because all</p><p>25 the other tribes that are out there will remember us, and</p></div> <div><p>Page 53</p><p>Driver and Nix Court Reporters - (602) 266-6525</p><p>www.drivernix.com</p></div>

Code	Issue	Response

Code	Comment Document
1	<div>1 they will put it in their stories and their songs, and</div> <div>2 they will sing about what we used to be and how we were at</div> <div>3 one time.</div> <div>4 All of the people that walked in here with</div> <div>5 me, we have always said that.</div> <div>6 Everybody, what do we say? No build.</div> <div>7 AUDIENCE MEMBERS: No build.</div> <div>8 MR. TASHQUINTH: What do you say.</div> <div>9 AUDIENCE MEMBERS: No build.</div> <div>10 MR. TASHQUINTH: What do you say.</div> <div>11 AUDIENCE MEMBERS: No build.</div> <div>12 MR. TASHQUINTH: Who are you.</div> <div>13 AUDIENCE MEMBERS: Akimel O'odham.</div> <div>14 Pee-Posh.</div> <div>15 MR. TASHQUINTH: Who are you.</div> <div>16 AUDIENCE MEMBERS: Akimel O'odham.</div> <div>17 Pee-Posh.</div> <div>18 MR. TASHQUINTH: There you go. We're Akimel</div> <div>19 O'odham and Pee-Posh. That's who we are. Write that</div> <div>20 down, that all the people that are here are Akimel O'odham</div> <div>21 and Pee-Posh. And if there are other tribes that are here</div> <div>22 or if there are any other supporters that are here with</div> <div>23 us, then they back us up and support us, because we are</div> <div>24 people. We are the children of God.</div> <div>25 That's all I have to say. Right now.</div> <div>Page 54</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response

Code Comment Document

1 And I want to be able to have someone read
2 to me what's being said. Because I know you are only
3 going to print lies and half-truths, only what you want to
4 hear, because that was what was in that EIS. I had it
5 read to me. It had nothing to do with us. You disrespect
6 us. You dishonor us.

7 Well, you know what? Understand this. If
8 it comes down to a fight, we will fight. If we have to go
9 through the legal court system, we will get through the
10 legal court system. But if it comes down to a fight, I
11 guarantee you, children, you, adults, elders, we will all
12 stand at that northern border, and we will stop you. We
13 will lay down our lives, because we know if we die, we
14 will be there in our Heaven, because that is the home of
15 Elder Brother, our creator.

16 Write this down and listen to all the people
17 here. We have all said no build. Listen to us. We are
18 Akimel O'odham and Pee-Posh.

19 Thank you.

20 MS. KISTO: Thank you for your comment,
21 Mr. Tashquinth.

22 Ms. Spring will be up next to provide her
23 comment as well.

24

25

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Code	Issue	Response

Code	Comment Document
	<div>10-27-14</div> <div>Estrella Elementary Kyrene School District 2620 E. Liberty Lane Phoenix, AZ 85048</div> <div>ADOT 205 S. 17th Ave. MD: 612E Phoenix, AZ 85007</div> <div>To Whom it may Concern:</div> <div><div>1</div><div>My name is Caelum Terrell. I'm 10 years old and my home happens to be one of the houses getting crushed in order to make a highway.</div></div> <div><div>2</div><div>I am concerned about the new highway. I have many friends that live in the same neighborhood. We get to play football and ride our bikes together. We will no longer get to play together if the highway is placed. This is a great lovely neighborhood that I feel loved and safe in. I know almost all of my neighbors on the entire street. I am lucky to have such a nice place to live. Not only are we losing special neighbors, but my school will face hardships also.</div></div> <div><div>3</div><div>There are many children that live on my street and we will all be effected by this. We live within walking distance to the school. If the highway is placed we have the chance of losing many students that attened our school, including myself. Our school will also be distracted by all the noise the cars will make. It's a great school to learn at and I'm happy to be there. With being further away, we will have a harder time to get there in time for our classes.</div></div> <div><div>4</div><div>I hope you can change your mind and not make the highway. It will make many people that go to Estrella happy and cheerful. Just to say, you'll change people's frowns upside down if you change your mind and not make the highway. Thank you for your time.</div></div> <div>Sincerely,</div> <div>Caelum Terrell</div>

Code	Issue	Response
1	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Community Impacts	
3	Noise	
4	Alternatives, No-Action Alternative	

Code	Comment	Document
	<p>From: Lisa Thomas [mailto:lthomas@cranialtech.com] Sent: Tuesday, November 18, 2014 6:47 AM To: Projects Subject: South Mountain Freeway</p> <p>To whom it may concern:</p> <p>As a mother to a young child, an avid outdoor enthusiast, and a 20 year resident of Ahwatukee I implore you to stop any consideration for the South Mountain Freeway.</p> <p>This would have a DEVASTATING effect on our quality of life and the health of our citizens. For one, the layout of our community does not allow for the increased pollution that this freeway would create. I am also incredibly concerned about the increased crime this would bring with the free access to our community. We did not move to Ahwatukee for the "convenience" of our commute. We all knew what we were getting into when we purchased our homes. We live here for the beauty that surrounds us (which you want to plow through), and the sense of community. This freeway would change all of that!! It would change the entire "hometown" feel we have.</p> <p>I envisioned my child growing up in Ahwatukee. We love our neighbors, we love our school, and we have made a wonderful life for ourselves. If this freeway is built, I do not see a future in Ahwatukee. I know many other residents will feel the same way.</p> <p>What message does this send to our children? That it's ok to destroy our wonderful community they call home, and destroy the environment all for the sake of someone saving a few extra minutes to get to work? Unacceptable!!</p> <p>It's time for our residents to band together and let our voices be heard. We cannot allow others with no ties to Ahwatukee to dictate what happens to our town.</p> <p>Rise up fellow Ahwatukee residents!! Our community and future relies on us!!</p> <p>Lisa Thomas</p>	
	<p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>	

Code	Issue	Response
1	Community Impacts	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Health Effects	
3	Air Quality	
4	Crime	
5	Freeway Awareness	
6	Alternatives, Environmentally Preferable Alternative	
7	Alternatives, No-Action Alternative	

Code	Comment Document
	<div><div><div><div>1</div><div>2</div><div>3</div><div>4</div></div></div><div><div><div><div>From: Rusty Crerand</div><div>Sent: Monday, December 01, 2014 7:54 AM</div><div>To: Projects</div><div>Subject: Loop 202 South Mt. Feedback from Envoy #1433267058</div></div></div><div><div><div>11/28/2014 6:22:29 PM</div><div>Please let me know if this is not the correct contact method to provide my public feedback.</div></div><div><div>Just to make my objection to south mountain freeway official- see following three reasons:</div><div><div>1) The proposition that originally passed did not provide the approval for the size of freeway project currently proposed. Property was purchased with this limitation in mind.</div><div>2) Scope of project study by ADOT was too limited - stopped at Pecos road border. (e.g. did not look at city of Maricopa area where growth is needed, or even broader range for solution (see below).</div><div>3) Lastly, if the true purpose is to bypass traffic around Phoenix, turn highway 85 into interstate infrastructure connecting I-8 to I-10 on west side.</div></div><div><div>I appreciate any response to these items.</div><div><div>--Tom Tillery</div><div>tilleryt@gmail.com</div></div><div><div>Rusty Crerand</div><div>Constituent Services Officer</div><div>206 S. 17th Ave.</div><div>MD 118A Room 101</div><div>Phoenix, AZ 85007</div><div>602.712.7856</div><div>dcrerand@azdot.gov</div></div><div><div><div><div>ADOT</div><div>Communications</div></div></div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div></div></div></div>

Code	Issue	Response
1	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, Range of Reasonable Alternatives	
3	Purpose and Need, Truck Bypass	
4	Alternatives	The Interstate 8/State Route 85 Alternative is in place today and will be in place in the future as an alternative route for motorists to use to bypass the entire Phoenix metropolitan area. The alternative serves that purpose, but provides no benefits to support regional travel within the Phoenix metropolitan area. For this reason, it was eliminated from further study.

Code	Comment Document
	<p>From: There Tom [mailto:tctomlin13@gmail.com] Sent: Thursday, November 13, 2014 8:36 PM To: Projects Cc: theresa tomlinson Subject: Proposed Loop 202 extension 60-day Final EIS comments</p> <p>Hello, I would like to make a comment during the 60-day Final EIS review period. First, I am new to Phoenix and Ahwatukee. While it was disclosed during the purchase of my home this year near 17th and Pecos, I was told often it would never come to fruition. It appears they were wrong. My concerns/comments are:</p> <p>1.) I return from work via 202W at Kyrene. It is already an interesting time to get over to the far left lanes and out of the I10 West and East exit lanes. I am guessing this will be worse by 10 fold. Are there plans to ensure cars entering at Kyrene heading west have enough time to get to the pecos/202 west bound lanes?</p> <p>2.) Will there be a frontage (service type) road along the stretch between 50th to 16th east and west bound? I think local traffic needs a frontage road.</p> <p>3.) There was a tragic bicycle accident at Pecos and 17th this week. This area is such a great place to bike and walk but as we saw on Monday it is very dangerous. This seems like a great opportunity to develop a bike and walker only area where traffic never crosses paths with bikers and walkers. It could extend from I10 intersection, old pecos road to 51st street. Key would be to ensure bikers never have to intersect with traffic. I am hoping this could be consider and added to the plans. I came from Albuquerque and they have a great path along the bosque where bikes and walkers use underpasses and never cross with vehicles. It is 30miles round trip and is the safest place to bike.</p> <p>4.) I think we need sound barriers throughout the route. Traffic noise will be easily carried up into the neighborhoods.</p> <p>Thank you for time, Theresa Tomlinson</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Freeway Awareness	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Design	No additional improvements along State Route 202L (Santan Freeway) are proposed as part of this project.
3	Design	No frontage roads are proposed along the freeway between 59th Street and 16th Street.
4	Design	The study has considered concepts for parallel multiuse paths; however, the main line of the freeway will not have a bicycle route as part of the design. The design of the traffic interchanges includes provisions for pedestrian and bicycle movement in accordance with current design guidelines and regulations. While not currently included, enhancements such as pedestrian bridges or multiuse paths may be added as a separate project by the City of Phoenix (see page 3-60 of the Final Environmental Impact Statement). The cost and maintenance of these enhancements would be the responsibility of the City of Phoenix.
5	Noise	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div></div><div><p>From: Laurie Trigilio [mailto:laurietrigilio@gmail.com] Sent: Tuesday, November 18, 2014 5:51 PM To: Projects Subject: Freeway at Pecos - please don't do it!</p><p>We have lived in Ahwatukee for 28 years and are very very concerned about the freeway you plan to place at Pecos. We avoided living in downtown Phx because of the pollution even though we worked there and loved the areas and here we will be facing worse pollution. In addition to the dangerous pollution it will create, it will take away the peace and natural beauty of nature and replace it with loud traffic and concrete. Not only will the quality of our lives decrease but our income as house sales will take a drastic dive. Please do not destroy more of our precious land with freeways!</p><p>A concerned taxpayer and Phoenix resident, Laurie Trigilio</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Noise	
4	Community Impacts	
5	Economics, Socioeconomics	

Code Comment Document

From: Eric Vannerson [mailto:ericvann@cox.net]
Sent: Thursday, November 13, 2014 6:45 PM
To: Projects
Subject: South Mountain Freeway

My wife and I own a home about half a mile north of the proposed route of the South Mountain Freeway. Naturally we believe that the costs of the project to us personally greatly exceed the benefits, but we realize that the decision to build or not must be made from a more global perspective. After a bit of research, I believe that the project cannot deliver benefits to the region commensurate with its enormous costs. See for example this comment from the Arizona Public Interest Research Group (PIRG):

1

2

3

Americans have cut back on driving for nine years in a row. So why does the U.S. Department of Transportation (DOT) keep projecting rapid increases in driving? The DOT has overestimated how much Americans drive for 61 consecutive forecasts, resulting in **billions of dollars being wasted on unneeded new highways, and lagging investment in transit and maintenance.** As the DOT updates their next forecast, **we need to tell them to get it right.** **Tell the U.S. Department of Transportation to stop their bad driving forecasts, which lead to unneeded highways and underfunded transit.**

How wrong has the agency been? The total vehicle miles Americans have driven hasn't increased by even one percent in any year since 2004. Yet the agency officially forecasts that driving miles will increase much faster than that every year through at least 2030. Why? They don't say.

In the 61 forecasts released by the DOT since 1999, actual driving totals have come far below forecasts every single time. This year's forecast was bizarrely even wrong about the past, projecting that Americans drove five percent more in 2012 than they actually did. **The highway lobby loves it.** But transportation tax dollars should match how we actually get around — and right now, that means new rail and bus routes or improved paths for bicycles and pedestrians, and maintaining and repairing our existing roads and bridges. Alternative kinds of travel are growing increasingly popular, especially among the Millennials — who will be the chief users of our future transportation system.

Tell the DOT to stop ignoring the continuing trend of declining driving, and to get their travel forecast right.

To be fair, the forecasters at the DOT aren't the only ones to blame. State governments make bad forecasts too, and when the feds aggregate them together, it's a case of garbage in, garbage out. Nevertheless, it's time for the DOT to start making good forecasts, instead of just relying on state projections stuck on cruise control in the past. That way, we can get the investments in 21st century transportation that we need.

Eric Vannerson
 Marie-Luise Vannerson
 3413 E Wildwood Dr
 Phoenix, AZ 85048

Code	Issue	Response
1	Project Costs, Total Cost	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Alternatives, No-Action Alternatives	
3	Purpose and Need, Old Plan or Use of Old Data	

Code	Comment Document
	<div><div>1</div><div><p>From: Marcus Varner [mailto:cloudhaste@gmail.com] Sent: Thursday, October 30, 2014 1:48 PM To: Projects Subject: 202 South Mtn Fwy</p><p>Mailing in as another voice in opposition to the South Mountain Freeway. Please desist in your action. Cancel the project.</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<p>From: DJENTRIFICATION ,PHX [mailto:alexvotichenko@gmail.com] Sent: Tuesday, November 25, 2014 4:15 PM To: Projects Subject: South Mountain</p> <p>Im a longtime resident (born in the valley) I implore you to let go of the proposed South Mountain freeway idea as I believe it will hurt local business image here in the valley (I run a local tour for visitors) thank you ! Alex Votichenko</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1	Purpose and Need, Lack of Support	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p> <p>Most businesses will benefit from improved mobility and access that the freeway will provide.</p>

Code	Comment Document
1	<p>From: Nindi Wadhwa [mailto:nindiw@gmail.com] Sent: Tuesday, October 14, 2014 6:40 PM To: Projects Subject: Loop 202 South Mountain</p> <p>To whom it may concern.</p> <p>As a Laveen resident and business owner, I fully support the building of the Loop 202 South Mountain. It will help relieve congestion down Baseline during the morning hours and during the evening rush hours. It will also bring a much needed link to Laveen to continue its growth.</p> <p>Sincerely,</p> <p>Nindi Wadhwa</p> <hr/> <p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p>

Code	Issue	Response
1		Comment noted.

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Temporary Construction Impacts	The freeway construction staging plan for the area along Pecos Road will allow for keeping east–west travel open during construction. One side of the freeway will be constructed while traffic remains on Pecos Road. When complete, traffic will be shifted from Pecos Road to the new freeway. At that time, the other side of the freeway will be built. Therefore, traffic will be able to continue to operate as it currently does during construction. However, temporary detours may be needed during construction. (See Final Environmental Impact Statement page 3-57.)
3	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Noise	
5	Visual Resources	Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.
6	Traffic	The determination to not include an interchange at 32nd Street or 27th Avenue was made in coordination with the City of Phoenix (see Figure 3-8 on page 3-15 of the Final Environmental Impact Statement). The interchanges would have displaced more than 100 homes each. The City of Phoenix recommended that, based on these impacts, the interchange be removed from the study. In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system, including the elimination of the interchanges at 32nd Street and 27th Avenue. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).
7	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
8	Purpose and Need	Chapter 1 of the Final Environmental Impact Statement discloses the purpose and need for the proposed action. The analyses results disclose existing and future capacity deficiencies throughout the regional system including, as noted in the comment, at the Broadway Curve. The transportation problem identified specific to the purpose and need relates to east–west regional mobility in the southwest valley unique from the Broadway Curve. While the Final Environmental Impact Statement further discloses the freeway will help reduce congestion at the Broadway Curve, improvements to Interstate 10 through the curve are a part of another planned project adopted in the region’s <i>Regional Transportation Plan</i> .
9	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document										
<div>1</div>	<div> <div>CONTACT RECORD</div> <div>SOUTH MOUNTAIN FREEWAY</div> <table> <tr> <td data-bbox="376 485 860 554"> INCOMING CALL DATE: 11/6/14 </td><td data-bbox="860 485 1345 554"> INCOMING CALL TIME: 4:02 PM </td></tr> <tr> <td data-bbox="376 554 860 600"> STAKEHOLDER: BOB WALKNEET </td><td data-bbox="860 554 1345 600"> ADDRESS: </td></tr> <tr> <td data-bbox="376 600 860 649"> PHONE: </td><td data-bbox="860 600 1345 649"> EMAIL: </td></tr> <tr> <td colspan="2" data-bbox="376 649 1345 679">CONTACT METHOD:</td></tr> <tr> <td colspan="2" data-bbox="376 679 1345 905"> <div>REMARKS/QUESTIONS:</div> <div> Wants compensation for highway coming right up to his back yard Left no phone number. </div> </td></tr> </table> </div>	INCOMING CALL DATE: 11/6/14	INCOMING CALL TIME: 4:02 PM	STAKEHOLDER: BOB WALKNEET	ADDRESS:	PHONE:	EMAIL:	CONTACT METHOD:		<div>REMARKS/QUESTIONS:</div> <div> Wants compensation for highway coming right up to his back yard Left no phone number. </div>	
INCOMING CALL DATE: 11/6/14	INCOMING CALL TIME: 4:02 PM										
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CONTACT METHOD:											
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Code	Issue	Response
1	Acquisitions and Relocations	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
1	<div><p>1 MS. WEBB: Well, good morning, all. We all</p><p>2 heard -- well, we all heard the voice of our elders and</p><p>3 people -- people older than me. And I am a child of</p><p>4 District 6 community, 13 years old.</p><p>5 And -- well, I'd like to say the -- even if</p><p>6 it's on or off the reservation, the pollution, the air and</p><p>7 everything is going to come towards us. And I myself --</p><p>8 and we like being -- I like being outside. I like taking</p><p>9 walks every day. I wake up every morning to get ready for</p><p>10 school. I look up to the mountains, and I pray every</p><p>11 morning, once I get up, to have a good day.</p><p>12 And I hear other teenagers talking about</p><p>13 going out and leaving their families. Now, even if it's</p><p>14 on or off, the bus route still goes through here, so</p><p>15 they'll have a bus that takes probably close to -- close</p><p>16 to the freeway. And they might go out, get into trouble,</p><p>17 do something bad for themselves, which causes probably</p><p>18 more trouble for teenagers nowadays. They may want to go</p><p>19 out and do whatever.</p><p>20 But -- yeah. And I just wanted to come up</p><p>21 to say I listened to all you -- all -- everyone who speak,</p><p>22 I listened to all your comments. And it just gave me the</p><p>23 courage to come up here and say what I wanted to say. If</p><p>24 I were to legally vote, I would vote no. But now we have</p><p>25 no choice. The choices already have been made. And if we</p></div> <div>Page 90</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternative, No-Action Alternative	

Code	Comment Document
2	<div><div>1 all had a choice, we'd probably all vote no. Everyone</div><div>2 standing would say no, when, before, we could have all had</div><div>3 a choice. But we all weren't here to make the decisions.</div><div>4 And -- and -- yeah. That's all I have to</div><div>5 say.</div><div>6 MS. KISTO: Thank you, Ms. Webb.</div><div>7 Next we'll have Darius Enos. Come on up.</div><div>8</div><div>9</div><div>10</div><div>11</div><div>12</div><div>13</div><div>14</div><div>15</div><div>16</div><div>17</div><div>18</div><div>19</div><div>20</div><div>21</div><div>22</div><div>23</div><div>24</div><div>25</div></div> <div>Page 91</div> <div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div></div><div><p>-----Original Message----- From: James [mailto:jameswedell@gmail.com] Sent: Wednesday, November 19, 2014 8:47 AM To: Projects Subject: South Mountain Freeway</p><p>Do not build the South Mountain Freeway. Pollution will increase and air quality will decrease near many schools and neighborhoods. Outdated studies by ADOT are being used to show population and traffic trends. Countless animal habitats will be disrupted, beautiful natural scenery will be destroyed, South Mountain Preserve will be demolished in several areas. How can building this freeway be the right thing to do?</p><p>DO NOT BUILD THE SOUTH MOUNTAIN FREEWAY.</p><p>Thank you, James Wedell</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Purpose and Need, Old Plan or Use of Old Data	
3	Biology, Plants, and Wildlife	
4	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
5	Alternatives, No-Action Alternative	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div></div><div><div>5</div><div>6</div></div></div> <div><div><div><div>From:</div><div>Ray Wells [mailto:rwells26@cox.net]</div></div><div><div>Sent:</div><div>Saturday, November 22, 2014 2:58 PM</div></div><div><div>To:</div><div>Projects</div></div><div><div>Subject:</div><div>Concerns with proposed south mountain route</div></div></div><div><p>I have been a homeowner in Ahwatukee since 1986. I have grown children who also own homes in Ahwatukee. We love the clean air, quiet nights and panoramic views, all of which would vanish if the 202 were extended. Health issues and diminished home values would also be major concerns. Please reconsider the Pecos route for the extended 202.</p><p>Thanks for your consideration, Ray Wells</p></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Noise	
3	Visual Resources	Page 4-170 in the Final Environmental Impact Statement lists measures that should help to avoid, reduce, or mitigate aesthetic impacts. Larger saguaro cacti, mature trees, and large shrubs that will likely survive the transplanting and sitting-in period will help in visually sensitive or critical roadway areas.
4	Health Effects	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Economics, Socioeconomics	
6	Alternatives, No-Action Alternative	

Code	Comment Document
	<div data-bbox="205 526 257 584"><div>1</div></div> <div data-bbox="428 352 1292 842"><hr/><p>From: wikt@engineering-arts.com [mailto:wikt@engineering-arts.com] Sent: Tuesday, November 25, 2014 6:38 AM To: Projects Subject: South Mountain Freeway</p><p>I am writing in support of the South Mountain Freeway. Phoenix is one of the fastest growing cities in America. The South Mountain Freeway will help sustain that growth. The South Mountain Freeway is the missing link in the region's freeway system. It will help connect the east and west valleys. It will also help shunt interstate traffic, including trucks, away from the heart of the city and help relieve traffic congestion in that area. Compared to surface streets, freeways are many times more effective at moving large volumes of traffic.</p><p>Peter Wiktor</p><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div>

Code	Issue	Response
1		Comment noted.

Code	Comment Document
1	<div>1MR. WILLIAMS: Good morning.</div> <div>2It's kind of difficult to even try to say</div> <div>3what you really want to feel because it's already</div> <div>4happening. They're at the final stages of what we're</div> <div>5looking at that's going to be your future, or our kids'</div> <div>6future, the grandkids.</div> <div>7The problem I'm having here with -- is</div> <div>8dealing with what we're going to look at as far as</div> <div>9preservation of the area that is going to be cut on along</div> <div>10the mountain range, as well as what they call the common</div> <div>11point. The common point involves some tribe -- allotted</div> <div>12land on District 7. And the way you saw the aerial video</div> <div>13kind of gives you an impression that the cloverleaf is an</div> <div>14expanded cloverleaf that's going to be broadened out and is</div> <div>15going to take quite a bit of acreage. Now, what is the</div> <div>16compensation here if there's any? Do we know? Does</div> <div>17anyone know?</div> <div>18See, the other thing is when you look at</div> <div>19that, you also look at -- because the common point or --</div> <div>20the common point is right at Elliot and 59th Avenue. If</div> <div>21you go from there all the way to 51st Avenue, we're just</div> <div>22below the entryway of the casino. In that area there</div> <div>23south of -- west of that 51st Avenue is also allotted</div> <div>24land.</div> <div>25Now -- you know, you -- you -- I don't -- I</div>
	<div>Page 18</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Acquisitions and Relocations	

Code	Comment Document
3	<div>1 really don't favor that. I really don't favor what's</div> <div>2 going on right now. But it's not on our land. But we do</div> <div>3 have some tribal antiquities up there. My question is,</div> <div>4 too, is how far did they look into the archaeological</div> <div>5 study to develop the EIS beyond the area of the -- where</div> <div>6 they say the road is going to be built? How far into the</div> <div>7 mountain did they look? How far into the mountain did</div> <div>8 they say that they looked to say that there was no tribal</div> <div>9 antiquities of any sort, pictographs, what have you?</div> <div>10 Well, we only know of one is what has</div> <div>11 already been identified by our elders. Okay? But what</div> <div>12 extent beyond that?</div> <div>13 Now, they talk about showing those</div> <div>14 rattlesnake or snake whatever. The thing of it is, what</div> <div>15 other animals did they look at? They always look at that</div> <div>16 as like it's a protected snake. Well, I think -- and I</div> <div>17 believe you'll follow my -- my point here is that all</div> <div>18 animals that -- as natives, are God's creatures. And they</div> <div>19 are protected. We only use them when we're in need of</div> <div>20 them. That's why they're put there.</div> <div>21 So what real designs are we going to really</div> <div>22 look at of the highway that goes through the mountain? Do</div> <div>23 we know? Does the council know? Does our new elected</div> <div>24 governor know? Does the lawyers know? We won't know</div> <div>25 until way later.</div> <div>Page 19</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
3	Cultural Resources	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Biology, Plants, and Wildlife	
5	Design	
		The preliminary design of the freeway through the mountains is shown in Figure 3-25 on page 3-47 of the Final Environmental Impact Statement. Additionally, photo simulations and cross sections of the cuts through the mountains are shown on Figures 5-9 and 5-10, on pages 5-16 and 5-17, respectively.

Code Comment Document

6
7
1 But the thing of it is, you have to consider
2 the fact that it's here. But the thing of it is, we do
3 need to look at and be concerned about it. These are the
4 issues that impact not only our environment, not only our
5 air, not only our area, but also other things that are on
6 the side, like the compensation of each of the areas that
7 involve allotted lands or tribal lands. What are they
8 doing? What is that all about? I have no clue. Do any
9 one of you do?

4 3
10 So I'm really not in favor of it, of this
11 going -- even though it's off our reservation, it still
12 impacts us. But the thing about this all is that we're at
13 this final stage. And my comment is to say to you that we
14 need to be more vigilant as far as what needs to come to
15 pass to protect our animals, to protect our artifacts and
16 antiquities, pictographs, whatever on that mountain, and
17 be well aware of it and continue to drive the forces that
18 gives you to say that we are Native Americans of this land
19 and that we protect our own land and that we carry on from
20 there.

21 That sounded good, didn't it?

22 Anyway, these are things that we are -- need
23 to be concerned of. It is here. And I -- you know what?
24 I'm going back to the common point. Common point at
25 the -- at the Elliot and 59th Avenue area. If anybody

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Code	Issue	Response
6	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Acquisitions and Relocations	The freeway will not be on Gila River Indian Community land.

Code	Comment Document
	<div><div>7</div><div>8</div><div>4</div></div> <div><div><div>1 knows that area, is really -- one side is non --</div><div>2 nonmember, and then the other side is the tribal land, or</div><div>3 the reservation. With one side, there's, you know, the</div><div>4 family place there. There's two of them, really, along</div><div>5 the ditch line.</div><div>6 And when you see that aerial thing there,</div><div>7 it's like if they're going to cut into those people's</div><div>8 lands, and I bet you ten to one they get tons of bucks</div><div>9 before we get a dime out of our allotted land, you know.</div><div>10 But what do I know?</div><div>11 But my question is why didn't they make the</div><div>12 common point at Baseline at -- what is it? 59th -- about</div><div>13 59 to 67th Avenue? You know, why wasn't the common point</div><div>14 there at 59th? But when I looked at the drawing and I see</div><div>15 where that all kind of points into where it is right now.</div><div>16 Anyway, that is my comment. And that is my</div><div>17 input to you. But I would like to encourage you and</div><div>18 emphasize the fact that we do need to be vigilant in</div><div>19 trying to make sure that they follow the -- whatever it is</div><div>20 after this, you know, aggressively so that -- make sure</div><div>21 that we protect ourselves and the animals that we have on</div><div>22 our reservation. Okay?</div><div>23 Thank you very much. Appreciate that.</div><div>24 MS. KISTO: Thank you, Mr. Williams.</div><div>25 Is there anyone else that would like to</div></div><div><div>Page 21</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div></div>

Code	Issue	Response
8	Alternatives	The common point is described in a text box on page 3-8 of the Final Environmental Impact Statement. It is merely the point that divides the Western and Eastern Sections of the Study Area. The common point between the Western and Eastern Sections permits combining action alternatives in the Western Section with action alternatives in the Eastern Section to best satisfy the purpose and need of the proposed action. Dividing the Study Area into two sections also allows for more specific comparative impact analyses among the alternatives.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div></div><div><p>-----Original Message----- From: Mark Wilson [mailto:mdwils3@gmail.com] Sent: Tuesday, November 25, 2014 11:46 PM To: Projects Subject: 202 so mtn loop</p><p>Sirs - a poorly planned, unfunded 'master plan' from 30 years ago is a ridiculous undertaking given current facts. 1-state budget soon to have severe deficit due to non payment of court ordered education funding and 2- prelim EIS showed serious flaws which our own EPA was kind enough to point out. In short, they called your 'analysis' or 'study' vastly lacking. And demanded more complete data. How can u possibly issue a Final EIS given their current misgivings? Its a truck bypass, and everybody not associated (or paid off) by ADOT knows it. Swallow your foolish pride, admit the same, and move on. Dont wreck a community that is a symbol of pride both for the city and state.</p><p>Mark D. Wilson Phx,AZ 85048 480.650.5991</p><hr/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p><p>.</p></div></div>

Code	Issue	Response
1	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	National Environmental Policy Act Process	The U.S. Environmental Protection Agency’s comments on the Draft Environmental Impact Statement were addressed in Appendix 7, Volume III, of the Final Environmental Impact Statement, starting on page B6.
3	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Community Impacts	

Code	Comment Document
	<div><div><div><div>1</div><div>2</div><div>3</div><div>4</div></div><div><div><div><div>From:</div><div>woofywoof [mailto:woofywoof@aol.com]</div></div><div><div>Sent:</div><div>Saturday, November 22, 2014 5:02 PM</div></div><div><div>To:</div><div>Projects</div></div><div><div>Subject:</div><div>Pecos becoming freeway.</div></div></div></div><div><p>Absolutely oppose this project. No place for a freeway so close to a coomunity. Rethink this route. Member of PARC. Please protect our community, our lives, our homes, our churches, our children!!!!</p><p>So many do not support this. Kim and Phil Wolfe!!! 16020 s 23rd st phx az 85048</p><p>Sent from my Verizon Wireless 4G LTE smartphone</p><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div></div></div>

Code	Issue	Response
1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	
3	Acquisitions and Relocations	
4	Children’s and Seniors’ Health	

Code	Comment Document
	<div data-bbox="428 360 1016 449"><p>From: Rusty Crerand Sent: Monday, December 01, 2014 8:00 AM To: Projects Subject: Loop 202 S. Mt. Project Feedback From Envoy #1433266785</p></div> <div data-bbox="428 477 652 497"><p>11/28/2014 6:25:25 PM</p></div> <div data-bbox="428 504 1283 834"><p>Hello, I would like to register my disappointment to hear that the 202 may actually cut through South Mountain park. This park is a great source of pride for many Phoenix hikers, yet apparently not representatives. There are countless rare wildlife jewels, like elephant trees and a unique sub species that are vanquished to this area, and now short sightedness will sadly hasten their demise. We are at a critical point in human history where our greed and laziness will become the burden and obstacles of our children. We have alternatives to building MORE roads, like improving public transportation. Please have the courage to stop this project. This city doesn't need another freeway, we need better public transportation. It also has the wonderful bonus of getting people to get out of their homes, sitting next to a familiar face at a bus or metro stop and Talking! This city needs that desperately!</p><p>Jenny Work trabajo2@juno.com</p></div> <div data-bbox="428 1010 674 1203"><p>Rusty Crerand Constituent Services Officer 206 S. 17th Ave. MD 118A Room 101 Phoenix, AZ 85007 602.712.7856 dcrerand@azdot.gov</p></div> <div data-bbox="428 1262 584 1312"></div> <div data-bbox="428 1407 1289 1471"><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div>


Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Alternatives, Nonfreeway Alternatives	

Code	Comment Document
	<div data-bbox="428 356 845 447"><hr/><p>From: Jane [mailto:jcby@cox.net] Sent: Thursday, November 20, 2014 10:46 PM To: Projects Subject: Objections to freeway along Pecos Road</p></div> <div data-bbox="428 475 1072 499"><p>Please carefully consider PARC’s objections to a freeway along Pecos Road.</p></div> <div data-bbox="205 526 366 584"><div>1</div><div>2</div><div>3</div></div> <div data-bbox="428 532 1292 614"><p>I object to destruction of mountain preserves, natural desert terrain, air quality, and our relationship to our neighbors to the south, the Indians, who do so much to preserve the desert here near the city.</p></div> <div data-bbox="428 649 1109 673"><p>The freeway plan throws away all these benefits that are not ours to dispose of.</p></div> <div data-bbox="428 705 702 729"><p>A Phoenix resident, Jane Yaeger</p></div> <div data-bbox="428 794 1289 858"><hr/><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Air Quality	

Code	Comment Document
	<p>Traffic Flow Concerns</p> <p>Dear Adot My name is I am a member of PARC. Thanks for the opportunity to write you about traffic flow concerns in the proposed SMF's FEIS.</p> <p>1 A primary objective of the SMF is to divert and improve traffic flow which looks great on paper, but is not good in reality! As a commuter who drove downtown for 5 years..... There will be no incentive for commuters in Ahwatukee to take this route because the end point would not get them downtown! In fact it would dump them on to the East bound I 10 at 59th Ave. This would add traffic flow to one of the busiest parts of the I10 in rush hour. The commute would end up taking longer . Think about it ... It wont shift traffic away from I10 for commuters in SE valley or from Ahwatukee.</p> <p>2 In addition some of us who live in the 9th district will now have to deal with a new and unintended traffic congestion since we will lose Pecos road. I.E. I will have to drive on residential streets from basically 25th ave to 24th street and THEN try to get on the 1 and only on ramp? This is a crazy lack of concern for residential traffic flow.</p> <p>2 3 4 Oh by the way local traffic congestion, pollution and noise is still not mitigated in the FEIS. ADOT claim's that it would improve traffic flow is not reasonable to me. Even ADOT admits that improved traffic flow is overstated and had to recently revise their own analysis. They now see that traffic counts have been basically flat for the past 5 years.</p> <p>5</p> <p>1 So since no one in city government seems to care about the residents where I live ... PARC had to hire an independent traffic engineer, Herman (BASMACAN) to examine the alleged facts used for traffic modeling and forecasting. He stated that even if one assumes that the traffic flow estimates are accurate(which they are not), "SMF would not alleviate the capacity deficiencies identified in its Purpose and Need". In fact, there would still be traffic deficiencies.</p> <p>6 7</p> <p>8 1 This is really a David and Goliath story. As the facts are documented, it seems the freeway's goal is perhaps for trucking from Mexico, and not for helping the folks who actually live and pay taxes in YOUR districts. As a business person, I am all about the opportunity for growth. BUT CAN'T we do this without destroying the Ahwatukee community and adding to traffic congestion.</p> <p>6 You all took an oath of service, to represent the best interests of the people. I am one of the people fighting for what's right for Phoenix. Please don't let this become the new truck bypass route, letting more trucks, come so close, to all of us, who LOVE to call Phoenix home!</p> <p>Thanks for your time.</p> <p>9 I would also like to submit the EPA's commentary on this traffic flow analysis for your research and consideration See the attached A in the following pages.</p>

Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Traffic	Traffic interchanges will be located at 17th Avenue, Desert Foothills Parkway, 24th Street, and 40th Street to serve residents in the Ahwatukee Foothills Village. Motorists that live west of 25th Avenue can access the freeway at 17th Avenue. In 2006, the City of Phoenix conducted a traffic circulation study to evaluate the impacts of the freeway on the local street system. The City of Phoenix study found no adverse effects on the local street system from the freeway (see Appendix 3-1 in the Final Environmental Impact Statement).
3	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
4	Noise	
5	Purpose and Need, Old Plan or Use of Old Data	
6	Purpose and Need, Truck Bypass	
7	Trucks	
8	Community Impacts	
9		Comment noted. The U.S. Environmental Protection Agency's comments on the Draft Environmental Impact Statement were addressed in Appendix 7, Volume III, of the Final Environmental Impact Statement, starting on page B6.

Code	Comment Document
	<div><div><div><div>75 Hawthorne Street San Francisco, CA 94105</div><div>July 23,2013</div></div><div>OFFICE OF THE REGIONAL ADMINISTRATOR</div></div><div><div>Karla Petty</div><div>Arizona Division Administrator Federal Highway Administration 4000 North Central Avenue, Suite 1500 Phoenix, AZ 85012</div></div><div><div>Subject: South Mountain Freeway Project, Maricopa County, Arizona [CEQ#20130104]</div><div>Dear Ms. Petty,</div></div><div><div>(Partial section below on Traffic)</div><div>Chapters 1 and 4 of the DEIS appear to overstate traffic problems and emissions resulting from the No Action alternative and the benefits of the Action alternatives. The population projections employed in the DEIS are based on pre-recession projections, and now exceed the current highest population projections for Maricopa County by Arizona's Office of Employment and Population Statistics. As a result, the forecasted traffic problems and emissions associated with all alternatives in the DEIS are likely higher than what is reasonably expected to occur based on more current data. Additionally, the congestion issues and emissions that the DEIS describes as a result of the No Action alternative include more trips and more congestion than are reasonable to expect. As a result, the relative benefits of Action alternatives are also likely to be overstated. This overestimate occurs because the travel model forecasts for the Action and No Action alternatives employ the same socioeconomic projections from the Maricopa Association of Governments, which are based on municipal master plans. The underlying master plans assume that the South Mountain Freeway is completed, and do not have land use plans that represent the No Action alternative.</div><div><div>Recommendations:</div><div><ul style="list-style-type: none">• Present congestion impacts and emissions for the No Action alternative using updated socioeconomic projections that do not assume completion of the South Mountain Freeway (with appropriate caveats about uncertainty).• Present the comparison of impacts from the Action and No Action alternatives to reflect the likely differences in land use (e.g., residential and commercial development) between the Action and No Action alternatives.</div></div><div><div>Emissions Analyses and Traffic Forecasting</div><div>The air quality impacts presented in the DE IS for the entire alignment of the South Mountain Freeway corridor are not adequately assessed. The analysis incorporated existing 1-10 emissions with emissions anticipated from the project into a "sub-area" which does not permit a clear understanding of emissions from the new freeway alignment, separate from the current setting. For example, the emission trends presented in Chapter 4 convey the conclusion that the preferred alternative reduces emissions throughout the study area. However, the DEIS presents no emissions analyses of the South Mountain Freeway corridor itself, despite indications from the CO hotspot analyses (tables 4-31 and 4-32) that concentrations of criteria pollutants along the Pecos Road corridor will increase above current levels (in spite of falling CO emission factors over time), and indications that MSAT emissions will be higher in the future. Since the South Mountain Freeway corridor is the area to be most heavily affected, not presenting the emissions along the corridor prevents the public and decision makers from gaining a clear understanding of the extent of impacts from the different Alternatives and the potential basis for reducing impacts.</div><div><div>Recommendations:</div><div><ul style="list-style-type: none">• Emissions analyses should be revised with the South Mountain Freeway corridor modeled independently off I-10 and other roads.• Emissions trends from the South Mountain Freeway corridor should be presented, by themselves, in addition to emissions along other road links (e.g., I-10).</div></div></div></div></div>

Code	Issue	Response

Code	Comment Document
	<p><i>(Partial Section from EPA on Clean Air Act)</i></p> <p>The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement (DEIS) for the South Mountain Freeway Project. Our review and comments are provided pursuant to the National Environmental Policy Act, the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508), and our NEP A review authority under Section 309 of the Clean Air Act.</p> <p>As stated in the DEIS, the South Mountain Freeway Project is a proposal to build a new 8-lane freeway extending approximately 22 to 24 miles from the Interstate 10 and Santan Freeway interchange westward through the community of Ahwatukee, paralleling the Gila River Indian Community (GRIC) border. The DEIS has identified a preferred alternative which is estimated to displace 845 housing units, including 680 multifamily units and 165 single family residences.</p> <p>The project represents a new highway alignment in a heavily urbanized area currently designated as nonattainment for particulate matter less than 10 microns in diameter (PM10). It is therefore critically important that potential impacts to air quality be accurately analyzed, disclosed, and reduced as much as possible. The DEIS provides insufficient information to assess the potential significance of the air quality impacts of the proposed action. In view of the area's current designation as nonattainment for PM10, it is essential to accurately assess and disclose potential PM10 hotspot impacts, as well as determine whether the project meets the transportation conformity requirements of the Clean Air Act. The Act and its implementing regulations provide that a project may not cause or contribute to any new localized violation of a national ambient air quality standard (NAAQS), increase the frequency or severity of any existing violations, or delay timely attainment of the NAAQS (CAA section 176(c)(1)(B) and 40 CFR 93.116(a)). The analysis found in the DEIS does not provide the information necessary to make an accurate determination of PM10-related impacts. It also does not sufficiently address other potential air quality issues of concern. The EPA is available to work with FHW A and other agencies to complete needed analyses as this effort moves forward.</p> <p>The DEIS presents no stand-alone emissions analyses of the portion of the project that introduces new general purpose lanes, despite indications from the carbon monoxide (CO) hotspot analysis that</p>

Code	Issue	Response

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	<p>concentrations of criteria pollutants will increase relative to current levels, along with increased emissions of mobile source air toxics (MSATs). The potential increase indicated by the analysis would occur despite the fact that per-vehicle emissions are declining substantially over time. Instead, the DEIS presents an estimated value of emissions that combines the impact of the new freeway alignment with emissions from the adjacent, and existing, I-10 freeway. This methodology does not provide the information needed to disclose, analyze and potentially mitigate the actual emissions anticipated from a new highway segment. Additionally, we believe the analysis of congestion and emissions impacts from the No Action alternative includes estimates of congestion and vehicle miles traveled (VMT) that are higher than appropriate considering relevant facts and analysis. As a result, the relative benefits of all Action alternatives when compared to a future No Action alternative are likely to be overstated.</p> <p>We also note that no air toxics risk assessment has been provided, even though there is a documented history of local public concern and requests to ADOT and FHWA for analysis of the potential health effects from the proposed new freeway. We do not believe the reasoning provided in the DEIS for not providing such an assessment is compelling, especially in light of the history of requests for such analysis. Risk assessments for air toxics from vehicle traffic have been included in many published studies as well as in EISs for other projects. EPA has emission and air quality models that can be used to predict concentrations of air toxics at receptors near the project, and we would be happy to assist ADOT and FHWA in using the models, which are available on EPA's web site.</p> <p>Based upon this lack of information important to analyzing the project's potentially significant impacts on air quality, EPA has rated the South Mountain Freeway DEIS as "3 - Inadequate Information" (see Enclosure 1: "Summary of Rating Definitions and Follow-Up Action"). EPA believes the following information would serve as the basis for a robust and meaningful air quality analysis: 1) Assessment and disclosure of potential PM 10 hotspot impacts and confirmation of whether the project meets the Clean Air Act's transportation conformity requirements; 2) Emissions analyses that present the emissions of the South Mountain Freeway corridor separate from those of I-10, along with updated traffic forecasting for the No Action alternative; and 3) A robust air toxics risk assessment that addresses potential health effects from the proposed new freeway.</p> <p>We recommend this information be circulated in a Supplemental DEIS for public comment, in accordance with NEPA and CEQ's NEPA Implementation Regulations. EPA respectfully requests the opportunity to review this information and provide ADOT and FHWA our feedback before a Supplemental DEIS is published. In the attached detailed comments, we also provide recommendations regarding the assessment of impacts to children's health, environmental justice, aquatic resources and other issues we recommend be addressed in the NEPA document.</p> <p>We appreciate the opportunity to review this DEIS and look forward to working with ADOT and FHWA to address the issues outlined in this letter. If you have any questions, please refer staff to Clifton Meek at (415) 972-3370 or to Angeles Herrera, Associate Director in our Communities and Ecosystems Division, at 415-972-3144. Please send a copy of the Supplemental DEIS to this office (mail code CED-2) when it is electronically filed with our Washington, D.C. office.</p>

Code	Issue	Response

Code	Comment Document
	<p>ADOT Loop 202 South Mountain Freeway Study 1655 W. Jackson Street MD126F Phoenix, AZ 85045</p> <p>Dear ADOT ,</p> <p>As a-current resident I am concerned over the many issues not sufficiently addressed or omitted in the recent DEIS and would like this entered into the public comment section of the process:</p> <div><div>12</div><div>3</div><div>4</div><div>1</div><div>5</div><div>1</div><div>24</div><div>245</div><div>6</div><div>1</div><div>7</div></div> <ul style="list-style-type: none">• <i>Environmental impacts to the 600 homes residents at the end of Pecos are not adequately analyzed in this FEIS study! This special area with 1/2 dozen subdivisions at the foot of south mountain and north of Indian reservation (foothills reserve HOA zip code 85045) has a separate and unique micro climate with current dust and air issues which requires a separate impact study section. Please include pollution and toxins being trapped at the foot and ridges of south mountain preserve and their current health impacts and post construction higher health impacts.</i>• <i>Dust particulate impact should be studied at today's levels, and for the construction levels and post construction levels. And separately since the natural wind tunnel with be changed due to cut thru mountain ridges and opening up a new pattern air toxin portal flow.</i>• <i>You need to study impacts to current and future residents and school kids who's play area and day cares will be less than ½ of a mile from traffic on freeway. There are many schools, parks and community centers who's health will be knowingly hurt when a 8 lane highway will be built within 1000 feet of their locations. Who will compensate them for their health damages and loss of quality of life.</i>• <i>What impact will addition of the freeway cause and wont it violate the clean air act and violate the newest EPA air level standard. New construction should not contribute to an area already in violation or one that cant gain EPA standard compliance.</i>• <i>The FEIS needs to study the added commercial development planned on the highway route. As of 6/21/13 several plans and public information on development are public including local politicians and business owners intended use of land leases on GRIC and truck stops and truck depots already planned.</i>• <i>FEIS should add detail on specific air toxic EPA levels projected in 2015 thru 2025.</i>• <i>Evidence in 2013 should be added into the impact. Health impacts of Ahwatukee residents and those living in the Foothills Reserve HOA and Mountain View. The Crossings subdivisions need to be studied. Recent studies showed and proved the health risks to children's and adults who live within 300 yards to one mile of a freeway. Their past and ongoing studies presented to government and health agencies show that there is a increase in child hood leukemia, child hood autism, heart and lung diseases caused by living in areas with increased fine particulate and ultrafine particulate matter.</i>• <i>What input has been studied from the major health communities and agencies in Phoenix. Have you talked to hospitals and children's health advocate groups to get their facts and concerns on highway impacts to health in a desert community? Ignoring and not researching their feedback is negligence.</i>• <i>Did the DEIS study even add in the additional traffic due to the building of the premium outlet mall at highway 10 and 202? This substantial increase in polluting traffic needs to be included the study. ADOT and DEIS avoided these facts which will now need to be added to traffic congestion exiting the new highway.</i>• <i>SMF will not improve the air quality for Phoenix. FEIS does not model the future impact. Our city will be in violation of Clean air Act. Also will worsen west and south phoenix air,.</i>• <i>Sound estimates of 30 decibels are not accurate for the projected traffic volumes from cars and trucks. Realistic decibel for sound nearing 50-100 decibels due to the valley and mountain echoes will be heard at more than 750 home owners. A concrete wall of 8 20 feet will not mitigate the sound issues. Most other highways build in phoenix are below ground with substantial sound reduction design. We would respectfully ask for this to be reevaluated to include proper sound walls and street access beyond chandler boulevard extension. Who will pay for the homeowners need for sound proofing in Mountain Vista, The Summit and the Crossings Sub divisions. What compensation is given to residents and the noise damage impacts to them and their home values?</i>• <i>You owe the taxpayers and residents who will have to live near the freeway an honest response and mitigation to these issues.</i> <p>Thank you,</p> <p>Resident of The Foothill Reserve</p>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	
3	Temporary Construction Impacts	To reduce the amount of construction dust generated, particulate control measures related to construction activities must be followed. The following mitigation measure will be followed, when applicable, in accordance with the most recently accepted version of the Arizona Department of Transportation <i>Standard Specifications for Road and Bridge Construction</i> (2008): Prior to construction and in accordance with Maricopa County Rule 310, Fugitive Dust Ordinance, the contractor shall obtain an approved dust permit from Maricopa County Air Quality Department for all phases of the proposed action. The permit describes measures to be taken to control and regulate air pollutant emissions during construction (see page 4-173 of the Final Environmental Impact Statement). These commitments are confirmed in Table 3, beginning on page 38, of the Record of Decision.
4	Children’s and Seniors’ Health	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
5	Health Effects	The Arizona Department of Transportation did not receive negative comments from any hospitals or health agencies in Phoenix. The Arizona Department of Environmental Quality participated in consultation on the air quality analysis presented in the Final Environmental Impact Statement.
6	Purpose and Need, Old Plan or Use of Old Data	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
7	Noise	

Code	Comment Document
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From: Karen Zahller [mailto:kzahller5@yahoo.com]
Sent: Monday, December 29, 2014 5:25 PM
To: Projects
Subject: No to South Mountain Freeway

Because of environmental reasons, I am adamantly opposed to the construction of the South Mountain Freeway!

Karen Zahller
(resident of Ahwatukee)
4623 E Piedmont Rd
Phoenix, AZ 85044

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Code	Issue	Response
1	Alternatives, No-Action Alternative	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<hr/> <p>From: Renee Zanellato [mailto:chezrenee@cox.net] Sent: Thursday, November 20, 2014 11:11 AM To: Projects Cc: Kevin Zanellato (E-mail) Subject: FW: Proposed South Mountain Freeway</p> <hr/>
1	<p>From: Renee Zanellato [mailto:chezrenee@cox.net] Sent: Thursday, November 20, 2014 9:45 AM To: 'projects@az.gov' Cc: Kevin Zanellato (E-mail) (kevin.zanellato@cox.net) Subject: Proposed South Mountain Freeway</p>
	<p>My husband and I have been Ahwatukee Foothills residents for over 18 years. When we bought our first home here, the proposed freeway was NEVER mentioned. I remember our realtor telling us the land to the south of us was Native American reservation land and could never be built on and that the land to the north was South Mountain Park—the largest city park in the country and also would never be built on. Recent transplants from NJ and needing to find a home quickly, we had no reason to doubt this information.</p>
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	<p>We are very opposed to a freeway in this area. One of the reasons we purchased a home here was because we felt the cleaner air would be more beneficial to our health and well-being. Also, we like the fact that we were in the “world’s largest cul-de-sac” both for its privacy and safety. We have many friends in Ahwatukee, and have never spoken to one person who lives here who thinks this freeway is a good idea. The fact that many homes, schools and churches will have to be destroyed is absolutely ridiculous. We are totally in agreement with PARC on this issue and support them completely.</p> <p>Thank you.</p> <p>Renee and Kevin Zanellato 15827 S. 6th Drive Phoenix, AZ 85045</p> <hr/>
	<p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p>

Code	Issue	Response
1	Freeway Awareness	<p>The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.</p>
2	Air Quality	
3	Community Impacts	
4	Purpose and Need, Lack of Support	
5	Acquisitions and Relocations	

Code

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 11/3/14	INCOMING CALL TIME: 5:25 PM
STAKEHOLDER: ANONYMOUS	ADDRESS:
PHONE:	EMAIL:
CONTACT METHOD: HOTLINE CALL	
REMARKS/QUESTIONS: Demand ADOT DO NOT go through with EIS on So. Mtn.freeway on behalf of Indian Reservation & concern for the wild horses & donkeys.	

Code	Issue	Response
1	Biology, Plants, and Wildlife	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
CONTACT RECORD SOUTH MOUNTAIN FREEWAY	
INCOMING CALL DATE: 11/1/14	INCOMING CALL TIME: 6:33 PM
STAKEHOLDER: ANONYMOUS	ADDRESS:
PHONE:	EMAIL:
CONTACT METHOD: HOTLINE CALL	
REMARKS/QUESTIONS: Oppose Project	

Code	Issue	Response
1		Comment noted.

Code

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 11/3/14	INCOMING CALL TIME: 5:34 PM
STAKEHOLDER: ANONYMOUS	ADDRESS:
PHONE:	EMAIL:
CONTACT METHOD: HOTLINE CALL	
REMARKS/QUESTIONS: Oppose project	

1

Code	Issue	Response
1		Comment noted.

1

CONTACT RECORD

SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 11/3/14	INCOMING CALL TIME: 5:41 PM
STAKEHOLDER: ANONYMOUS STUDENT	ADDRESS:
PHONE:	EMAIL:

CONTACT METHOD: HOTLINE CALL

REMARKS/QUESTIONS:

Oppose project - From Prescott AZ

Code	Issue	Response
1		Comment noted.

Code	Comment Document
	<p>From: mantaclus@aol.com [mailto:mantaclus@aol.com] Sent: Saturday, November 01, 2014 6:33 PM To: Projects Subject: PARC member</p> <p>ADOT,</p> <p>This is a travesty! We thought we had found a little piece of paradise in Ahwatukee, and now you plan on ruining it too. Our house will be impacted, and our quality of lives. Everything and everyone suffers if this is approved. You should be ashamed to run a highway alongside our homes and schools, let alone through a state park!</p> <p>1. The FEIS provides no compelling case for a freeway to go through the South Mountain Corridor. A) ADOT must consider that the "region" does not just include Maricopa County and that the region is much larger now than it was 30 years ago when this freeway plan was conceived, so travel needs in the southern part of the region are well served by a highway far to the south of the South Mountain Corridor. B) The part of the region surrounding South Mountain is much in need of alternative forms of transportation to get around the area – such as light rail and more and better bus service. C) Intended or not, the South Mountain Freeway as currently proposed in the FEIS would be a major truck bypass, and the region does NOT need another truck bypass, especially not one in the Phoenix metropolitan area.</p> <p>2. The FEIS claims that the South Mountain Freeway would ease traffic congestion. Yet Table 3-8 on Page 3-34 shows that improvement in travel times on existing freeways would be no more than a couple of minutes! The claim of improving traffic congestion is misleading at best! Even if I believe the small travel time improvements shown in Table 3-8 would really occur, they do not justify the expense of building a new freeway!</p> <p>3. The air quality calculations in the FEIS are woefully inadequate. ADOT has still not completed the calculations as specified by the EPA in their comments on the DEIS. No consideration has been given to the effects of the South Mountain air shed on air quality. Claims in the FEIS that the South Mountain Freeway would not degrade air quality are outrageous!</p> <p>4. PARC has found scientific proof that over 13,000 students in schools within ½ mile of the South Mountain Freeway would be at significant risk for increased respiratory ailments and retarded lung development. PARC has also found that seniors who live within ¼ mile of the proposed freeway would be at significantly higher risk of heart attack or death. Yet the FEIS does not even consider these issues.</p> <p>5. The FEIS does not consider the true cost of the South Mountain Freeway. To start with, the FEIS</p>

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Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Alternatives, Nonfreeway Alternatives	
4	Purpose and Need, Truck Bypass	
5	Air Quality	
6	Children’s and Seniors’ Health	
7	Project Costs, Total Cost	

Code	Comment Document
6	has left so many design questions unanswered that the actual cost of the freeway is likely to be closer to \$4 billion rather than the \$2 billion ADOT has estimated. Further, the FEIS has no discussion of the annual injuries, deaths, and property destruction that could be expected from the freeway, nor the health implications for school children and seniors. The small discussion in the FEIS about potential cancer deaths from elevated levels of certain air pollutants is dismissive, indicating that those particular air pollutants don't count, and the number of increased deaths would be insignificant. The FEIS approach to human suffering is outrageous!
8	6. In building the South Mountain Freeway, wells that feed the lakes in Lakewood and the Foothills and Club West golf courses would be destroyed. The FEIS claims that ADOT will replace these water sources, but at what cost?
9	7. The FEIS does not mention the danger of trucks transporting hazardous materials (hazmats) over the South Mountain Freeway. While the chances that a hazmat spill would occur at any particular time are quite small, the chance that a spill would happen SOMETIME is significant, and the public has a need to know about the potential effects of such a spill. Within the "world's largest cul de sac" of Ahwatukee, evacuation in a timely manner without using the freeway would be difficult if not impossible. And the effects of the South Mountain air shed (apparently not studied by ADOT) are likely to trap air borne toxins in the village for a much longer period of time than would be expected in an open area where air blows freely. One of the hazmats expected to be transported on the freeway would be chlorine, a particularly deadly gas that seeps into buildings and cars. So immediate escape would be necessary, for chlorine turns human membranes into hydrochloric acid and makes it difficult, if not impossible, for one to see or breathe. The transport of hazmats through Ahwatukee is unacceptable, so they must be banned from the freeway.
10 11	8. The FEIS proposes blasting through 3 ridges of South Mountain in building the South Mountain Freeway. This land in South Mountain is a part of the South Mountain Park Preserve. As the name suggests, this land is to be preserved! It is also a part of the largest municipal park in the country – a crown jewel of Phoenix! Further, South Mountain is sacred land to several of the Native American tribes in Arizona. No freeway has a need or a right to desecrate this land!
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Code	Issue	Response
8	Groundwater	If a well were adversely affected by construction activities, the well might need to be abandoned or the well owner will be compensated by drilling a new well according to State regulations/standards. (See text box on Final Environmental Impact Statement page 4-108.) This commitment is confirmed in the Record of Decision in Table 3, beginning on page 38. The well replacement program as outlined by State law has been regularly implemented by the Arizona Department of Transportation to effectively mitigate well impacts associated with its projects throughout the region.
9	Hazardous Materials	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
10	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
11	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div></div><div><div><div><div>From:</div><div>bszejn [mailto:bszejn@aol.com]</div></div><div><div>Sent:</div><div>Thursday, December 04, 2014 7:18 PM</div></div><div><div>To:</div><div>Projects</div></div><div><div>Subject:</div><div>202 loop expanding thru foothills</div></div></div></div><div><p>This route will be used by the trucking industry causing unhealthy air quality and noise pollution. Why is this route being approved is beyond me. The school on Pecos the church and south mountain preserve will all be destroyed. And all the homes not affected by being torn down near the route will loose values.</p><p>Sent from my Verizon Wireless 4G LTE smartphone</p><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</p></div></div>

Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	
3	Air Quality	
4	Noise	
5	Acquisitions and Relocations	
6	Economic, Socioeconomics	

Code

Comment Document

From: Coppercache [mailto:Coppercache1302@yahoo.com]
Sent: Friday, November 07, 2014 3:14 PM
To: Projects
Subject: My family opposes the proposed south mountain freeway!

My family opposes the proposed south mountain freeway!

1

We are very concerned that the SMF would create a dramatic increase in Phoenix truck traffic both on the new SMF truck bypass and on the I-10 in the West Valley

2 3

We are very concerned that the SMF would create a dramatic increase in Phoenix truck traffic POLLUTION. This pollution will affect my children. This pollution will affect ALL CHILDREN along the proposed route. This is unacceptable.

4

We are very concerned that the SMF would create significant, new dangers of hazardous material transport within highly populated and highly vulnerable areas. INCLUDING SCHOOLS and HOMES.

Reminder that we are in a relative "Valley" on the south side of south mountain.

5 6 7

The SMF would cause unnecessary destruction of both plant and animal habitats within South Mountain and destruction of wilderness areas revered by Phoenix citizens, along with the desecration of land sacred to Native American populations,

The SMF would cause unnecessary destruction of both plant and animal habitats within South Mountain and destruction of wilderness areas revered and sacred to Native American populations.

District 6 constituent.

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Code	Issue	Response
1	Purpose and Need, Truck Bypass	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Air Quality	
3	Children's and Seniors' Health	
4	Hazardous Materials	
5	Biology, Plants, and Wildlife	
6	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	
7	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div></div><div><div><div>-----Original Message----- From: DR [mailto:dante6901@cox.net] Sent: Saturday, November 15, 2014 1:38 PM To: Projects Subject: No on Loop 202. SMF</div><div>Pollution near schools and in established neighborhoods. Negative effects on wildlife. Increase in crime for Ahwatukee which has just had police resources reduced! Noise pollution! Destruction of existing neighborhoods!</div><div>Find another route!</div><div>No Freeway!!!</div><div>DR/Ahwatukee Resident</div></div></div></div>
	<div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div><div>.</div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Crime	
4	Noise	
5	Community Impacts	
6	Alternatives, No-Action Alternative	

Code	Comment Document
	<div><div><div>1UNIDENTIFIED SPEAKER: Good morning,</div><div>2everyone. Or good afternoon in Indian time.</div><div>3I hear the people, the elders. I hear two</div><div>4worlds, the white man world and the Native American world.</div><div>5Many years ago, this -- this is our land to this day.</div><div>6We're not the only Native Americans in Arizona that are</div><div>7fighting the white man. We've got a lot of nations, the</div><div>8Palos, the native tribes all over, and even the Mexicans</div><div>9across the border. We forget who we are sometimes when we</div><div>10look at running for office or government to see what we</div><div>11need for our people.</div><div>12Sometimes we look at the money for our land</div><div>13and our homes and our people and our elders. All that</div><div>14land, we can use it. We can make profit of our own tribal</div><div>15lands. We can put hay on it, farm on it, vegetables,</div><div>16something that we can use.</div><div>17These casinos where the white man works,</div><div>18they're destroying our family and our nation. These</div><div>19casinos is about money, property. Who's going to get so</div><div>20and so. The money was supposed to be vested in our</div><div>21people, to education for schools, benefit for things that</div><div>22we need for our elders, things that -- try to look on the</div><div>23bright side. But every time we look at it, it's about</div><div>24land, the freeway, the new casinos coming.</div><div>25To this day, Navajo Nation, a lot of the</div></div><div>Page 105</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
1	<div>1 tribes are still fighting the white man. The white man</div> <div>2 can say what they want. What do we get? Little bit. Not</div> <div>3 as much.</div> <div>4 It is true what the elders said many years</div> <div>5 ago, before Christianity came in. The medicine men, they</div> <div>6 already knew what was going to happen around the world.</div> <div>7 They already knew what was going to happen. To this day,</div> <div>8 they said our young people today may go and graduate and</div> <div>9 learn the white man's way, to be educated, come up here,</div> <div>10 and protect our people.</div> <div>11 It is true South Mountain is very sacred</div> <div>12 land from the south to Salt River to this day, that's in</div> <div>13 the Navajos and the Hopis. There's a story behind that</div> <div>14 South Mountain. It's very sacred. And also the Man in</div> <div>15 the Maze, that's his home.</div> <div>16 White people want to destroy. You talk</div> <div>17 about land. Look at all the land that you guys want to</div> <div>18 use. We can do a lot of things with that land. We can</div> <div>19 get the water running through there, do some crops,</div> <div>20 harvest it. People that have cattle and horses, we can do</div> <div>21 hay on it. There's a lot of things that we can do.</div> <div>22 But it's us. The laziness. And that's how</div> <div>23 the white man's going to look at it. But screw the white</div> <div>24 man. Their fathers, their great fathers -- General Custer</div> <div>25 took all the land, pushed all the Native Americans from</div> <div>Page 106</div> <div>Driver and Nix Court Reporters - (602) 266-6525</div> <div>www.drivernix.com</div>

Code	Issue	Response
1	Section 4(f) and Section 6(f), Traditional Cultural Properties	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1the north to the south to the west. Because the land, the</div><div>2oil, and the copper.</div><div>3We get in these casinos. These casinos are</div><div>4supposed to be benefit for our people, to give them jobs,</div><div>5you know, to better their lives. But we're still fighting</div><div>6with these casinos because there's more non-Indians in the</div><div>7casino. It was a lot better when it was still under Gila</div><div>8River Gaming Enterprise. But now, when the new company</div><div>9came in, everything went downhill.</div><div>10We're losing our young people. We're losing</div><div>11our people that are supposed to help benefit our tribe.</div><div>12To this day, many of our young people that are working the</div><div>13casinos, there's a lot of misunderstanding in the</div><div>14politics. Our budget, money-wise, our benefits, our</div><div>15401(K).</div><div>16To this day, what I think, and to all the</div><div>17nation, you open a one-step freeway, we forget who we are.</div><div>18We are the Gila River people. We're the third-largest</div><div>19tribe. I think so. They say there's two largest tribes</div><div>20that's going to take over, going to wipe out the</div><div>21reservation, the Navajo Nation and the Tohono O'odham</div><div>22Nation. They want their land back. All these years</div><div>23they've been put through.</div><div>24That's why they want another casino. The</div><div>25monies, the fundings, our per cap should get a little bit</div></div><div>Page 107</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 more instead of being selfish and putting new things for</div><div>2 the state. Some of our elders need transportation.</div><div>3 Tomorrow, there are things that we need to be done on the</div><div>4 reservation. It is true.</div><div>5 But our elders have spoken. The Great</div><div>6 Spirit -- before the white man had came in this world, the</div><div>7 Christianity began in the long ago, the old people said.</div><div>8 The Old Man in the Maze said there was somebody more</div><div>9 powerful than him, stronger than him that we're going to</div><div>10 hear a lot. We're going to lose our language. Everything</div><div>11 is going to die. It is true. It is written.</div><div>12 To this day, we -- we -- as we look at</div><div>13 ourselves, we still don't trust anybody, especially</div><div>14 Christian people. Our government, the President, don't</div><div>15 understand the history, how we became and how we united.</div><div>16 But long ago, there was a tribe called the AIM. They</div><div>17 fight with what they believe in. To this day, there's a</div><div>18 lot of American Indians that are still fighting. They</div><div>19 want what's best. But with the politics, the council, the</div><div>20 government, it's about money.</div><div>21 There's something you can do with these</div><div>22 lands. Our agriculture, our farming. All the culture and</div><div>23 farming was taught many years ago to our people up the</div><div>24 Gila River. All this was all green, farmlands, people.</div><div>25 Horses and cattle and grain on it, or corn or squash. But</div></div><div>Page 108</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 today, it's a modern life. We want the easy way out of</div><div>2 life.</div><div>3 But as we go through that in life, we're</div><div>4 still forgetting who we are. But the ones that know the</div><div>5 Indian way of life, we're never going to have problems,</div><div>6 because we know -- we know how to survive the white man's</div><div>7 world. To this day, we're as one. This freeway, our</div><div>8 mountain, our sacred is very valuable to our elders. The</div><div>9 wars that we fight, it's not our war. Our war is -- we</div><div>10 fought for what we believe in. That's our war.</div><div>11 And it seems like we're fighting these white</div><div>12 men because they don't understand the Indian way of life.</div><div>13 Same as we live in the white man's world. We live off the</div><div>14 reservation. We're still trying to teach the white man</div><div>15 how to do things like they were trying to teach us long</div><div>16 ago.</div><div>17 Just look at it, everything that we do. We</div><div>18 don't trust anybody nowadays, especially our own</div><div>19 government, especially the President. But as -- that is</div><div>20 us. We are the people with all nations.</div><div>21 You know, we had a good size per cap a</div><div>22 couple years back, 500. Now it's down to 200, 300. This</div><div>23 freeway, if it does go through, if it doesn't go through,</div><div>24 it is said, the white man's still coming. But we can</div><div>25 outsmart the white man. We can outsmart -- this is our</div></div><div>Page 109</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1 land. We're going to farm on it. We can do things with</div><div>2 it to teach our kids, their grandchildren about what the</div><div>3 river did to the people that used to live here. And we</div><div>4 still live here.</div><div>5 The river meant to us a lot of things. A</div><div>6 lot of people don't want to hear the truth because they</div><div>7 don't want to hear the truth. They want to go -- they</div><div>8 want to understand and believe. There's voting. Our</div><div>9 council, our governor.</div><div>10 Our governor, he should understand where</div><div>11 they come from and how we believe in. But no. It's about</div><div>12 money. We've got to stop and think. What would be best?</div><div>13 Don't sell your land. We can use it.</div><div>14 That's all I've got to say. Thank you.</div><div>15 MS. KISTO: Thank you, sir.</div><div>16 We have time for one last comment before</div><div>17 closing. Anybody?</div><div>18 Rolinda Perez will be next. And after</div><div>19 Rolinda, then we'll have the closing by Lieutenant -- I</div><div>20 mean Governor Lewis Elect (sic). And then we'll have a</div><div>21 blessing. And we have lunch provided for all the</div><div>22 participants that showed up today for the event.</div><div>23</div><div>24</div><div>25</div></div><div>Page 110</div><div>Driver and Nix Court Reporters - (602) 266-6525 www.drivernix.com</div></div>

Code	Issue	Response

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div></div><div><div><div><div>From: Rusty Crerand</div><div>Sent: Monday, December 01, 2014 10:49 AM</div><div>To: Projects</div><div>Subject: Loop 202 S. Mt. Comment #1432959335</div></div><div>From Envoy:</div><div>11/25/2014 4:23:01 PM</div><div>It seems from the Environmental Impact Study, that the intention is to proceed with the building of the extension to Loop 202. The will be an environmental (and social) catastrophe for the Ahwatukee Foothills community, flora and fauna and especially our air quality. The prevailing wind to the area is from the south, from Tucson and the Gila Reservation, so we get a lot of dust. Added to this will be the pollution from the freeway (it's delusional to expect anything else) All the air in the area is trapped by South Mountain and added to this we have inversion. You people seem to be hell bent on making this place, worse than the hell hole of Los Angeles!</div></div><div><div><div><div>Rusty Crerand</div><div>Constituent Services Officer</div><div>206 S. 17th Ave.</div><div>MD 118A Room 101</div><div>Phoenix, AZ 85007</div><div>602.712.7856</div><div>dcrerand@azdot.gov</div></div><div><div><div><div>ADOT</div><div>Communications</div></div></div></div></div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div><div>.</div></div></div></div></div>

Code	Issue	Response
1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Biology, Plants, and Wildlife	
3	Air Quality	

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div><div>6</div><div>7</div><div>8</div></div><div><p>From: Rusty Crerand Sent: Tuesday, November 25, 2014 8:14 AM To: Projects Subject: Loop 202 SMF</p><p>From Envoy:</p><p>11/24/2014 8:35:36 PM As a homeowner near Pecos Rd and a resident of Ahwatukee, I am against the South Mountain Freeway for a myriad of reasons. First off, this freeway would only ease traffic for Ahwatukee residents traveling to Laveen. Is there such a huge population of Ahwatukee residents working in Laveen that it necessitates a new freeway? No. The SMF will not ease traffic (by more than a minute or two) for anyone travelling anywhere else. Second, the environmental impact of this freeway would be catastrophic. In case you've been living under a rock, you've noticed that pollution, dust storms, etc. linger in Ahwatukee due to South Mountain blocking the airflow. What do you think will happen when you add a freeway? You, ADOT, have incorrectly and dishonestly reported the environmental impact that the SMF would have on Ahwatukee. Shame on you! You are willing and eager to pollute the areas where thousands of children attend the multiple elementary, middle, and high schools in our communities. Third, you are wasting funding that could be used to improve our community and our state for the better. Rather than do so, you have designed a freeway that will improve nothing. It will add nothing positive, only concrete and pollution. You are desecrating sacred lands and beautiful landscape. I stand against the SMF, and with the people of Ahwatukee who cherish our home and our community.</p><p>Rusty Crerand Constituent Services Officer 206 S. 17th Ave. MD 118A Room 101 Phoenix, AZ 85007 602.712.7856 dcrerand@azdot.gov</p><div></div><p><small>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</small></p></div></div>

Code	Issue	Response
1	Purpose and Need, Lack of Support	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Alternatives, No-Action Alternative	
3	Air Quality	
4	Children’s and Seniors’ Health	
5	Project Costs, Total Cost	
6	Section 4(f) and Section 6(f), Traditional Cultural Properties	
7	Biology, Plants, and Wildlife	
8	Community Impacts	

Code	Comment Document												
1	<p>CONTACT RECORD SOUTH MOUNTAIN FREEWAY</p> <table> <tr> <td>INCOMING CALL DATE: 11/25/14</td><td>INCOMING CALL TIME: 4:17 PM</td></tr> <tr> <td>STAKEHOLDER: ANONYMOUS</td><td>ADDRESS:</td></tr> <tr> <td>PHONE:</td><td>EMAIL:</td></tr> <tr> <td colspan="2">CONTACT METHOD: HOTLINE</td></tr> <tr> <td colspan="2"> <p>REMARKS/QUESTIONS: Opposed to destroying part of South Mountain Park.</p> </td></tr> <tr> <td colspan="2"></td></tr> </table>	INCOMING CALL DATE: 11/25/14	INCOMING CALL TIME: 4:17 PM	STAKEHOLDER: ANONYMOUS	ADDRESS:	PHONE:	EMAIL:	CONTACT METHOD: HOTLINE		<p>REMARKS/QUESTIONS: Opposed to destroying part of South Mountain Park.</p>			
INCOMING CALL DATE: 11/25/14	INCOMING CALL TIME: 4:17 PM												
STAKEHOLDER: ANONYMOUS	ADDRESS:												
PHONE:	EMAIL:												
CONTACT METHOD: HOTLINE													
<p>REMARKS/QUESTIONS: Opposed to destroying part of South Mountain Park.</p>													

Code	Issue	Response
1	Section 4(f) and Section 6(f), Phoenix South Mountain Park/ Preserve	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.

Code	Comment Document
	<div><div><div>1</div><div>2</div><div>3</div><div>4</div><div>5</div></div><div><div><div><div>From: nancy@jncbooks.com [mailto:nancy@jncbooks.com]</div><div>Sent: Thursday, November 13, 2014 10:33 AM</div><div>To: Projects</div><div>Subject: Stop the Pecos Freeway</div></div><div><div>I am a very concerned home owner in the community of Lakewood. I live fairly close to Pecos Road and I do not want a freeway to go through our community. Our state is in a budget crisis and those precious dollars should fund education. The cost of the freeway is not paid for and the health costs are so numerous to our community. The air we breath will be even greatly polluted. I am proud of the Gila River Indians for stepping up and calling the land sacred. It is sacred for all of us. No freeway please.</div><div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div></div></div></div></div>

Code	Issue	Response
1	Community Impacts	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Project Costs, Total Cost	
3	Health Effects	
4	Air Quality	
5	Section 4(f) and Section 6(f), Traditional Cultural Properties	

Code	Comment Document
	<div><div><div>123</div><div>-----Original Message----- From: charleyz24@cox.net [mailto:charleyz24@cox.net] Sent: Thursday, December 04, 2014 3:50 PM To: Projects Subject: NO 202</div></div><div>Freeway pollution kills. Examine the clinical studies. You can't build freeways through neighborhoods any more.</div><div>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.</div></div>

Code	Issue	Response
1	Air Quality	The Arizona Department of Transportation and Federal Highway Administration identified several issues and concerns that were frequently noted by commenters. Responses to these issues can be found in the <i>Responses to Frequently Submitted Public Comments</i> beginning on page A371 of this Appendix A.
2	Health Effects	
3	Community Impacts	

PUBLIC REQUESTS FOR INFORMATION

During the review period for the Final Environmental Impact Statement and Errata the project team received a number of general inquiries that were not considered comments. These inquiries fell into two main categories:

- 1) requests for specific information about a property or about the right-of-way acquisition process—these requests were forwarded to the Arizona Department of Transportation Right-of-Way Group, which contacted the commenters and responded to their questions
- 2) requests for information on how to comment or how to obtain documents or data files—these requests were responded to by project team members and the information was provided to the requesters

The inquiries and, in some cases, the responses to those inquiries are presented in the following pages.

Comment Document

From: Eric Anderson [mailto:EAnderson@azmag.gov]
Sent: Thursday, November 13, 2014 3:21 PM
To: herman.b@roadrunner.com
Cc: Dennis Smith; Vladimir Livshits; Robert Samour; Acevedo, Carmelo; Alan.Hansen@dot.gov; rebecca.yedlin@dot.gov; Spargo, Benjamin
Subject: MAG Traffic Model Information Request

Mr. Basmaciyar:

Thank you for your request. At the end of this email you will find the information on the locations of the input and output model files for your use. You will also find a link to the MAG model documentation with a user name and password for your use.

The following are the narrative responses to your questions with the letter notation providing the link to your original questions.

- a. On June 19, 2013, the MAG Regional Council, by consent, approved the MAG resident population, housing and employment by Municipal Planning Area (MPA) and Regional Analysis Zone (RAZ) for July 1, 2020, 2030 and 2040. Corresponding Traffic Analysis Zone (TAZ) level socioeconomic forecasts were then developed by MAG and provided for transportation modeling in the summer of 2013.
- b. Maricopa County is subdivided into 231 Regional Analysis Zones (RAZs) and 3022 Traffic Analysis Zones (TAZs).
- c. The 2035 forecast model runs were done at the TAZ level.
- d. Yes, the model output files that were used for the FEIS are available. You will receive this information as TransCAD files.
- e. MAG did not provide post-processing of the modeling output for the South Mountain projects.
- f. MAG uses project specific cut lines for planning projects and cut lines for model development and calibration. The cut lines used for the model development and calibration can be found in the MAG model documentation that is available at the link provided below..
- g. The MAG truck model is fully functional and it is incorporated into the 2035 model run used for the FEIS analysis. The model output files have the truck volume forecasts.
- h. See the output files from the model runs. FTP instructions below.
- i. MAG adjusts the modeling networks based on the changes introduced to MAG Transportation Improvement Program (TIP) and the MAG Regional Transportation Plan. MAG also receives input from MAG member agencies about changes to the network to ensure accurate networks are used for forecasting purposes. We have provided the network files for the DEIS and FEIS for your use. FTP instructions below.
- j. The current MAG model produces peak period forecasts (AM and PM peak periods). Please refer to the MAG model documentation that is available at the link provided below.
- k. Please contact me for any additional questions that arise on this request for information.

The link to the online MAG model documentation:

Model Documentation Website: <https://tmd.azmag.gov/>
Username: hbasmaciyan

Comment Document

Password: H7tn*sDw

The model input and output files can be accessed as follows:

Using Internet Explorer or Firefox, simply click the link below. Using Windows Explorer, copy and paste the link below.

<ftp://TransModel:c2!DwFQhab@ftp.azmag.gov>

The user name is TransModel and the password is c2!DwFQhab

Internet Explorer users may experience difficulty accessing FTP sites. In this case, please use Windows Explorer.

.....
Please contact me if you have difficulties accessing the documentation or the FTP site.

Eric J. Anderson
Transportation Director
Maricopa Association of Governments
(602) 254-6300
Eanderson@azmag.gov

From: Herman Basmaciyani [<mailto:herman.b@roadrunner.com>]
Sent: Monday, October 27, 2014 3:20 PM
To: Vladimir Livshits
Subject: MAG Traffic Model Information Request

Dear Mr. Livshits,

I am a self-employed independent transportation engineer. I have been asked by a client to review the FEIS for ADOT's Loop 202 South Mountain Freeway. The FEIS cites some data received from MAG, with the notation that the information was "extrapolated." The FEIS makes a distinction between information cited directly from MAG and "extrapolated" information. I have been able to find most, in not all, of the directly quoted data on MAG publications available on the MAG website. The specific "extrapolated" MAG information I cannot find on the website pertains to the MAG transportation modeling inputs and the output.

On Friday (Oct. 24) I spoke by telephone with Mr. Roger

Comment Document

Roy of your staff; he suggested that I submit my questions to you in an e-mail, rather than ask them on the phone. My specific questions are:

- a. The FEIS for Loop 202 SMF states that MAG approved 2035 (based on the 2010 Census) socio-economic projections at the RAZ and TAZ level. I find a MAG document which presents 2035 forecasts approved by the POPTAC at the RAZ level, but I have not been able to find forecasts at the TAZ level. Did MAG develop or approve TAZ level 2035 socio-economic data? If yes, when were the 2035 TAZ forecasts prepared and approved?
- b. How many RAZs and TAZs does the MAG model have?
- c. Was the transportation model run at the TAZ level with the 2035 forecasts (prepared on the basis of the 2010 Census information) or only at the RAZ level?
- d. Will it be possible to make available to me the output from the model that was used by ADOT for the FEIS? In what form would I receive this information, TransCAD files, or hard copy, or other form?
- e. As a general rule, does MAG use any type of post-processing of the traffic forecasts produced by model, or are the raw forecasts used without any modification? If yes, where can I find a description of the post-processing process?
- f. The FEIS illustrates six cut lines used in the analysis and describes them as "regional" cut lines. Does MAG have a set of established cut lines that MAG uses for analyzing transportation issues? If yes, where can I find a map or description of these cut lines?
- g. Is the MAG truck model fully functional and was it incorporated into the 2035 model run used by ADOT

Comment Document

for the FEIS analysis? What would be the best way for me to receive truck volume forecasts produced by the model?

- h. The FEIS presents the results of a selected link analysis in summary form. What would be the best way for me to receive the selected link information produced by the model? Is it available as a plot output by the model or in some tabular format by TAZ or RAZ?
- i. Were any adjustments made to the highway network between the 2035 model used by ADOT for the DEIS analysis and more recently for the FEIS analysis? Specifically were changes made to inputs such as added or deleted roadway segments, speed, link length, facility classification, capacity, number of lanes, or other network characteristics? If yes, what were these changes?
- j. Am I correct to assume that peak period forecasts (AM and PM peak periods) are produced by the MAG model in addition to daily traffic volume forecasts? If yes, what is the length of the peak periods and what percentage is used to convert each peak period forecast to its respective peak hour? Does MAG have a rule of thumb for factors to convert daily traffic volume forecasts to peak hourly directional estimates?
- k. Who on your staff would be the best person to contact in case I have any questions about any material I receive in response to this request for information?

Thank you very much in advance on this matter. Your assistance is much appreciated.

Herman Basmaciyani P.E.
949-903-5738
herman.b@roadrunner.com

Comment Document

From: [Brock Barnhart](#)
To: ["Chad Blostone"](#)
Subject: RE: sm202
Date: Wednesday, October 29, 2014 4:30:00 PM

Hello Chad-

I have gotten the data you requested put on a disc. Please let me know if you would like to pick-up the disc at ADOT or if you would like us to mail it to you.

Thanks
Brock

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov



From: Chad Blostone [<mailto:chadblostone@cox.net>]
Sent: Monday, October 27, 2014 1:01 PM
To: Brock Barnhart
Subject: Re: sm202

the air quality tech report link on the sm202 page.

On 10/27/2014 12:56 PM, Brock Barnhart wrote:

Chad-

Where was the PDF from?

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov



From: Chad Blostone [<mailto:chadblostone@cox.net>]
Sent: Monday, October 27, 2014 12:39 PM
To: Brock Barnhart
Subject: Re: sm202

Comment Document

thx for the effort brock.

On 10/27/2014 12:30 PM, Brock Barnhart wrote:

Chad-

ADOT is the clearing house for the modeling files and is working to address your request.

Thanks,
Brock

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov


From: Chad Blostone [<mailto:chadblostone@cox.net>]
Sent: Monday, October 27, 2014 11:12 AM
To: Brock Barnhart
Subject: Re: sm202

hi brock - it's working. thx.

plz see attached. do i request the modeling data from you or mag?

On 10/27/2014 10:30 AM, Brock Barnhart wrote:

Hello Chad-

There appeared to be links broken on the site and have since been fixed. Please give it another try and let me know if you have any issues.

Thank you for reaching out and bringing that to our attention.

Brock

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov

Comment Document



From: Chad Blostone [<mailto:chadblostone@cox.net>]
Sent: Sunday, October 26, 2014 1:50 PM
To: Brock Barnhart
Subject: Re: sm202

hi brock - plz tell me when the air quality tech report will be back up on the sm202 website. thx.

On 10/15/2014 1:19 PM, Chad Blostone wrote:

thx for the quick response brian.

On 10/15/2014 1:10 PM, Brian Rockwell wrote:

Mr. Blostone,


Your email inquiry addressed to Tim Tait of ADOT Communications regarding fees associated with ADOT acquisition from the Foothills HOA has been referred to me for a response.

State statute requires ADOT to establish current market value for any real property to be acquired for transportation purposes. This value is established for ADOT by an independent appraiser who considers all present conditions affecting value, and it is this value amount that is presented to the property owner as ADOT's offer to purchase. ADOT does not purchase personal property, although the costs to move personal property from land purchased by ADOT is covered by the Department's relocation assistance program. ADOT also pays all reasonable title and escrow fees related to its purchase, but ADOT is not authorized to reimburse legal fees that the property owner

Comment Document

incurs that are associated with this purchase.

Please feel free to contact me if you have more questions.

R. Brian Rockwell
Assistant Chief Right of Way Agent
205 S. 17th Avenue MD 612E
Phoenix, AZ 85007
602-712-8787
Fax 602-712-3257
www.azdot.gov


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Comment Document

From:

To:

Cc:

Subject:

Date:

[Brock Barnhart](#)

[Chad Blostone](#)

[ADOT](#)

Re: sm202

Friday, October 31, 2014 3:39:55 PM

Chad-

Yes we received this.

Thanks

Brock

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From:

Sent:

To:

Subject:

Chad Blostone

Friday, October 31, 2014 3:38 PM

Brock Barnhart

Re: sm202

brock - plz confirm u rcvd the email below. thx.

On 10/30/2014 11:30 AM, Chad Blostone wrote:

brock - plz send one more input data disk.

Herman Basmaciyen

701 Marguerite Avenue
Corona del Mar, CA 92625

from the transportation engineer reviewing data:
I have been able to find most, in not all, of the directly quoted data on MAG publications available on the MAG website. The specific "extrapolated" MAG information I cannot find on the website pertains to the MAG transportation modeling inputs and the output.

plz tell me if the data on the disk contains all the information pertaining to MAG and extrapolated MAG transportation modeling inputs and the output. is all data needed to answer the questions in bold below on the disk? or tell me where it can be found plz. mag has been unable to provide the info.

plz add to the request herman if i'm missing anything.

thx for the effort brock.

Comment Document

From: Herman Basmaciyani [<mailto:herman.b@roadrunner.com>]
Sent: Tuesday, October 28, 2014 8:14 PM
To: 'Vladimir Livshits'
Subject: RE: MAG Traffic Model Information Request

Dear Mr. Livshits,

Thank you for your prompt response. In answer to your questions:

My client is PARC (Protecting Arizona’s Resources and Children).

We are requesting the MAG information because:

- Some of the responses to comments in the FEIS are vague or non-responsive.
- Not sufficient information is provided in the FEIS to fully understand the performance of the network.
- Some information in the FEIS is presented as “extrapolated from MAG data.” I have not been able to locate the referenced MAG information on the MAG web site.

The attachment to this e-mail presents details about the reasons for requesting MAG information.

Herman Basmaciyani P.E.
949-903-5738
herman.b@roadrunner.com

From: Vladimir Livshits [<mailto:VLivshits@azmag.gov>]
Sent: Monday, October 27, 2014 5:06 PM
To: herman.b@roadrunner.com
Subject: RE: MAG Traffic Model Information Request

Comment Document

Dear Mr. Basmaciyani,

Thank you for your email. We normally have resources to perform technical requests for MAG member agencies only. If you work for one of MAG member agencies please request your client project manager to confirm your request via email or in a letter as a part of our normal procedure for member-agencies requests. If your client is not one of MAG member agencies please provide your client contact information and project name and I will check with my superiors if the program priorities should be reassigned in order to satisfy your request.

Regards,

Vladimir Livshits, Ph.D. | System Analysis Program Manager
Maricopa Association of Governments | 302 North 1st Ave., Ste. 300 | Phoenix, Arizona 85003
Main line: (602) 254-6300 | Fax: (602) 254-6490 | E-mail: vlivshits@azmag.gov

From: Herman Basmaciyani [<mailto:herman.b@roadrunner.com>]
Sent: Monday, October 27, 2014 3:20 PM
To: Vladimir Livshits
Subject: MAG Traffic Model Information Request

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Comment Document

On Friday (Oct. 24) I spoke by telephone with Mr. Roger Roy of your staff; he suggested that I submit my questions to you in an e-mail, rather than ask them on the phone. My specific questions are:

- a. The FEIS for Loop 202 SMF states that MAG approved 2035 (based on the 2010 Census) socio-economic projections at the RAZ and TAZ level. I find a MAG document which presents 2035 forecasts approved by the POPTAC at the RAZ level, but I have not been able to find forecasts at the TAZ level. Did MAG develop or approve TAZ level 2035 socio-economic data? If yes, when were the 2035 TAZ forecasts prepared and approved?
- b. How many RAZs and TAZs does the MAG model have?
- c. Was the transportation model run at the TAZ level with the 2035 forecasts (prepared on the basis of the 2010 Census information) or only at the RAZ level?
- d. Will it be possible to make available to me the output from the model that was used by ADOT for the FEIS? In what form would I receive this information, TransCAD files, or hard copy, or other form?
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- f. The FEIS illustrates six cut lines used in the analysis and describes them as "regional" cut lines. Does MAG have a set of established cut lines that MAG uses for analyzing transportation issues? If yes,

Comment Document

where can I find a map or description of these cut lines?

- g. Is the MAG truck model fully functional and was it incorporated into the 2035 model run used by ADOT for the FEIS analysis? What would be the best way for me to receive truck volume forecasts produced by the model?
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- i. Were any adjustments made to the highway network between the 2035 model used by ADOT for the DEIS analysis and more recently for the FEIS analysis? Specifically were changes made to inputs such as added or deleted roadway segments, speed, link length, facility classification, capacity, number of lanes, or other network characteristics? If yes, what were these changes?
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Comment Document

Herman Basmaciyen P.E.

949-903-5738

herman.b@roadrunner.com

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Thanks

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Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690

Comment Document

azdot.gov



From: Chad Blostone
[<mailto:chadblostone@cox.net>]
Sent: Monday, October 27, 2014 1:01 PM
To: Brock Barnhart
Subject: Re: sm202

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Chad-

Where was the PDF from?

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690

azdot.gov



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Please
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free
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contact
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if
you
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questions.

Comment Document

**R.
Brian
Rockwell**

**Assistant
Chief
Right
of
Way
Agent**

205
S.
17th

Avenue
MD
612E

Phoenix,
AZ
85007

602-
712-
8787

Fax
602-
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www.azdot.gov



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Any
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Comment Document

From: [Brock Barnhart](#)
To: [Chad Blostone](#)
Cc: [ADOT](#)
Subject: RE: sm202
Date: Monday, November 03, 2014 12:33:25 PM

Hello Chad-

Here is an update as it relates to your inquiry below from the study team:

A disc with Air Quality data went to Herman Basmacyan today (11/3/2014). The "extrapolated" data is the instances where we take the raw output from MAG and then analyze it or categorize it for presentation in the report. You would have to get the raw output from MAG. Additional details beyond the FEIS are provided in the technical reports; such as the Traffic Overview. MAG would need to answer the questions below in bold as those are details of the model itself.

Hope this helps and thanks,

Brock J Barnhart
Assistant Communications Director, ADOT
602.712.4690

From: Chad Blostone [chadblostone@cox.net]
Sent: Friday, October 31, 2014 4:28 PM
To: Brock Barnhart
Cc: adot@hdrinc.com
Subject: Re: sm202

thx brock. have a good weekend.

On 10/31/2014 4:22 PM, Brock Barnhart wrote:
We are still checking on that.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Sent from my BlackBerry 10 smartphone on the
From: Chad Blostone
Sent: Friday, October 31, 2014 4:11 PM
To: Brock Barnhart
Cc: adot@hdrinc.com<<mailto:adot@hdrinc.com>>
Subject: Re: sm202

thx brock. is the transpo engineers info request something you can fulfill in a reasonable amount of time? or are you still checking on that?

On 10/31/2014 3:39 PM, Brock Barnhart wrote:
Chad-

Yes we received this.

Thanks
Brock

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.
From: Chad Blostone
Sent: Friday, October 31, 2014 3:38 PM
To: Brock Barnhart
Subject: Re: sm202

Comment Document

brock - plz confirm u rcvd the email below. thx.

On 10/30/2014 11:30 AM, Chad Blostone wrote:
brock - plz send one more input data disk.

Herman Basmacyan
701 Marguerite Avenue
Corona del Mar, CA 92625

from the transportation engineer reviewing data:
I have been able to find most, in not all, of the directly quoted data on MAG publications available on the MAG website. The specific "extrapolated" MAG information I cannot find on the website pertains to the MAG transportation modeling inputs and the output.
plz tell me if the data on the disk contains all the information pertaining to MAG and extrapolated MAG transportation modeling inputs and the output. is all data needed to answer the questions in bold below on the disk? or tell me where it can be found plz. mag has been unable to provide the info.
plz add to the request herman if i'm missing anything.

thx for the effort brock.

From: Herman Basmacıyan [<mailto:herman.b@roadrunner.com>]
Sent: Tuesday, October 28, 2014 8:14 PM
To: 'Vladimir Livshits'
Subject: RE: MAG Traffic Model Information Request

Dear Mr. Livshits,

Thank you for your prompt response. In answer to your questions:

My client is PARC (Protecting Arizona's Resources and Children).

We are requesting the MAG information because:

Ø Some of the responses to comments in the FEIS are vague or non-responsive.

Ø Not sufficient information is provided in the FEIS to fully understand the performance of the network.

Ø Some information in the FEIS is presented as "extrapolated from MAG data." I have not been able to locate the referenced MAG information on the MAG web site.

The attachment to this e-mail presents details about the reasons for requesting MAG information.

Herman Basmacıyan P.E.
949-903-5738
herman.b@roadrunner.com<<mailto:herman.b@roadrunner.com>>

From: Vladimir Livshits [<mailto:VLivshits@azmag.gov>]
Sent: Monday, October 27, 2014 5:06 PM
To: herman.b@roadrunner.com<<mailto:herman.b@roadrunner.com>>
Subject: RE: MAG Traffic Model Information Request

Dear Mr. Basmacıyan,

Thank you for your email. We normally have resources to perform technical requests for MAG member agencies only. If you work for one of MAG member agencies please request your client project manager to confirm your request via email or in a letter as a part of our normal procedure for member-agencies

Comment Document

requests. If your client is not one of MAG member agencies please provide your client contact information and project name and I will check with my superiors if the program priorities should be reassigned in order to satisfy your request.

Regards,

Vladimir Livshits, Ph.D. | System Analysis Program Manager
Maricopa Association of Governments | 302 North 1st Ave., Ste. 300 | Phoenix, Arizona 85003
Main line: (602) 254-6300 | Fax: (602) 254-6490 | E-mail: vlivshits@azmag.gov<<mailto:vlivshits@azmag.gov>>

From: Herman Basmacıyan [<mailto:herman.b@roadrunner.com>]
Sent: Monday, October 27, 2014 3:20 PM
To: Vladimir Livshits
Subject: MAG Traffic Model Information Request

Dear Mr. Livshits,

I am a self-employed independent transportation engineer. I have been asked by a client to review the FEIS for ADOT's Loop 202 South Mountain Freeway. The FEIS cites some data received from MAG, with the notation that the information was "extrapolated." The FEIS makes a distinction between information cited directly from MAG and "extrapolated" information. I have been able to find most, in not all, of the directly quoted data on MAG publications available on the MAG website. The specific "extrapolated" MAG information I cannot find on the website pertains to the MAG transportation modeling inputs and the output.

On Friday (Oct. 24) I spoke by telephone with Mr. Roger Roy of your staff; he suggested that I submit my questions to you in an e-mail, rather than ask them on the phone. My specific questions are:

- a. The FEIS for Loop 202 SMF states that MAG approved 2035 (based on the 2010 Census) socio-economic projections at the RAZ and TAZ level. I find a MAG document which presents 2035 forecasts approved by the POPTAC at the RAZ level, but I have not been able to find forecasts at the TAZ level. Did MAG develop or approve TAZ level 2035 socio-economic data? If yes, when were the 2035 TAZ forecasts prepared and approved?
- b. How many RAZs and TAZs does the MAG model have?
- c. Was the transportation model run at the TAZ level with the 2035 forecasts (prepared on the basis of the 2010 Census information) or only at the RAZ level?
- d. Will it be possible to make available to me the output from the model that was used by ADOT for the FEIS? In what form would I receive this information, TransCAD files, or hard copy, or other form?
- e. As a general rule, does MAG use any type of post-processing of the traffic forecasts produced by model, or are the raw forecasts used without any modification? If yes, where can I find a description of the post-processing process?
- f. The FEIS illustrates six cut lines used in the analysis and describes them as "regional" cut lines. Does MAG have a set of established cut lines that MAG uses for analyzing transportation issues? If yes, where can I find a map or description of these cut lines?
- g. Is the MAG truck model fully functional and was it incorporated into the 2035 model run used by ADOT for the FEIS analysis? What would be the best way for me to receive truck volume forecasts produced by the model?
- h. The FEIS presents the results of a selected link analysis in summary form. What would be the best way for me to receive the selected link information produced by the model? Is it available as a plot output by the model or in some tabular format by TAZ or RAZ?
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[http://adotnet/divisions/communications/graphic_standards/Logos/4email/adot_comm_email.jpg]

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R. Brian Rockwell
Assistant Chief Right of Way Agent
205 S. 17th Avenue MD 612E
Phoenix, AZ 85007
602-712-8787
Fax 602-712-3257
www.azdot.gov<<http://www.azdot.gov/>>
[\[cid:part21.04080500.09050309@cox.net\]](mailto:[cid:part21.04080500.09050309@cox.net])

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Comment Document

From: [Brock Barnhart](#)
To: [Chad Blostone](#)
Cc: [ADOT](#)
Subject: Re: sm202
Date: Friday, October 31, 2014 3:49:05 PM

Chad-

Also received this message and discs are being sent. The funding will come from multiple sources, including federal, state and local half-cent sales tax. The percentages for each are undetermined at this time.

Thanks
Brock

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[azdot.gov](#)



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From: Chad Blostone
[mailto:chadblostone@cox.net]

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Please
feel
free to
contact
me if
you
have
more
questions.

**R.
Brian
Rockwell**

**Assistant
Chief
Right
of
Way
Agent**
205 S.
17th
Avenue
MD
612E
Phoenix,
AZ
85007

602-
712-
8787

Fax
602-
712-
3257
www.azdot.gov



Comment Document	Comment Document
<div data-bbox="826 536 1050 1719"><hr data-bbox="826 483 898 485"/><p>Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all</p></div>	<div data-bbox="2259 433 2393 554"><p>copies plus attachments. .</p></div>

Comment Document

From: Brock Barnhart
To: "Chad Blostone"
Subject: RE: sm202
Date: Monday, October 27, 2014 10:30:23 AM
Importance: High


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R. Brian Rockwell
Assistant Chief Right of Way Agent
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Phoenix, AZ 85007
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Comment Document

From: [Projects](#)
To: "Dianne Douglas"
Cc: [ADOT](#)
Subject: RE: where do I submit comments on South Mountain freeway?
Date: Monday, December 08, 2014 8:56:20 AM

Good morning Ms. Douglas-

Please see the following ways in which to submit comments on the proposed Loop 202 (South Mountain Freeway) study.

email projects@azdot.gov,
call 602.712.7006, or
write to ADOT Community Relations, 1655 W. Jackson St., MD126F, Phoenix, AZ 85007.

Please note the comment/ review period ends on Dec. 29, 2014.

Thanks
Brock

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov


From: Dianne Douglas [mailto:Dianne.Douglas@asu.edu]
Sent: Sunday, December 07, 2014 10:41 AM
To: Projects
Subject: where do I submit comments on South Mountain freeway?

Thanks

Dianne Douglas
Phoenix, AZ

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Comment Document

From: [Projects](#)
To: "John Edmondson"
Cc: [ADOT](#)
Subject: RE: SMF FEIS Comments
Date: Thursday, November 13, 2014 8:24:32 AM

Hello Mr. Edmondson-

You may submit comments for the Loop 202 (South Mountain Freeway) Final Environmental Impact Statement the following ways;

Phone: 602.712.7006
Email: projects@azdot.gov
Mail: C/O ADOT Communications 1655 W Jackson St., MD 126F, Phoenix, AZ 85007

Thank you,
Brock

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov

-----Original Message-----
From: John Edmondson [mailto:john@theheadoffice.net]
Sent: Wednesday, November 12, 2014 3:08 PM
To: Projects
Subject: SMF FEIS Comments

How do we submit comments about the South Mountain Freeway FEIS?
Thank you

John

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Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/21/14	INCOMING CALL TIME: 2:03 PM
STAKEHOLDER: DIANE EIDE	ADDRESS: 3231 E REDWOOD LANE, PHOENIX, AZ 85048
PHONE: 480-759-8490	EMAIL: DBE1950@GMAIL.COM
CONTACT METHOD: HOTLINE	
REMARKS/QUESTIONS: Ms. Eide called the hotline requesting a call back related to the email she had sent to projects@azdot.gov regarding the Loop 202.	

Comment Document

From:Projects

To:"hancockjan@aol.com"


Subject:RE: Proposed 202 South Mountain Freeway Public Comment

Date:Tuesday, November 25, 2014 12:41:17 PM

Ms. Hancock-

This message is confirming that your comments have been received.

Thank you,



From:hancockjan@aol.com [mailto:hancockjan@aol.com]

Sent:Monday, November 24, 2014 4:49 PM

To:Projects

Subject:Fwd: Proposed 202 South Mountain Freeway Public Comment

Please confirm via reply email that you have received my comments I sent via email to you on November 23, 2014, which I am forwarding to you.

Thank you.

Jan Hancock

Hancock Resources LLC

Equestrian Design Consulting

805 N. 4th Ave

The Embassy - Suite 703

Phoenix, AZ 85003-1306

P - 602-252-8387

C - 602-550-1314

Toll Free: 877-727-7117

F - 602-253-2789

E - HANCOCKJAN@aol.com

W - www.HancockResources.com

LinkedIn: www.linkedin.com/in/janhancock/

-----Original Message-----

From:hancockjan <hancockjan@aol.com>

To:projects <projects@azdot.gov>

Sent:Sun, Nov 23, 2014 9:31 pm

Subject:Proposed 202 South Mountain Freeway Public Comment

South Mountain Study Team

Arizona Department of Transportation

1655 West Jackson Street, MD 126F

Phoenix, Arizona 85007

projects@azdot.gov

To Whom It May Concern:

My name is Jan Hancock and I live in downtown Phoenix, Arizona. I am an equestrian and I board my horse at Haldiman Farms, located south of Baseline Road a few blocks away from South Mountain Park at 227 W. Beverly Road, Phoenix, AZ 85041.

Comment Document

I frequently ride the entire trail system provided in South Mountain Park and as a recreationist, I seek the safety, quiet serenity, beauty, vistas, and long length of the Park's non-motorized trails to ride and exercise my horse. The close location of this expansive urban park has been a treasure for people like me whose good health depends on a regular respite from the crush of urban-induced stress.

I am the author of the U.S. Department of Transportation, Federal Highway Administration publication, *“Equestrian Design Guidebook for Trails, Trailheads, and Campgrounds”* written in 2009. Here is a link to the online version of this 312-page resource that forms the basis for well-designed recreational trails that accommodate the safety and recreational needs of America's equestrian trail users:
http://www.fhwa.dot.gov/environment/recreational_trails/publications/fs_publications/07232816/index.cfm

The protection of and access to existing trail systems and recreational corridors are paramount to the recreational trail user. The proposed 202 South Mountain Freeway will permanently threaten all of the recreational trail connectivity that now exists and create noise, drastically reduce air quality, and negatively impact the wildlife corridors and flora indigenous to South Mountain Park/Preserve.

Specifically, the 202 South Mountain Freeway proposed alignment will negatively impact the **Maricopa Trail**, a 240-mile Maricopa County non-motorized recreational trail, which connects with and utilizes South Mountain Park's **National Trail** pathway to connect all of the 10 Maricopa County Regional Parks east and west of Interstate 10, utilizing the Guadalupe Road bridge over I-10, which also links to the 100-mile **Sun Circle Trail** that has formed Maricopa County recreational trail connections with the Salt River Project canal system throughout the entire Valley of the Sun for more than 50 years. The Maricopa Trail/National Trail/Sun Circle Trail system is illustrated in the following maps:
<http://www.maricopa.gov/parks/MaricopaTrail/pdf/2014maps/regional-trail-11x17.pdf>
<http://www.srpnet.com/water/canals/distances.aspx>

I am a member of PATH International, a nonprofit organization with 800 equine therapy centers around the world. My affiliation with this organization is the program for **Wounded Warriors** who use America's trails for the treatment of their Post-Traumatic Stress Disorder afflictions. The PATH International programs are helping reduce the numbers of veteran suicides, now at a level of **22 suicides every day**. Trails provide the serenity, safety, and outdoor environment that are healing these veterans. The Phoenix VA Hospital can utilize the South Mountain Park trail systems as one of the closest areas for veterans' equine therapy treatment. The 202 South Mountain Freeway would negate the value of the South Mountain Park trail system for Wounded Warrior program treatment. For information about the **“Horses for Heroes”** national program at PATH International, please see: <http://www.pathintl.org/>
For statistical information, please see the Veteran's Administration 2010 report on veteran's suicides: <http://www.va.gov/opa/docs/Suicide-Data-Report-2012-final.pdf>
The specific section in this report is: **Suicide among Veterans – As Reported on Death Certificates**
Among cases where history of U.S. military service was reported, Veterans comprised approximately 22.2% of all suicides reported during the project period. If this prevalence estimate is assumed to be constant across all U.S. states, an estimated **22 Veterans will have died from suicide each day** in the calendar year 2010.

Trail Connectivity is also one of my deepest concerns.
The most pertinent information relating to the trails and shared non-motorized paths guidelines in South Mountain Park is provided in **Section 4(f), item 15, Trails and Shared Use Paths** of the FHWA environment guidelines for America's freeways and highways, in the following document:
www.environment.fhwa.dot.gov/4f/4fpolicy.asp **Questions 15A and 15B specifically address the interruption of existing and designated shared use paths, which include the Maricopa Trail, National Trail, and Sun Circle Trail that share the same pathway in South Mountain Park.** Furthermore, the National Trail is a designated National Recreational Trail with all the inherent protections provided by the FHWA. Please see the guidelines provided in Questions 15A and 15B below:
15. Trails and Shared Use Paths
Question 15A: Do the requirements of Section 4(f) apply to shared use paths or similar facilities?
Answer: FHWA must comply with 23 CFR 774.13(f) when determining if a Section 4(f) approval is necessary for the use of a trail, path, bikeway, or sidewalk. If the publicly owned facility is primarily used for transportation and is an integral part of the local transportation system, the requirements of Section 4(f) would not apply since it is not a recreational area. Section 4(f) would apply to a publicly owned, shared use path or similar facility (or portion thereof) designated or functioning primarily for

Comment Document

recreation, unless the official(s) with jurisdiction determines that it is not significant for such purpose. During early consultation, it should be determined whether or not a management plan exists that addresses the primary purpose of the facility in question. If the exceptions in 23 CFR 774.13(f) and (g) do not apply, the utilization of the *Programmatic Section 4(f) Evaluation for Independent Bikeway or Walkway Construction Projects* should be considered if the facility is within a park or recreation area. **Whether Section 4(f) applies or not, it is FHWA's policy that every reasonable effort should be made to maintain the continuity of existing and designated shared use paths and similar facilities.**²³

Question 15B: The National Trails System Act permits the designation of scenic, historic, and recreation trails. Are these trails or other designated scenic or recreation trails on publicly owned land subject to the requirements of Section 4(f)?
Answer: FHWA must comply with 23 CFR 774.13(f) when determining if a Section 4(f) approval is necessary for the use of a trail, path, bikeway, or sidewalk. National Scenic Trails (other than the Continental Divide National Scenic Trail) and National Recreation Trails that are on publicly owned recreation land are subject to Section 4(f), provided the trail physically exists on the ground thereby enabling active recreational use.

For further information regarding the protection of National Recreational Trails, please contact:
Christopher B Douwes
Community Planner
Recreational Trails Program
Transportation Alternatives Program
Federal Highway Administration
FHWA HEPH-10 Rm E74-474
1200 New Jersey Ave SE
Washington DC 20590-0001
Phone: 202-366-5013; Fax: 202-366-3409
Christopher.Douwes@dot.gov

My additional concerns include the significant impacts to the **wildlife corridors** that connect South Mountain Park to other regional mountain and lake parks within the Valley, including the Estrella, White Tank, and Lake Pleasant Regional Park preserves to the west, and the San Tan, Usery/Superstition, and McDowell Mountain Park preserves to the east. Many wildlife species in the Valley have travel ranges of 50 or more miles, and the 202 South Mountain Freeway would add just one more hazard to the natural habitats of these indigenous fauna. The roadway crossings of these wildlife animals continue to be a cruel, gruesome and transportation safety concern to all freeway and highway users. Major concerns are detailed in this document:
http://www.fhwa.dot.gov/environment/critter_crossings/main.cfm
The noise environmental effects of freeways and roadways on wildlife are detailed in this document:
http://www.fhwa.dot.gov/environment/noise/noise_effect_on_wildlife/effects/index.cfm
And the resulting environmental impacts on the vegetation and ecosystem many of these wild animals need to survive are detailed in this document:
<http://environment.fhwa.dot.gov/ecosystems/begmgmt.asp>

Many years ago, I gave my word that I would protect our Phoenix Mountain Preserves to the four women volunteers who worked so hard to save our Phoenix Mountains: Dottie Gilbert, Ruth Hamilton, Maxine Lakin, and Penny Howe. Only one of these remarkable women is now alive, and I feel my strong commitment to these true visionaries would be desecrated by the 202 South Mountain Freeway.

Attached is an archival copy of the 1986 article in the *Paradise Valley Voice*, documenting the historic day that Governor Bruce Babbitt (and later U.S. Secretary of the Interior) signed the charter amendment into law that established the permanent boundary around the Phoenix Mountain Preserve.
Long before this, in the early part of the 20th century, South Mountain Park's boundaries were established through a designation that was originally a Recreation and Public Purposes Patent from the General Land Office awarded to the City of Phoenix. The Master Title Plats will have the exact date this occurred. What is discouraging to me is the blatant letter of support for the ADOT 202 South Mountain Freeway from the San Francisco office of the U.S. Department of the Interior, dated July 24, 2014, signed by Patricia Sanderson Port, Regional Environmental Officer. Does U.S. Interior Secretary Jewell understand the implications of this

Comment Document

support for a **taking** of established preserve lands for the purpose of a freeway? Does this sacrilege of the Department of the Interior's historic lawful jurisdiction over our nation's designated preserves mean nothing to the future protection of America's designated preserved public lands?

Furthermore, regarding this U.S Department of Interior letter, there is a glaring lack of specificity, designation or identification of Preserve "replacement land" prior to project design, decision or action by ADOT on this project. It is ludicrous to consider making any planning decisions on the **taking** of Preserve lands for this project not knowing exactly what "substitution property" would be designated to comply with the intent of the Land and Water Conservation Fund Act. I totally disagree with and am astonished by the ADOT Code 1, Section 4(f) and Section 6(f) (document page 85) response.

To conclude, **I strongly oppose the construction of the 202 South Mountain Freeway for the reasons enumerated and further defined in this letter.** The disadvantages of this project far outweigh the advantages, and the destruction of the South Mountain Park/Preserve lands and the Park's environmental treasures can never be regained if this ill-advised, unnecessary ADOT project proceeds.

Thank you for this opportunity to express my concerns and opposition. My contact information is provided in my signature box below.

Best regards,

Jan Hancock
Hancock Resources LLC
Equestrian Design Consulting
805 N. 4th Ave
The Embassy - Suite 703
Phoenix, AZ 85003-1306
P - 602-252-8387
C - 602-550-1314
Toll Free: 877-727-7117
F - 602-253-2789
E - HANCOCKJAN@aol.com
W - www.HancockResources.com
LinkedIn: www.linkedin.com/in/janhancock/

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Comment Document

From:

To:

Subject:

Date:

[Saldin, Lisa](#)

[ADOT](#)

FW: South Mountain Freeway Project

Thursday, November 20, 2014 10:08:50 AM

From:

Sent:

To:

Subject:

Projects [Projects@azdot.gov]

Wednesday, October 01, 2014 11:09 AM

Saldin, Lisa

FW: South Mountain Freeway Project

For the log.

Thank you,

Salina Tovar
Community Relations Officer
1655 W. Jackson St.
MD 126F, Room 170
Phoenix, AZ 85007
602.376.6850
602.712.4629
azdot.gov

ADOT

Communications

From:

Sent:

To:

Subject:

Christa Harris [mailto:christaisyourrealtor@gmail.com]

Wednesday, October 01, 2014 10:50 AM

Projects

South Mountain Freeway Project

Good morning,

My name is Christa Harris and I am a Realtor with Homesmart real estate company. I was recently reviewing the information azdot.gov about the South Mountain freeway that may approved for construction. If the final plans are approved and construction will begin in 2015, then there may be a need to acquire some homes that would be in the plan of the propsed freeway. With the possibility of this I wanted to know if there is a preferred Realtor list that the homeowners would get or if ADOT is hiring Realtors directly to represent them. I am a native to Arizona, born and raised. I have had an active real estate license for ten years and always looking for additional business. If you could please provide me any additional information that you may have that would assist me as a Realtor for this upcoming project, that would be appreciated.

Thank you,

Christa Harris
HOMESMART
Cell: [602-400-8758](tel:602-400-8758)

Fax: [866-262-6046](tel:866-262-6046)
Website: www.christaisyourrealtor.com
Email: christaisyourrealtor@gmail.com

Comment Document

From: [Projects](#)
To: [ADOT](#)
Subject: FW: 202 expansion impact
Date: Monday, October 27, 2014 10:44:02 AM

Please add to comment log.

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov



From: Hope Harris [mailto:hopeservesyou@gmail.com]
Sent: Friday, October 24, 2014 7:10 AM
To: Projects
Subject: 202 expansion impact

Good Morning-

I am a real estate agent and have a buyer who is interested in purchasing a home in an area in Laveen Village that may be impacted by the proposed expansion. I have reviewed the site and some documents but have not been able to determine how, if and when that impact may occur.

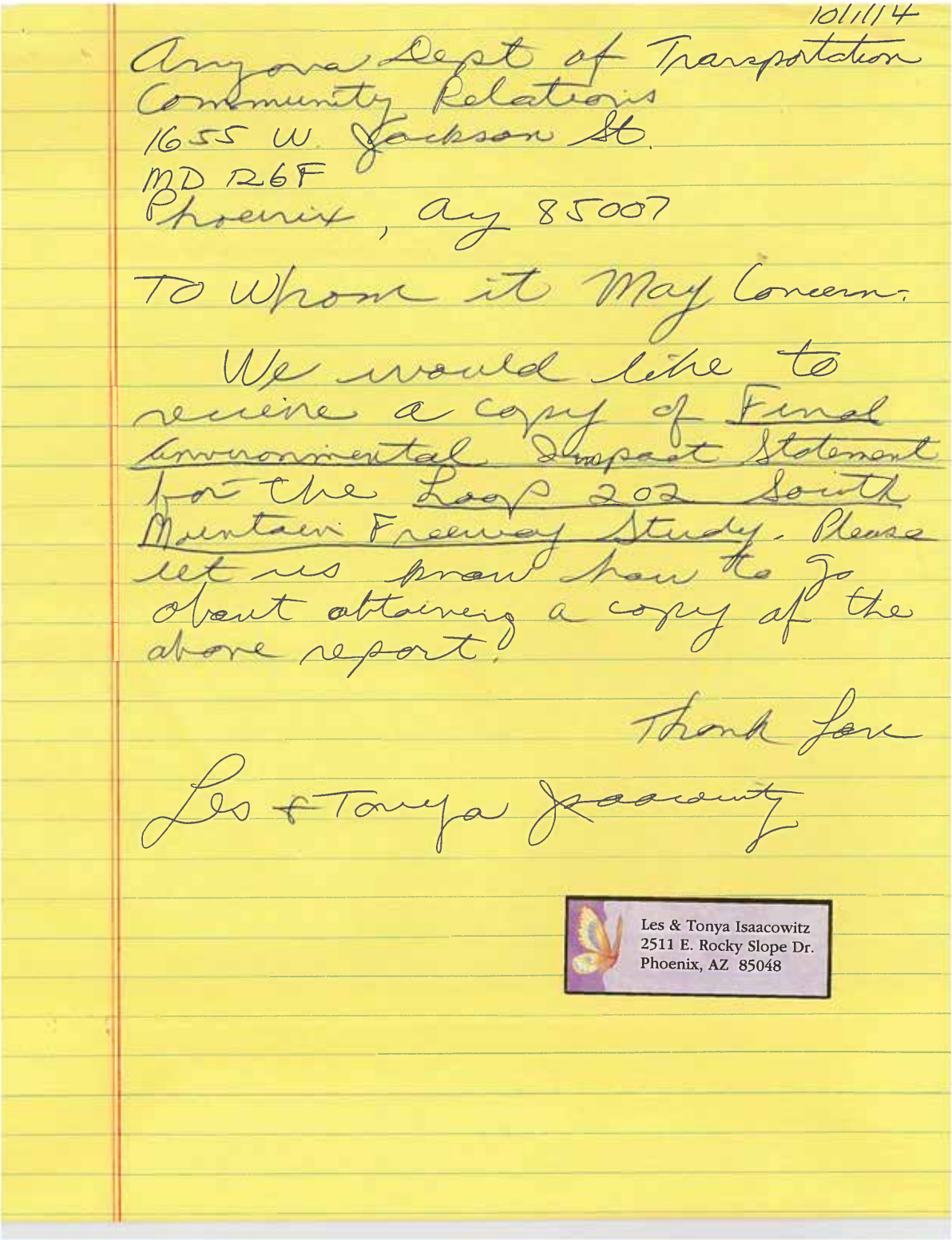
Can someone assist? The home backs to southern and is approximately 54th Avenue.

Thank you,



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Comment Document



Comment Document

From: [Brock Barnhart](#)
To: ["jochim1@cox.net"](#)
Cc: [ADOT](#); [Ralph Ellis](#)
Subject: CD Request
Date: Monday, December 01, 2014 11:40:39 AM
Attachments: [south-mountain-vol-4-errata-to-the-feis.pdf](#)
Importance: High

Mr. Jochim-

The attached is the 'errata' or addendum to the FEIS in which you requested by disc on Sunday Nov 30 (your message below). The attachment is of size that it can be sent electronically.

From: Jim Jochim [jochim1@cox.net]
Sent: Sunday, November 30, 2014 8:26 AM
To: Ralph Ellis
Cc: 'Jim Jochim'
Subject: CD Request

Ralph,

If a CD is available for the 11-19-2014 "addendum" filing to the FEIS for the Loop 202 SMF will you please send me a copy? Thanks.

I will pay for all S & H charges.

Best regards,

Jim Jochim
1231 E. Desert Flower Lane
Phoenix, AZ 85048

Thank you,
Brock

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov



ADOT
Communications

Comment Document

From: [Projects](#)
To: [ADOT](#)
Cc: [Brian Rockwell](#); [McCamon, Deborah](#)
Subject: FW: 6062 W. Jones Ave - 202 Expansion
Date: Wednesday, October 29, 2014 10:57:55 AM

FYI

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007

602-712-4690

azdot.gov



From: ashleigh kilts [mailto:ashleighkilts@live.com]
Sent: Tuesday, October 28, 2014 2:39 PM
To: Projects
Subject: 6062 W. Jones Ave - 202 Expansion

Hey there,

I'm wondering if the prperty at 6062 W. Jones Ave will be affected by the loop 202 expansion. We're representing clients on the sale of their home and they have asked us to dig a little deeper because they're confused about how they should proceed with the sale of their home.

I have searched through the website and cannot seem to find specific information.
Could you please provide us with some clarity?
Thanks so much!



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Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/20/14	INCOMING CALL TIME: 1:57 PM
STAKEHOLDER: MIKE LABROSO	ADDRESS: 2644 E. REDWOOD, PHOENIX, AZ 85048
PHONE: 602-692-8021	EMAIL: N/A
CONTACT METHOD: HOTLINE	

REMARKS/QUESTIONS:

Mr. Labroso called with questions related to an appraisal he is planning for his home due to the Loop 202 freeway plans. He would like a call back prior to the appraisal occurring. Mr. Labroso also noted that he is under hardship with selling his house.

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/21/14	INCOMING CALL TIME: 3:05 PM
STAKEHOLDER: KATHERINE MARQUEZ	ADDRESS: N/A
PHONE: 602-819-8233	EMAIL: N/A
CONTACT METHOD: HOTLINE	

REMARKS/QUESTIONS:

Ms. Marquez called with questions about the South Mountain Freeway. She believes her home is in the path of the alignment.

Comment Document

From: [Brock Barnhart](#)
To: [ADOT](#)
Cc: [Gruver, Terry](#); [Spargo, Benjamin](#); [Yvonne Gasca](#); [Timothy Tait](#)
Subject: South Mountain Call
Date: Monday, November 24, 2014 9:14:09 AM

All-

Please log the following call and the constituent needs a call back. John McNelius (?) contacted EPG and was wanting to make comments on the FEIS. Please contact Mr. Nelius at 480.786.6580 to get his comments.

Thanks
Brock

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690

azdot.gov



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Comment Document

From: [Projects](#)
To: [ADOT](#)
Subject: FW: Parcels to be purchased for South Mountain 202
Date: Wednesday, November 19, 2014 10:43:32 AM

Please log

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F

Phoenix, AZ 85007

602-712-4690

azdot.gov



From: patrickmoir@gmail.com [mailto:patrickmoir@gmail.com] **On Behalf Of** Patrick Moir - (602) 317-1737

Sent: Tuesday, November 18, 2014 12:09 PM

To: Projects

Subject: Parcels to be purchased for South Mountain 202

Gentlemen:

I have read recently in the Arizona Republic that DOT is progressing with right of way purchases for the South Mountain 202 Freeway. As a Realtor, I see an opportunity since many families will need to move.

Where could I find a list of parcels to be purchased, or the boundaries of the condemnation zone so I can figure out the parcels?

Thank you in advance for your assistance.

Thanks again,
Patrick

Patrick Moir
REALTOR
Curtis Johnson Realty
602-317-1737
Patrick@curtisjohnsonrealty.com

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Comment Document

From: [Gruver, Terry](#)
To: [Brock Barnhart](#); [Spargo, Benjamin](#); [McCamon, Deborah](#)
Cc: [ADOT](#); [Ralph Ellis](#); [Yvonne Gasca](#); [Timothy Tait](#)
Subject: RE: constituent call
Date: Friday, November 07, 2014 11:30:01 AM

Hello, I spoke to Sue Montgomery and Montgomery & Interpreter. She would like a copy of Vol. I and the CD. They will send a runner to pick it up if that's easiest for us – Ben, please advise.

Deb, for the contact log:

Sue Montgomery
Montgomery & Interpreter
4835 E. Cactus Road, Suite 210
Phoenix, AZ 85254
480-513-6825

Ms. Montgomery said they are representing the Phoenix Mountain Preserve Council. She said she knew about the Errata and asked if Nov. 25 was the comment deadline. I explained that the Errata would include a 30-day review period that would start when it's published. Ms. Montgomery suggested communicating to the public that the entire FEIS/Errata review period is extended to whatever date ends the 30-day Errata review. Arrangements were made to provide her with Vol. I and the FEIS CD.

Terry J. Gruver
D 602-522-4340 M 480-388-0051

[hdrinc.com/follow-us](#)

From: Brock Barnhart [mailto:BBarnhart@azdot.gov]
Sent: Thursday, November 06, 2014 4:34 PM
To: Gruver, Terry
Cc: ADOT; Ralph Ellis; Yvonne Gasca; Timothy Tait
Subject: constituent call
Importance: High

Terry-

Can you please log and call back this caller? I could not get the name clearly but thought it was Alex (female) from a law firm wanting to know the complete cost of the FEIS including all volumes and technical reports. She called into EPG and the message was passed along to Tim and then me.

Here is the number: 480.513.6825

Thanks
Brock

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007

Comment Document

From: [Projects](#)
To: [ADOT](#)
Subject: FW: Pecos Rd / 202 Fwy Proposal
Date: Tuesday, November 18, 2014 10:00:09 AM

Please log

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov

-----Original Message-----
From: Sara Parks [mailto:parkssa347@yahoo.com]
Sent: Monday, November 17, 2014 12:31 PM
To: Projects
Subject: Pecos Rd / 202 Fwy Proposal

Has there been a decision on the Pecos Rd / 202 freeway expansion? And also, what homes will be affected along Pecos Rd?

Thanks,
Sara Parks
Ahwatukee Homeowner

Sent from my iPhone

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Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/23/14	INCOMING CALL TIME: 9:06 AM
STAKEHOLDER: TJ SALDEE	ADDRESS:
PHONE: 480-385-8633	EMAIL:
CONTACT METHOD: HOTLINE CALL	
REMARKS/QUESTIONS: Concern about client who owns Ranch on 59th & Baseline – will this encroach on his property – How will this affect him.	

Comment Document

From: [Projects](#)
To: [ADOT](#)
Subject: FW: South Mountain Freeway Question
Date: Monday, October 27, 2014 10:43:10 AM

Please add to the comment log.

Brock J Barnhart
Assistant Communication Director
1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
azdot.gov

-----Original Message-----
From: Kristin Schmidt [<mailto:kristinschmidt@outlook.com>]
Sent: Friday, October 24, 2014 7:30 PM
To: Projects
Subject: South Mountain Freeway Question

Hi...
I own the property at 3131 E. Cottonwood Lane, Phoenix, 85048 as a rental property. I have not received notice that my home is in the path of the South Mountain Freeway but I'd like to have confirmation of this please.

Could you please let me know?
Thank you!

Kristin Schmidt
760-774-1418

Sent from my iPad

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Comment Document

From: Steven D. Schwab [<mailto:sdschwab@sundt.com>]
Sent: Saturday, September 27, 2014 12:44 PM
To: Projects
Subject: SR202L South Mountain Freeway FEIS Links

Under the Technical Reports heading on the FEIS Tab, the links for the DEIS reports for Visual, Utilities, and Secondary and Cumulative Impacts point to the Addendum for the respective report. Are the original DEIS reports for each of these three disciplines available?
Thank You.



Steven D. Schwab, P.E., Employee Owner

Sundt Construction, Inc.

2620 South 55th Street

Tempe, AZ 85282

Office: 480.293.3040

Cell: 602.501.8169

Fax: 480.293.3074

sdschwab@sundt.com

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Comment Document

From: Shavitz, Ian [<mailto:IShavitz@AKINGUMP.com>]
Sent: Tuesday, November 25, 2014 5:14 PM
To: Projects
Cc: Javier Ramos; Linus Everling
Subject: South Mountain Freeway- FEIS comment period

Dear Sir or Madam:

I represent the Gila River Indian Community (Community) regarding the South Mountain Freeway project. The Community intends to submit comments on the FEIS. In reviewing your website, I found the Final EIS Errata, which indicates that ADOT will accept comments on the entire FEIS – not just the Errata – through December 27th. Specifically, the Errata states:

As a result of these omissions, FHWA and ADOT will afford additional time for public review of the FEIS, including the errata volume. The additional 30-day review period will begin on the date a notice is published in the *Federal Register*. Notice will take place on November 28, 2014. The period during which the FEIS can be reviewed will end on December 27, 2014.

Based upon this statement in the Errata, the Community intends to submit its FEIS comments on or before December 27th. If my understanding of the deadline for comments on the entire FEIS is not correct, please let me know as soon as possible. If I do not hear back, I will assume that the Community can file its comments, and they will be duly considered, by December 27th.

Thank you.

Ian Shavitz

Ian A. Shavitz
AKIN GUMP STRAUSS HAUER & FELD LLP
1333 New Hampshire Avenue, N.W. | Washington, DC 20036-1564 | USA | Direct: +1 202.887.4590 | Internal: 24590
Fax: +1 202.887.4288 | ishavitz@akingump.com | akingump.com | [Bio](#)

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Comment Document

From: [Sheber, Tom](#)
To: [ADOT](#)
Subject: RE: 202 Final EIS AQ App C-MOVES2010b CAL3QHCR files #1431146308
Date: Wednesday, November 19, 2014 7:53:20 AM
Attachments: [image002.png](#)
[image003.png](#)

Ben:

Please mail the disc to my home address which is as follows:

Thomas J. Sheber, P.E.
4420 East Desert Willow Rd
Phoenix, AZ 85044

I look forward to receiving the disc.

Regards,



Thomas J. Sheber, P.E. | Senior Project Engineer
Office: 602.267.0336 | Fax: 602.267.0446 | Cell: 602.284.1536
tom.sheber@tetrattech.com

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From: ADOT [mailto:ADOT@hdrinc.com]
Sent: Wednesday, November 19, 2014 7:15 AM
To: Sheber, Tom
Subject: FW: 202 Final EIS AQ App C-MOVES2010b CAL3QHCR files #1431146308

Tom-
ADOT received your request below and forwarded it to the South Mountain Freeway project team. We can provide a disc with the Appendix C modeling files. If you could provide a mailing address, we will

Comment Document

send the disc to you. Thanks for your interest in the project.

Ben Spargo

From: Rusty Crerand
Sent: Tuesday, November 18, 2014 9:22 AM
To: Projects
Subject: 202 Final EIS AQ App C-MOVES2010b CAL3QHCR files #1431146308

From Envoy:

Appendix C of the Air Quality Technical Report does not appear to be available on the ADOT website and, as such, can I obtain a copy of these files on a separate disc as cited in the Appendix C divider sheet of the Air Quality Technical Report, dated August 2014?

Tom
Tetra Tech
Senior Project Engineer
tom.sheber@tetratech.com
(602) 267-0336

Rusty Crerand
Constituent Services Officer

206 S. 17th Ave.
MD 118A Room 101
Phoenix, AZ 85007
602.712.7856
dcrerand@azdot.gov



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Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/21/14	INCOMING CALL TIME: 1:33 PM
STAKEHOLDER: TIFFANY SPRAGUE	ADDRESS: N/A
PHONE: 602-253-9140	EMAIL: N/A
CONTACT METHOD: HOTLINE	
REMARKS/QUESTIONS: Ms. Sprague stated she is with the Grand Canyon Chapter of the Sierra Club and cannot find the 32-page document of comments submitted for the Draft Environmental Impact Statement (EIS) in the Final EIS. She would like a call back to address this.	

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/28/14	INCOMING CALL TIME: 10:18 AM
STAKEHOLDER: TIFFANY SPRAGUE – GRAND CANYON CLUB	ADDRESS:
PHONE: 602-253-9140	EMAIL:
CONTACT METHOD: HOTLINE CALL	
REMARKS/QUESTIONS: Concerned that comments were not included . Talked to Terry Gruver last week. Please have Terry call her again.	

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 9/29/14	INCOMING CALL TIME: 9:12 AM
STAKEHOLDER: MARK STEEL	ADDRESS: N/A
PHONE: 480-998-1332	EMAIL: N/A
CONTACT METHOD: HOTLINE CALL	
CALLER REMARKS/QUESTIONS: Mr. Steel requested further information about the W59 alternative for the freeway.	

Comment Document

From: ADOT
To: "jsugden73@gmail.com"
Bcc: "Brock Barnhart"
Subject: FW: Appendix C of the Air Quality Technical Report #1431149351
Date: Friday, November 07, 2014 4:39:18 PM
Attachments: image001.png

James-
ADOT received your request below and forwarded it to the South Mountain Freeway project team. We can provide a disc with the Appendix C modeling files. If you could provide a mailing address, we will send the disc to you. Thanks for your interest in the project.
Ben Spargo

From: Rusty Crerand [mailto:DCrerand@azdot.gov]
Sent: Friday, November 07, 2014 1:37 PM
To: ADOT
Subject: Appendix C of the Air Quality Technical Report #1431149351

Received from Envoy:

11/7/2014 12:49:47 PM
Appendix C of the Air Quality Technical Report does not appear to be available on the ADOT website and, as such, can I obtain a copy of these files on a separate disc as cited in the Appendix C divider sheet of the Air Quality Technical Report, dated August 2014?

James Sugden
jsugden73@gmail.com
623-293-0369

Rusty Crerand
Constituent Services Officer
206 S. 17th Ave.
MD 118A Room 101
Phoenix, AZ 85007
602.712.7856
dcrerand@azdot.gov



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CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/14/14	INCOMING CALL TIME: N/A	
STAKEHOLDER: MARIA AND DULCE VALDEZ	ADDRESS: N/A	
PHONE: 602-354-3813	EMAIL: N/A	
CONTACT METHOD: HOTLINE		
REMARKS/QUESTIONS: Original message. Por favor, si hay una person que me puede explicar sobre me direccion , me pueden llamar a ests numero 602-354-3813 Translation Can someone please give me a call so they can answer a couple questions regarding my address? Give me a call at 602-354-3813. Thanks		
RESPONSE: Daniel Celaya contacted the house hold that left a message on the hotline. The number I called was 602-354-3813. Maria Valdez picked up the phone. I stated I was returning her call regarding the message she left on the hotline. She stated that her daughter, Dulce Valdez, called because they were unclear about what is going on and how this was going to impact her and their property on 59 th Avenue between McDowell and Roosevelt. She told me that she got a card with a map on it regarding the loop 202 freeway. I asked her what specific questions she had and she said she really didn't know what to ask. She said that a reporter came and talked to her and her family yesterday, October 21, 2014. She wasn't able to tell me where the reporter was from. She did say that the reporter got her in contact with someone that could explain to her more in Spanish. She said the reporter will be coming today at 4pm (October 22, 2014) to answer any questions she had. I instructed her to give us a call back if she still had any questions.		
RESPONSE DATE: 10/22/14	RESPONSE TIME: 9:41 AM	HDR STAFF INITIAL: LS

Comment Document

From: [Projects](#)
To: [ADOT](#)
Subject: FW: Relatics
Date: Wednesday, November 12, 2014 8:55:54 AM

Please log

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
[azdot.gov](#)



From: Paul van de Giessen [mailto:paulvandegiessen@relatics.com]
Sent: Tuesday, November 11, 2014 9:00 AM
To: Projects
Subject: Relatics

Dear sirs/madams,

Last week I read about the South Mountain Freeway prject. That triggered me because we are experienced in managing information for projects of this size. I would like to show you how our innovative product can help you structure crucial information on your projects.

Relatics is primarily used for Systems Engineering and helps project members to manage their requirements, tests, risks, tasks and all other project objects in a coherent network of explicitly described information. Relatics frees the project of numerous spreadsheets and isolated applications to store information. Relatics has proven to be very beneficial for large infrastructural projects. Project members regain control and project risks are reduced. We became very successful in the Netherlands and are now being used in all kinds of international projects.

I am convinced that Relatics could have a significant added value for all kinds of infrastructural projects and we have very good references for large civil projects. Some examples are:

- Gotthard tunnel (http://en.wikipedia.org/wiki/Gotthard_Base_Tunnel)
- Maasvlakte 2 (http://en.wikipedia.org/wiki/Maasvlakte_2)
- 2nd Coentunnel (http://en.wikipedia.org/wiki/Second_Coen_Tunnel)
- Fehmarn (http://en.wikipedia.org/wiki/Fehmarn_Belt_Fixed_Link)
- Westerschelde tunnel (http://en.wikipedia.org/wiki/Western_Scheldt_Tunnel)

You can find more information on our website (including a short [movie](#)).

I will be more than happy to provide you with a demonstration during a web meeting. It will take about one hour and after that hour you know exactly how you can use Relatics on your projects.

Comment Document

Kind regards,

Paul van de Giessen

Paul van de Giessen
Relatics B.V.
Ridderpoort 35
2984 BG Ridderkerk
+31 180 413 047
+31 6 5254 8852
paulvandegiessen@relatics.com
www.relatics.com

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CONTACT RECORD

SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 11-13	INCOMING CALL TIME: 12:11 PM
STAKEHOLDER: ANONYMOUS	ADDRESS:
PHONE: 602-518-7190	EMAIL:
CONTACT METHOD:	
<div><div>REMARKS/QUESTIONS:</div><div>Anonymous caller has questions, asking for call back.</div></div>	

Comment Document

CONTACT RECORD
SOUTH MOUNTAIN FREEWAY

INCOMING CALL DATE: 10/22/14	INCOMING CALL TIME: N/A
STAKEHOLDER: MARK	ADDRESS: N/A
PHONE: 602-741-3252	EMAIL: N/A

CONTACT METHOD: EMAIL

REMARKS/QUESTIONS:

Following up on a name/phone # given to Brian inquiring about the above. (Mark @ 602-741-3252)

He owns property near 51st Ave & Baseline Rd outside the proposed alignment. He received a post card in the mail regarding release of the final draft of the EIS and is interested in status and timing of the decision.

I informed him of the current 60day public comment period and that we are expecting the Record of Decision in the mid-late January timeframe as of today.

Reginald Rector, SR/WA
Right of Way Project Coordinator

205 S. 17th Avenue
MD 612E
Phoenix, AZ 85007
602.712.7710



Comment Document

CITIZEN COMMENTS RECEIVED AFTER COMMENT DEADLINE

Code	Issue	Response
1	Temporary Construction Impacts	The freeway construction staging plan for the area along Pecos Road will allow for keeping east-west travel open during construction. One side of the freeway will be constructed while traffic remains on Pecos Road. When complete, traffic will be shifted from Pecos Road to the new freeway. At that time, the other side of the freeway will be built. Therefore, traffic will be able to continue to operate as it currently does during construction. However, temporary detours may be needed during construction. (See Final Environmental Impact Statement page 3-57.)
2	Design	The study has considered concepts for parallel multiuse paths; however, the main line of the freeway will not have a bicycle route as part of the design. The design of the traffic interchanges includes provisions for pedestrian and bicycle movement in accordance with current design guidelines and regulations. While not currently included, enhancements such as pedestrian bridges or multiuse paths may be added as a separate project by the City of Phoenix (see page 3-60 of the Final Environmental Impact Statement). The cost and maintenance of these enhancements would be the responsibility of the City of Phoenix.

Comment Document

From: [Projects](#)
To: [ADOT](#); [Brian Rockwell](#)
Cc: [Spargo, Benjamin](#); [Carmelo Acevedo](#); [Robert Samour](#)
Subject: FW: Loop 202 South Mountain Freeway
Date: Tuesday, January 20, 2015 3:54:49 PM

FYI – Please let me know how you would like to handle.

Brock J Barnhart
Assistant Communication Director

1655 W Jackson St. MD 126F
Phoenix, AZ 85007
602-712-4690
[azdot.gov](#)



From: Itzel Zimmer [mailto:itzel.zimmer@gmail.com]
Sent: Tuesday, January 20, 2015 2:15 PM
To: Projects
Subject: Loop 202 South Mountain Freeway

Hi,

I am a Realtor from HomeSmart and I was wondering if you can provide me with a map of the houses that are going to be affected by the expiation of the 202 on South mountain.

I have a client who lives in the area, and she is not sure if her house is going to be affected by the freeway or not.

Hope you can help me.

--

Thank you,

Itzel Zimmer

REALTOR®
"Bilingual agent"
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Mobile [\(602\) 488-6006](#)
E-Fax [\(602\) 749-6215](#)

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1

Comment Document

1	Acquisitions and Displacements	The commenter was contacted by the Arizona Department of Transportation to resolve the question.
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