FHWA-AZ-EIS-14-01-F

South Mountain Freeway (Loop 202)

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

Final Environmental Impact Statement and Section 4(f) Evaluation

Volume II: Appendices, Chapters 1, 2, 3, 4, 5, and 6

Submitted pursuant to
42 U.S.C. § 4332(2)(c), 49 U.S.C. § 303, and 33 U.S.C. § 1251
by the
Federal Highway Administration
and
Arizona Department of Transportation

in cooperation with the
U.S. Army Corps of Engineers
U.S. Bureau of Indian Affairs
Western Area Power Administration

September 2014

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APPENDIX 1-1

AGENCY LETTERS AND COMMUNICATIONS

Appendix 1-1, *Agency Letters and Communications,* contains a record of communications to and from representatives of federal, state, tribal, and local agencies. An initial contact list used for the purposes of agency scoping is included along with copies of agency letters and responses (when appropriate) received during the preparation of the DEIS and prior to the issuance of the DEIS. Letters and responses are grouped by federal, state, tribal, and local agency, followed by consultant inquiries and responses, and then organized in chronological order.

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Agency Letters and Communication

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June 8, 2000

IN REPLY REFER TO
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Dear Mr. Johnson:

Your memorandum of May 31, 2000 provided a draft memorandum for the subject *"Recommendations to Undertake an Environmental Impact Statement and Protect Right-of-way for the South Mountain Parkway"* with a request for comments on the draft memorandum. We offer the following comments:

1) Your memorandum starts out indicating that this is the MAG South Mountain Parkway Stakeholders Group. Other places in the draft memorandum it is referred to as the South Mountain Agency Stakeholders Group. Which group is it? Also, is parkway the appropriate terminology, at this time, for this facility?

2) In the draft memorandum, page 1-1st ¶, (and again on page 3, 2nd bullet) indicates right-of-way for this facility needs to be protected. We suggest that this item be expanded upon to explain that any right-of-way purchase is at risk from the perspective that the environmental approval (which includes location approval) cannot be made based on, or influenced by, any acquired right-of-way.

3) On page 2, top of page, it defines 243 acres have been acquired and 110-feet of right-of-way has been dedicated. It would help to define the general locations of these acquisitions/protected areas. Also the last sentence indicates "homes are now located along the edge of this planned facility." Is this referring to homes along the 110-foot dedicated ROW? Further definition to this statement is needed.

4) Page 2, the first set of bullets under the ENVIRONMENTAL IMPACT STATEMENT identifies some reasons for doing an EIS. Other reasons discussed at the meeting included the expanded mobility from the west valley to the east valley; review of alternatives such as the possibility of avoiding, or minimizing impact, to the foothills development, and the location of other connections to the Papago Freeway; and an opportunity for a truck bypass of downtown.

5) **Page 2, last line, again identifies this facility as a parkway. Is this the appropriate terminology?**

We suggest a time frame for an EIS/DCR be discussed in this memorandum.

Sincerely,

William P. Vachon

William P. Vachon
Area Engineer

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PO Box 97
Sacaton, AZ 85247

RE :Development of Alternative Alignments for a South Mountain Transportation Corridor on Gila River Indian Community Lands

Dear Governor Antone:

On behalf of the Federal Highway Administration and the Arizona Department of Transportation, I would like to express my sincere thanks to you for allowing us to partner with members of your staff as we undertake the Environmental Impact Statement (EIS) and Design Concept Report for the South Mountain Transportation Corridor Study. Our monthly meetings have proven to be extremely helpful in understanding and resolving mutual concerns and identifying the best approaches to each step of the study.

Having completed the EIS "scoping" phase and establishing a preliminary need for some type of transportation improvement in the South Mountain corridor, we are currently embarking on the alternatives identification stage of the study. I am writing to request your assistance in this effort.

We understand that several transportation and roadway proposals over the past decade have affected the Gila River Community, and you may have identified some alignments that may be preferable to the Community. We ask that you provide us with several alternative routes that we may include in the South Mountain Transportation Corridor Study for detailed environmental and socioeconomic evaluation through the remainder of the EIS process.

Through our monthly coordination meetings, we have learned that the Gila Borderlands Task Force has been engaged in developing and evaluating possible roadway corridors, and it may be appropriate for our study team to work through them in establishing which alternatives the Tribe would like to include in the EIS studies.

In order to satisfy our procedural requirements under the National Environmental Policy Act, we will need to have confirmation from the Tribal Council of the alternatives that you direct us to

study. As required by law, this documentation will be used to describe the alternatives selection process that was undertaken for the EIS.

Again, thank you for your continued participation in this study process. We are confident that it will result in acceptable solutions for both the Gila River Indian Community and the Phoenix metropolitan region.

Sincerely,

/s/ K. H. Davis

for Robert E. Hollis
Division Administrator

cc:
Lieutenant Governor Richard Narcia, Gila River Indian Community, PO Box 97,Sacaton, AZ 85247
Sandra Shade 315 W. Casa Blanca Rd, PO Box 97, Sacaton, AZ 85247
Larry Stephenson (same as Shade)
Victor Mendez, ADOT 100A
Dan Lance, ADOT E700
Mary Viparina, ADOT 614E
Steve Thomas, FHWA
Dave Anderson, HDR Engineers Inc,. 2171E. Highland AVE, Suite 250, Phx 85016-6606

WPVachon:vdk

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
April 5, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D (ADY)
(540.1)
SR 202L; South Mountain Freeway
Maricopa County, Arizona
FHWA-AZ-EIS-01-01-D

Office Of The Federal Register (NF)
National Archives and Records Administration
700 Pennsylvania Ave NW
Washington, D.C. 20408-0001

Gentlemen:

Enclosed you will find three (3) signed originals of the notice of intent for the proposed improvements to State Route 202L; South Mountain Freeway in Maricopa County, Arizona.

Please publish the required notice of intent in the Federal Register. We are expecting the notice to appear in the Register of April 20, 2001.

For further information please contact Stephen D. Thomas, Environmental Program Manager, at (602) 379-3918.

Sincerely,

Robert E. Hollis
Division Administrator

Enclosure

Cc: Ralph Ellis, Arizona Department of Transportation (619E)

SDThomas:sg

[4910-22]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT; MARICOPA COUNTY, ARIZONA

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Intent

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379-3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on

Kenneth H. Davis, District Engineer
Phoenix

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Ms. Lisa Hanf
Manager
Office of Federal Accounting
Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Dear Ms. Hanf:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

Your agency has jurisdiction in this area because the proposed project is located in a non-attainment area for carbon monoxide, particulates, and ozone. As a result, we are requesting the Environmental Protection Agency to be a cooperating agency. Your agency's involvement will be to participate and finally concur in the evaluation of the air quality issues associated with the proposed freeway, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intent to utilize the EIS and subsequent Record of Decision as a basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
R. Ellis (619E)
J. Allen (HDR), S. Martin (HDR)
Katiann Wong-Murillo (Western Resource Center)
Nova Blazej (EPA-SF), Sandra Shade (GRIC)

facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.

Jacklyn J. Stephenson,
Senior Manager, Enterprise Operations Information Services.
[FR Doc. 01–9817 Filed 4–19–01; 8:45 am]
BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Maricopa County, Arizona

AGENCY: Federal Highway Administration (FHWA), DOT.
ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR FURTHER INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379–3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I–10 west of Phoenix to I–10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time, a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studies are required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.

A series of public meetings will be held in the communities within the proposed study area. In addition, a public hearing will be held. Public notice will be given advising of the time and place of the meetings and hearing. A formal scoping meeting is planned between Federal, State, city and Tribal stakeholders.

To insure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Kenneth H. Davis,
District Engineer, Phoenix.
[FR Doc. 01–9782 Filed 4–19–01; 8:45 am]
BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–97–2341]

Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

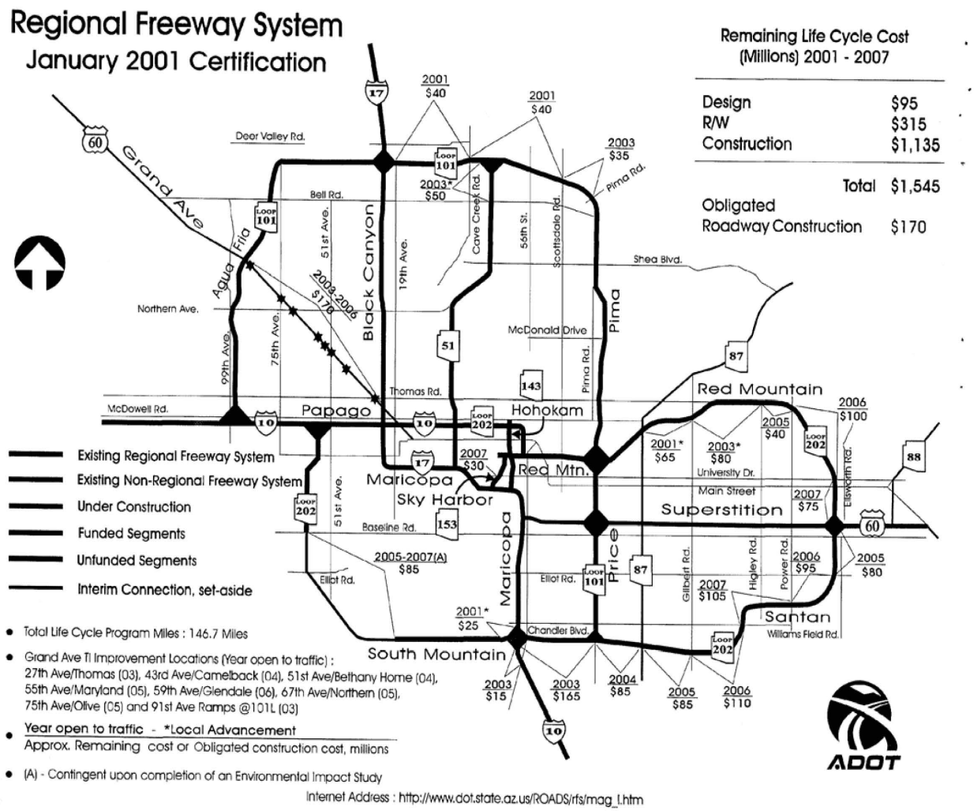
ACTION: Notice of intent to deny petitions for rulemaking; request for comments.

SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational's petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002.

DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable.

ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590–0001, FAX (202) 493–2251, on-line at *http://dmses.dot.gov/submit*. You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received you comments, please include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC–PSV, (202) 366–4009, Federal Motor Carrier Safety Administration, 400 Seventh



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Mr. Davis F. Perusa
Superintendent
Pima Agency
P.O. Box 8
Sacaton, AZ 85247

Dear Mr. Perusa:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

FHWA recognizes that your agency will represent the interests of the Gila River Indian Community and respectfully request that the Pima Agency be a cooperating agency for this project. Your agency's involvement will be to participate and finally concur in the evaluation of the issues relative to your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, cultural and environmental consequences, and mitigation. In addition, we intent to utilize the EIS and subsequent Record of Decision as a basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc: Thomas, Vachon, Davis,
R. Ellis (619E),
J. Allen (HDR), S. Martin (HDR),
Katiann Wong-Murillo (Western Resource Center),
Nova Blazej (EPA-SF), Sandra Shade (GRIC)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Ms. Cindy Lester
Arizona Section Chief
U.S. Army Corps of Engineers
3636 North Central Avenue, Suite 760
Phoenix, AZ 85012

Dear Ms. Lester:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

Proposed alternatives for this project will likely involve the Corps' jurisdiction pursuant to Section 404 of the Clean Water Act. As a result, we are requesting the U.S. Army Corps of Engineers to be a cooperating agency for the project. Your agency's involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intend to utilize the EIS and subsequent Record of Decision as the basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
R. Ellis (619E)
J. Allen (HDR), S. Martin (HDR)
Katiann Wong-Murillo (Western Resource Center)
Nova Blazej (EPA-SF), Sandra Shade (GRIC)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004

September 7, 2001

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Mr. David Harlow
Field Supervisor
United States Fish and Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, AZ 85012

Dear Mr. Harlow:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. The EIS will identify and evaluate a full range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the human and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' Regional Freeway System (map enclosed), and is also part of the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

We are requesting that the U.S. Fish and Wildlife Service be a cooperating agency for the project. Your agency's involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

An agency scooping/partnering workshop has been set up for October 30 - 31, 2001. This workshop will include a field review to familiarize your staff with the project area, as well as, an opportunity to express any issues or concerns that your agency may have relative to the proposed project. You will receive more information on the workshop in the near future.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intend to utilize the EIS and subsequent Record of Decision as the basis for any necessary permit applications.

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on the essential project. If you have any questions, please contact Mr. Kenneth Davis, District Engineer at 602-379-3914, or Mr. Stephen Thomas, Environmental Coordinator, at 602-379-3918.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
R. Ellis (619E)
J. Allen (HDR), S. Martin (HDR)
Katiann Wong-Murillo (Western Resource Center)
Nova Blazej (EPA-SF), Sandra Shade (GRIC)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

February 5, 2002

REFER TO:
HDA-NV
SP-000M(44)

Subject: Supplemental EIS for US-95 in Las Vegas

Ms. Joanne Spalding
Staff Attorney
Sierra Club
85 Second Street, Second Floor
San Francisco, CA 94105-3441

Dear Ms. Spalding:

I am responding to your letter dated January 7, 2002, requesting a Supplemental Environmental Impact Statement (Supplemental EIS) for the US-95 project in northwest Las Vegas. We have reviewed your letter and the attached reports in light of our July 17, 2000, letter to Mr. Patrick Gallagher on the previous Sierra Club request. Because of the complexities of these issues, we have consulted with our headquarters' Office of Natural Environment and Office of National Environmental Policy Act (NEPA) Facilitation, as well as our Western Resource Center.

FHWA recognizes the uncertainties in dealing with emerging issues such as the impacts of air toxics and $PM_{2.5}$. Our headquarters' Office of Natural Environment is in the process of conducting research in the area of mobile source air toxics and particulate matter. They are looking at short-term and long-term research strategies to address the high level of uncertainty in the current research. However, that research will take from several months to several years to complete. In addition, the U.S. Environmental Protection Agency (EPA) has described in their final rule on mobile source air toxics (MSATs)[1] a Technical Analysis Plan through which they will continue to improve understanding of the risk posed by air toxics to public health and welfare. It will also allow them to evaluate the need for and appropriateness of additional mobile source air toxics controls for on-highway and non-road sources and their fuels. Based on the information developed through that technical analysis plan, they will conduct a future rulemaking to be completed no later than July 1, 2004.

I would like to clarify the US-95 project that we approved in the Record of Decision. The US-95 project includes the following improvements: (1) the widening of US-95 and Summerlin Parkway, the construction of high occupancy vehicle lanes, and the installation of a freeway management system; (2) new arterial street connections; (3) arterial street improvements; (4)

[1] "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm.

transit system improvements, including enhanced CAT bus service and new park-and-ride lots; and (5) transportation demand management measures that expand the rideshare program. This is an important point because your letter and the enclosed technical studies do not accurately describe or characterize the US-95 project approved by FHWA in the Record of Decision and do not account for many of the benefits associated with this project. Our review of the issues raised in your letter was done in the context of the total US-95 project and not just the widening portion.

As I mentioned in my July 17 letter, we did review the research available related to air toxics, including the "Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES-II)[2]" and "Distance Weighted Traffic Density in Proximity to a Home is a Risk Factor for Leukemia and Other Childhood Cancers". We also reviewed EPA's final rule on "Control of Emissions of Hazardous Air Pollutants From Mobile Sources"[3], an EPA Fact Sheet - National Air Toxics Program: Integrated Urban Strategy[4], and Examples of Changes and Additions to the Final Urban Air Toxics Strategy[5]. We have also reviewed the new information and technical studies that you provided to us with your January 7 letter. Based on this review, FHWA has made the following conclusions:

(1) Although EPA has established a list of MSATs, it has not established that emissions of these compounds are health risks, nor has it established any standard or measure of what concentration of these compounds might be harmful. EPA's final rule[6] specifically states "that inclusion on the list" of MSATs "is not itself a determination by EPA that emissions of the compound in fact present a risk to public health or welfare, or that it is appropriate to adopt controls to limit the emissions of such a compound from motor vehicles or their fuels."

(2) Because of the complexity of assessing the health risks of any particular emissions compound, establishing a level of emissions or concentrations that constitute a health risk cannot be accomplished with one or two studies. In fact, EPA in establishing standards for ozone and particulate matter to protect human health reviewed thousands[7] of peer-reviewed scientific studies.

[2] "Multiple Air Toxics Exposure Study (MATES-II)," South Coast Air Quality Management District (AQMD), March 2, 2000, http://www.aqmd.gov/matesiidf/matestoc.htm.
[3] "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm.
[4] "Fact Sheet-National Air Toxics Program: Integrated Urban Strategy," U.S. EPA, July 6, 1999 www.epa.gov/ttn/uatw/urban/urbanfs.html.
[5] "Examples of Changes and Additions to the Final Urban Air Toxics Strategy," U.S. EPA, (www.epa.gov/ttn/uatw/urban/change7.html)
[6] "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm.
[7] "EPA's Revised Ozone Standard" Fact Sheet, U.S. EPA, July 17, 1997, http://www.epa.gov/ttn/oarpg/naaqsfin/o3fact.html, and "EPA's Revised Particulate Matter Standards" Fact Sheet, U.S. EPA, July 17, 1997, http://www.epa.gov/ttn/oarpg/naaqsfin/pmfact.html.

(3) The MATES-II study found that concentrations of 1,3 butadiene, benzene, carbon tetrachloride, methylene chloride, perchloroethylene, trichloroethylene, hexavalent chromium, lead, and nickel had been reduced significantly between 1990 and 1999, and that these reductions in toxics exposure resulted in 44 to 63 percent reductions in carcinogenic risk to residents.

(4) Time of exposure also influences health impacts. It should be recognized that the MATES-II study assessed "exposures as though individuals residing in the vicinity of a source remain in this location for a lifetime of 70 years. A different set of exposure assumptions may lead to lower exposure estimates and consequently lower risk estimates."[8] This is important to recognize, especially in light of the fact that emissions of air toxics are predicted to be reduced substantially in the next 20 years.

(5) In addition, it is unclear whether air toxics concentrations are of a regional nature, such as ozone, or have more localized impacts. EPA, the California Air Resources Board[9], and the South Coast Air Quality Management District[10] strategies to address mobile source air toxics have been directed to national and regional controls and programs. They have not been directed towards project-level mitigation. It is unclear the effect that individual transportation projects have in regard to air toxics.

(6) EPA has required a number of control strategies that the research shows has reduced mobile source air toxics in the past and will reduce air toxics into the foreseeable future. In fact, according to EPA's final rule[11] on MSATs, between 1990 and 2020, on-highway emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde will be reduced by 67 to 76 percent, and on-highway diesel particulate matter emissions will be reduced by 90 percent. These reductions are due to the impacts of promulgated mobile source control programs, including the reformulated gasoline (RFG) program, the national low emission vehicle (NLEV) standards, the Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and the heavy-duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements.

(7) These air toxic reductions will be achieved even with growing vehicle miles traveled (VMT). Increased VMT in a future year does not equate with increased emissions compared to the current year. In fact, as seen above, the MATES-II study found that

[8] "Multiple Air Toxics Exposure Study (MATES-II)," Page 3-6, South Coast Air Quality Management District (AQMD), March 2, 2000, http://www.aqmd.gov/matesiidf/matestoc.htm.
[9] Toxic Air Contaminant Control Program, California Air Resources Board, November 26, 2001, http://www.arb.ca.gov/toxics/control.htm.
[10] "Final Draft Air Toxics Control Plan for the Next Ten Years," South Coast Air Quality Management District, March 2000, http://www.aqmd.gov/aqmp/atcp.html.
[11] "Control of Emissions of Hazardous Air Pollutants From Mobile Sources," *Federal Register*: March 29, 2001 (Volume 66, Number 61), page 17229, http://www.epa.gov/fedrgstr/EPA-AIR/2001/March/Day-29/a37.htm.

carcinogenic risk had been reduced in the South Coast area, even though at the same time VMT increased[12] (from 1980 to 1999, VMT in the South Coast Air basin increased 81%).

(8) There is currently a lack of adequate analysis techniques to estimate and evaluate on-road mobile source air toxics. There is no microscale air toxics monitoring for the Las Vegas metropolitan area. In addition, there is no microscale analysis equivalent to the MATES-II Study. The MATES-II microscale air toxics study was meant to be a "pilot study" only within the South Coast Air Basin and it contains a statement that readers should avoid possible over-interpretation of the results

FHWA does not believe that it is useful or appropriate to analyze air toxics impacts at the project level at this time. The influence of this US-95 project could not currently be estimated in any meaningful way. Were it possible to generate credible estimates of whether emissions of these compounds increase or decrease, we still would not know whether these emission levels are likely to adversely impact health. In addition, there is a lack of monitoring or analysis techniques to validate any assessment. This would not help the NEPA decisionmaker or the public understand whether exposure to some level of emissions resulting from the project is harmful. And, as can be seen above, air toxic emissions are decreasing, and are predicted to continue to be reduced. In addition, other measures included in the Record of Decision emphasize vehicle trip reduction and operational improvements that may provide a reduction in air toxics emissions.

Your letter also requested the preparation of a Supplemental EIS to address the health effects of fine particulates ($PM_{2.5}$). Your concerns are that these health effects are not addressed within the context of the Transportation Conformity Rule (CFR Parts 51 and 93) and NEPA.

The Transportation Conformity Rule requires that transportation plans, programs and projects conform to the purpose of the State Implementation Plan in air quality nonattainment and maintenance areas. As of yet, EPA has not designated nonattainment areas for $PM_{2.5}$. Section 305 of the National Highway System Designation Act of 1995[13] specifically amended the Clean Air Act limiting the applicability of the transportation conformity provisions to nonattainment and maintenance areas. We believe that the Transportation Conformity Rule and court rulings are clear that the conformity requirements do not apply in areas that have not been designated as nonattainment areas for specific pollutants.

EPA has determined the health effects of fine particulates and has set the $PM_{2.5}$ standard to ensure that the public health is protected. The FHWA does not have a role in terms of how health-based standards are set for pollutants. Many areas of the country are in the process of monitoring levels of $PM_{2.5}$, and this monitoring will serve as the basis for whether this pollutant needs to be addressed at the regional scale, local scale or both. We believe the effect of $PM_{2.5}$ at a project level cannot be determined at this time and it may be very similar to ozone in that it is a regional effect, not a localized effect.

[12] "The 2001 California Almanac of Emissions and Air Quality," California Air Resource Board, April 12, 2001, Chapter 4, page 115, http://www.arb.ca.gov/aqd/almanac01/pdf/almanac2001%20all.pdf.
[13] National Highway System Designation Act of 1995, Public Law 104-59, November 28, 1995, http://www.fhwa.dot.gov/legsregs/nhsdatoc.html.

Based on the uncertainties with the existing and reasonably obtainable scientific information, as summarized above, and considering the purposes of the project, we have determined that there are not currently any significant new circumstances or information relevant to environmental concerns that would require the preparation of a Supplemental EIS (40 CFR § 1502.9(c)(1)(ii)). Nor, for the same reasons, do we believe that a project-specific Supplemental EIS addressing air toxics and $PM_{2.5}$ would further the purposes of NEPA (40 CFR § 1502.9(c)(2)).

Even though we have determined that the Supplemental EIS you requested is not necessary, the issues you raised are important ones and we appreciate the Sierra Club's role in the on-going national dialogue on air toxics.

Sincerely yours,

/s/ John T. Price

John T. Price
Division Administrator

cc: Mr. T. Stephens, NDOT Director
Mr. D. James, NDOT Environment
Mr. G. Kanow, NDOT Project Manager
Mr. B. Hutchins, NDOT Legal
Mr. R. O'Loughlin, FHWA - WRC
Mr. D. Ortez, FHWA - Western Field Legal Services
Mr. J. Shrouds, FHWA - HEPN-1
Mr. F. Shaer, FHWA - HEPE-1

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004
May 1, 2002

IN REPLY REFER TO
HA-AZ
NH-202-D(ADY)
SR-202L(South Mountain Freeway)

Mr. David Folts
Concerned Families Along South Mt. Loop 202
3407 E. Cedarwood Lane
Phoenix, AZ 85048

Dear Mr. Folts:

We acknowledge the receipt of your certified March 25, 2002 letter to our office. The letter included 12 questions and other comments/concerns about the proposed SR 202L South Mountain Freeway Project, located south and west of Phoenix, Arizona. Because the Arizona Division Office has the delegated authority to act on issues involving the National Environmental Policy Act (NEPA) review of this project, we have been asked to reply on behalf of Federal Highway Administrator Mary E. Peters and other recipients of your letter in our Washington Headquarters.

The NEPA review of the proposed project is still in the early stages of development. The purpose and need, a first step in the NEPA process, is under development. The identification of possible alternate alignments is just beginning. During this stage, known as "scoping," officials identify the range of alternatives, impacts and significant issues to be addressed in the environment impact statement (EIS).

The draft EIS will evaluate all reasonable alternatives to the action (i.e., alternatives to solve the identified transportation problem described in the purpose and need) and discuss why other alternatives that may have been considered were eliminated from detailed study. The DEIS will also summarize the studies, reviews, consultations, and coordination required by environmental laws or Executive orders to the extent appropriate at this stage in the environmental process.

Public involvement is an important element in the development of any Federal-aid highway project. The Arizona Department of Transportation has initiated a substantial public involvement effort for this complex project. In addition to opportunities for public comment and input, the public involvement effort includes periodic public meetings, newsletters, dedicated telephone information lines, and websites aimed at keeping the public meetings, newsletters, dedicated telephone information lines, and websites aimed at keeping the public well informed on the progress of studies associated with this project.

The DEIS will address, to the maximum extent possible or practical, the substantive issues, comments, and concerns raised by the public during the scoping stage, including the comments you have provided. After we approve the DEIS for public review and comment, the public hearings associated with it will provide a specific opportunity for the public to comment further on the project. Written comments on the DEIS will also be solicited.

Based on your letter and past e-mails, we know of your concerns about this project. We invite and encourage you to continue to participate in the NEPA process, including the formal opportunities for public involvement that will be provided, as it evolves toward final decisions on the proposed SR-202, South Mountain Freeway. At this early stage, we cannot predict the outcome, but we can assure you that all public comments will be carefully considered.

Sincerely,

/s/ Kenneth H. Davis

Robert E. Hollis
Division Administrator

cc:
(With copies of letters that accompanied ltr.from Mr. Folts)
A. Edwards, HDR Engineering, Inc., 2141 E. Highland Ave., Suite 250, Phoenix, AZ 85016-4792

Concerned Families Along South Mt Loop 202

3407 E Cedarwood Lane, Phoenix AZ 85048

3/25/02

To: FHWA
FHWA Headquarters NASSIF Bldg, 400 7th Street S.W. Washington DC 20590

- Mary A Peters (FHWA Highway Administrator)
- Frederick G Wright (FHWA Executive Director)
- Cynthia J Burbank (FHWA Planning & Environmental Program Mgr)
- Kenneth Davis (District Engineer)
- David Nelson
- Steve Thomas

EPA
US EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105

- Wayne Nastri (Regional EPA Administrator)
- Blaze Nova
- Lisa Hanf
- GR West
- Tom Sovic

Arizona Dept of Transportation
AZ DOT 206 17th Ave, Room 135, Mail Drop 100A Phoenix 85007

- Victor M Mendez
- Thor Anderson
- Ralph Ellis

Concerned Families Along South Mt Loop 202 had its first meeting February 6th at 7:30 PM. During this meeting our group discussed the health concerns of living near a highway. Some of the concerns were about the health of our school children that are attending Lagos Elementary School, which will be right alongside this South Mt Loop 202. Other areas of discussion were about the health effects of continually breathing in PM-10 and PM-2.5, Asthma along with other lung ailments including the increased chance of getting lung cancer. We feel that this highway will mostly serve as a commercial bypass due to its location and the location of some of the commercial and industrial land surrounding it. So when answering these questions please show the levels of vehicles cars/commercial traffic separately to get a proper analysis when answering our questions. As we investigate and research the human health effects especially concerning our children with Ahwatukee AZ being so densely populated we can only think that ADOT should consider alternatives to proposed South Mt Loop 202. The attached list below is some of the questions that we want included in the Environmental Impact Study.

1. What level of PM-10 and PM-2.5 can the individual person living along side this highway (within 250 ft) South Mt Loop 202 expects to ingest in his lungs over a 20-year period?

2. What level of PM-10 and PM-2.5 can the individual person living within ½ kilometer of South Mt Loop 202 expect to ingest in his lungs over a 20-year period?

3. What % increase in getting lung cancer if any will the average person have when living within 200 ft and at ½ kilometer of South Mt Loop 202? This question was asked due to recent findings from studies on people living in polluted areas and the American Lung Associations Web Page report on diesel soot being a possible carcinogen

4. What percentage of children attending Lagos Elementary School (which will sit right alongside proposed South Mt Loop 202) will be affected by asthma from the exhaust coming from this highway?

5. Will the children who already have asthma have a worsened condition from attending a school so close to this highway (South Mt Loop 202)?

6. Will existing air filtration systems in schools protect our children?

7. Will a person living alongside at 200 feet and ½ a kilometer of South Mt Loop 202 have increased levels of chemicals found in commercial vehicle and automobile exhaust in his/her blood?

8. If levels of chemicals from auto/commercial vehicle exhaust do in fact increase from living 200 feet and within ½ kilometer from South Mt Loop 202. Then please state chemical name and at what levels will they be at for a person's blood.

9. Are some birth defects more prevalent from living close to a highway (250 feet – ½ kilometer) due to highway pollution and if so what type of birth defects would they be? Please use the American Journal of Epidemiology as one of your sources.

10. What percent increase would people living close to proposed South Mt Loop 202 expect to see in birth defects is any at all?

11. Will vehicle exhaust (gasoline/diesel) chemicals from exhaust at actual traffic flow rates both commercial and automobiles show up in a persons urine who lives at distances of 200 feet and up to ½ a kilometer from South Mt Park 202? If so what would these chemicals be and at whet level?

12. Will the level of MTBE increase in a person's urine and blood living within 200 feet to ½ a kilometer from proposed South Mt Loop 202 and if so what will the levels were compared to normal levels?

Please include and answer these questions in the Environmental Impact Study for proposed highway South Mt Loop 202. Copies of this request will be mailed via US certified/registered mail to the above stated recipients. Thank you.

David Folts
Concerned Families Along South Mt Loop 202

David Folts

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004-2285
March 6, 2003

IN REPLY REFER TO
HDA-AZ
File #: NH-202-D(ADY)

Governor Richard P. Narcia
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

Dear Governor Narcia:

During 2002, the Federal Highway Administration in partnership with the Arizona Department of Transportation initiated an environmental Impact Statement Study to identify and evaluate feasible alternative alignments for the future South Mountain Freeway. Early communication and coordination with the Gila River Indian Community indicated a willingness to identify possible transportation corridors on Community Lands for the South Mountain Corridor Study.

We were advised that the District Six Community Council had adopted a resolution in August 2000 which did not support construction of any new highways within its boundaries. This action also precluded the HDR Engineering and Environmental Study team from proceeding with identifying and studying any freeway alternative alignments within their boundaries.

However, information regarding the corridor study became a topic of considerable interest to many landowners including the I-10 Pecos Landowners Association who expressed a desire for ADOT and its consultant to share engineering, environmental and economic information generated by the study.

Based upon this interest, ADOT requested an opportunity to brief the District Six Community Council and request permission to identify and study corridor alternatives within District Six. ADOT and HDR staff presented the requested information and received concurrence to proceed with the study with the condition that District Six residents participate in evaluating transportation corridors identified in the District.

We are now ready to proceed with the identification of those transportation corridors acceptable to the Gila River Indian Community. At this time there are three corridors which are considered viable including the Gila River Borderland Task Force Study recommendation and two toll road

alternatives within the proposed study area which had been approved by previous Tribal Council action.

We are requesting your assistance and guidance in proceeding with any or all of these options as possible corridors on Tribal Lands. This will allow the South Mountain Corridor Study and subsequent Environmental Impact Statement to proceed. We would also welcome other recommended optional alignments.

The Federal Highway Administration and the Arizona Department of Transportation are available to present this information or other relevant data to you, the Tribal Council; the Tribal Administration or the District Community Councils regarding the status of the South Mountain Corridor Study.

We are most appreciative of your ongoing cooperation and support of this study. We believe it is both timely and necessary to take the important step of identifying those alternative corridors acceptable to the Community to proceed with the Study.

Sincerely,

KENNETH H. DAVIS

Robert Hollis
Division Administrator

cc: Lieutenant Governor Mary Thomas, Gila River Indian Community, PO Box 97, Sacaton, AZ 85247
Director Sandra Shade, GRIC DOT, 315 W. Casa Blanca Rd. P.O. Box 97, Sacaton, AZ 85247
Floyd Roehrick, ADOT 614E
Dan Lance, ADOT 101A
Bill Hayden, ADOT 101A
Dave Anderson, HDR Engineers Inc., 2171 E. Highland Ave, Suite 250, Phoenix AZ 85016-6606
S.Thomas, K. Davis, B. Vachon

WPVachon:cdm

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren
Phoenix, AZ. 85004
February 20, 2004

IN REPLY REFER TO
HDA-AZ
Project NH-202-D(Gen)
SR-202L (South Mtn Frwy)
Environmental Impact Statement

Mr. Victor Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue,
Phoenix, AZ 85007-3213

Dear Mr. Mendez:

At a recent meeting, a question came up regarding the study and analysis of alternatives during the environmental impact study process, including any consequences associated with the elimination of any reasonable alternatives before the study process is completed. Specifically, the question pertained to alternatives currently under consideration for the South Mountain Freeway (SR-202L). This letter is intended to clarify the Federal Highway Administration's (FHWA) policies and position regarding the consideration and/or elimination of alternatives during the environmental review process.

In accordance with the National Environment Protection Act (NEPA), all projects anticipated to receive Federal-aid highway funds must be reviewed to assess, to the fullest extent possible, the environmental, economic and social impacts associated with the project – prior to the authorization of any Federal-aid funds for the project. Under regulations and guidelines developed by the FHWA governing the implementation of NEPA requirements, all reasonable alternative courses of action must be evaluated – including the "do nothing" alternative – and decisions be made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation. All reasonable alternatives under consideration need to be developed to a comparable level of detail so that their comparative merits may be evaluated. Decisions will be made after the impacts and public comments on all reasonable alternatives have been fully evaluated.

The development and evaluation of alternatives is particularly important for projects anticipated to have significant environmental impacts (thus requiring the preparation of an Environmental Impact Statement) so that the relative levels of impacts associated with each viable alternative can be fully evaluated. This comparative analysis is essential to the validity of a process that must eventually identify the best overall alternative from an array of reasonable alternatives that were likely to cause substantial or significant impacts on the environment.

FHWA's environmental review process does provide for the elimination of alternatives where it is clearly shown that those alternatives (1) are not feasible, (2) do not serve the stated purpose and need, (3) have enormous costs and/or impacts far exceeding those of other viable alternatives, or (4) have other "fatal flaws". However, early elimination of otherwise viable alternatives short-circuits the comparative analysis of viable alternatives and compromises the objectivity of the entire process.

Please keep in mind that a fully objective evaluation of all reasonable alternatives considers all relevant information and factors, including public comments, community interests and concerns, local resolutions or proclamations, etc. – all of which are important and weighed in final decision-making. However, elimination of alternatives based solely on local preferences and without completing the entire comparative process compromises the objectivity of the process and is contrary to NEPA requirements. Of course, failure to comply with NEPA would jeopardize Federal-aid funding for projects in the entire corridor.

Please let me know if you have any questions on this matter.

Sincerely,

/s/ Robert E. Hollis

Robert E. Hollis
Division Administrator

cc:
Hollis, Nelson, Vachon, Davis

REHOLLIS:vdk

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004-2285

May 25, 2004

IN REPLY REFER TO
HDA-AZ
(030)

The Honorable Ed Pastor
U.S. House of Representatives
2465 Rayburn House Office Building
Washington, D.C. 20515-0302

Dear Congressman Pastor:

Federal Highway Administrator Mary Peters asked my office to respond to you regarding the correspondence you presented her during the House Transportation Subcommittee's hearing on Environmental Streamlining on April 29, 2004. This correspondence was from Landry, Creedon & Associates, Inc. dated April 26, 2004, related to the loop alignment between 51st and 61st Avenues of the South Mountain Freeway project in Phoenix, Arizona. The South Mountain Freeway (SR-202L), located in the south and southwestern portion of the Phoenix Metro Area, is currently undergoing an intense Environmental Impact Statement (EIS) analysis to assess the impacts of various alternatives along the South Mountain Loop corridor. The draft EIS will not be completed until sometime in 2005.

The Arizona Division of the Federal Highway Administration (FHWA) understands fully the concerns cited in Mr. Landry's April 26 correspondence to you, which refers to local support of a single, specific alignment in the general vicinity of 51st and 61st Avenues. This single alignment was identified in earlier 1988 State-level studies of the South Mountain Freeway Corridor for which FHWA had no involvement. We are also aware that a considerable amount of urban planning and development has occurred based on the earlier identified alignment supported by those studies. However, the need to consider additional alternatives in the current environmental analysis and design concept studies for the South Mountain Freeway is driven by the National Environmental Policy Act (NEPA) and at least three factors:

- First, the EIS process (as discussed in more detail below) requires that all reasonable alternatives for an improvement be evaluated,
- Second, the development and accelerating growth in the western portion of the Phoenix Metro Area in the past 15 years may have substantially changed travel patterns and transportation needs, and,
- Third, there is a definite need to evaluate the impacts (traffic operations, safety, social, economic, and environmental) of connecting the South Mountain Freeway to Interstate 10 in west Phoenix.

The location identified in the earlier 15 year-old studies may no longer be the best overall location for this connection. Also, the alternatives now being considered were, in part, identified through extensive outreach effort to citizens and various other groups represented in the area, which is a clear indication the community understands the changes in the area and their interest in other alternatives. Further, because of today's high traffic volumes on Interstate 10 and the projected traffic increases the South Mountain freeway will add to I-10, the old connection may create substantial safety and operational problems not anticipated 15 years ago.

Yet another reason to evaluate all available alternatives is that the same 1988 study of the South Mountain Freeway Corridor that identified the single, specific alignment between 51st and 61st Avenues also identified a single, specific alignment on Pecos Road for the east-west portion of the corridor. But in this case, the local jurisdictions are opposed to the previously planned and supported 1988 east-west alignment and want to consider other alternatives. So on one end of this project (between 51st and 61st Avenues) the local jurisdiction is in favor of the 1988 alignment, while on the other end of the project (Pecos Road) the same jurisdiction is opposed to the 1988 alignment. Without following the EIS process to its conclusion, any final decision on specific alignments is premature and potentially subject to legal challenge.

The Maricopa Association of Government's (MAG) adopted 2003 Regional Transportation Plan clearly states "location of the South Mountain Freeway is being addressed in the DCR/EIS study process currently underway which is considering multiple location options." The plan therefore acknowledges that multiple location alternatives would be considered.

It is critical to note that once a project concept begins, NEPA requires that all reasonable alternative courses of action for that project must be evaluated – including the "do-nothing" alternative. Each alternative needs to be developed to a comparable level of detail so that their impacts (both positive and negative) may be evaluated. A fully objective evaluation of all reasonable alternatives considers all relevant information and factors, including public comments, community interests and concerns, local resolutions or proclamations, etc. – all of which are important and weighed in decision-making. Conversely, elimination of alternatives based solely on local preferences and without completing the entire comparative process compromises the objectivity of the process and is contrary to NEPA law and requirements.

The development and evaluation of alternatives is particularly important for projects anticipated to have "significant" environmental impacts (thus requiring the preparation of an EIS) so that the relative levels of impacts associated with each viable alternative can be fully evaluated. This comparative analysis is essential to the validity of a process that must eventually identify the best overall alternative from an array of reasonable alternatives likely to cause substantial or significant impacts on the environment.

FHWA's NEPA process does provide for the elimination of alternatives where it is clearly shown that those alternatives:

1. are not feasible,
2. do not serve the stated purpose and need,
3. have enormous costs and/or impacts far exceeding those of other viable alternatives, or

4. have other "fatal flaws".

However, early elimination of otherwise viable alternatives short-circuits the comparative analysis of viable alternatives and compromises the objectivity of the entire process.

In addition to the NEPA requirements stated above, these studies of alternatives are required for the Change of Access Report to FHWA necessary to support the connection of the South Mountain Freeway to I-10. This report and subsequent approval action by FHWA requires a fair and complete assessment of the impacts of all alternatives to ensure the operations and safety integrity of the Interstate Highway System.

Finally, we want to clarify that FHWA is not funding the current ADOT study; it is being funded solely with non-federal sources.

Thank you for your inquiry and do not hesitate to let me know if we can be of any further assistance.

Sincerely,

ROBERT E. HOLLIS

Robert E. Hollis
Division Administrator

cc:
Mary Peters, via Fax 202 366 3244
Victor Mendez, ADOT
Dan Lance, ADOT
KDavis
DNelson
WVachon
SThomas

DSNelson:cdm

U.S. Department of Transportation
Federal Highway Administration

Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 27, 2005

In Reply Refer To: NH-202-D(ADY)
TRACS Number H 5764 01L
South Mountain Freeway
Cooperating Agency Request

Ms. Terri Raml
Phoenix Field Office Manager
Bureau of Land Management
21605 N 7th Ave
Phoenix, Arizona 85027

Dear Ms. Raml:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT), as joint lead agencies, are preparing an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10 west of Phoenix and I-10 southeast of Phoenix (location map enclosed). The EIS will identify and evaluate a range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the social and natural environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' county-wide freeway system, and is included in the National Highway System.

During the data-gathering phase of this effort, we identified property owned by your agency that has been leased to the City of Phoenix under the regulations set forth in the Recreation and Public Purposes Act. The property is located between 59th and 67th Avenues north of Southern Avenue within the City of Phoenix. Under the lease, the City plans to use the property as part of the planned Rio Salado Oeste project. One of the project alternatives, the W55 Alternative, under detailed study in the EIS, would pass through this property. Direct coordination with your agency will be required to address this issue. Your assistance is also requested to identify any other BLM properties in the proposed alignment areas.

Your agency's involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our inter-agency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we intend to use the EIS and subsequent Record of Decision as a basis for any necessary permit applications.

BUCKLE UP AMERICA

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on this essential project. If you have any questions, please contact Steve Thomas, Environmental Program Manager, at 602-379-3645, x-117.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure

cc:
SThomas
WVachon
R Ellis (619E)
M Deeb-Roberge (619E)
Jack Allen (HDR)
SDT:cdm

U.S.Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue,
Suite 1500
Phoenix, Arizona 85012-1906
602-379-3646

February 4, 2009

In Reply Refer To:
HOP-AZ

NH-202-D (ADY)
TRACS NO. H 5764 01L
SR202L; I-10 s/o Phoenix to I-10 w/o Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Ms. Mary Barger
Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, Arizona 85005-6457

RECEIVED
ADOT
FEB 06 2009
Valley Project Management

Dear Ms. Barger:

The Federal Highway Administration and the Arizona Department of Transportation, as joint lead agencies, have initiated an Environmental Impact Statement (EIS) regarding the proposed South Mountain Corridor Project located between I-10/59th Avenue and I-10/Pecos Road, in Maricopa County, Arizona. The EIS will identify and evaluate a range of reasonable alternatives, including the no-build alternative, and their potential impacts upon the environment. The South Mountain Corridor Project is an integral element of the Maricopa Association of Governments' county-wide freeway system, and is included in the National Highway System.

A Notice of Intent to Prepare an EIS was published in the Federal Register on April 20, 2001 (copy enclosed).

We are requesting that the Western Area Power Administration be a cooperating agency for the project. Your agency's involvement will be to participate in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To assist our interagency cooperation, we will invite you to coordination meetings, consult with you on any relevant technical studies, and provide project information.

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation.

MOVING THE
AMERICAN
ECONOMY

Please notify this office, in writing, of your decision. We appreciate your cooperation to date, and look forward to working with you on this essential project. If you have any questions, please contact Steve Thomas, Environmental Program Manager, at 602-382-8976.

Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Enclosure
cc:
AHansen
SThomas
KDavis
MBruder (EM04)
MHollowell (EM02)
AEdwards, HDR
SDThomas:cdm

facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.

Jacklyn J. Stephenson,
Senior Manager, Enterprise Operations Information Services.

[FR Doc. 01-9617 Filed 4-19-01; 8:45 am]
BILLING CODE 8120-08-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Maricopa County, Arizona

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR FURTHER INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379-3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time, a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studies are required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.

A series of public meetings will be held in the communities within the proposed study area. In addition, a public hearing will be held. Public notice will be given advising of the time and place of the meetings and hearing. A formal scoping meeting is planned between Federal, State, city and Tribal stakeholders.

To insure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Kenneth H. Davis,
District Engineer, Phoenix.

[FR Doc. 01-9782 Filed 4-19-01; 8:45 am]
BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-97-2341]

Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of intent to deny petitions for rulemaking; request for comments.

SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational's petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002.

DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable.

ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX (202) 493-2251, on-line at *http://dmses.dot.gov/submit*. You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received you comments, please include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC-PSV, (202) 366-4009, Federal Motor Carrier Safety Administration, 400 Seventh

HARRY E. MITCHELL
5TH DISTRICT, ARIZONA

1410 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PH: 202-225-2190

7201 EAST CAMELBACK ROAD, SUITE 335
SCOTTSDALE, AZ 85251
PH: 480-946-2411
FX: 480-946-2446

mitchell.house.gov

Congress of the United States
House of Representatives

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON AVIATION
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT
SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT
COMMITTEE ON VETERANS' AFFAIRS
CHAIRMAN
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
COMMITTEE ON SCIENCE AND TECHNOLOGY
SUBCOMMITTEE ON TECHNOLOGY AND INNOVATION

December 11, 2009

RECEIVED
DEC 14 2009
AZ Dept of Transportation
Director's Office

Mr. Dennis Smith
Executive Director
Maricopa Association of Governments
302 N 1st Ave, Suite 300
Phoenix, AZ 85003-1562

Dear Mr. Smith,

I want to thank you for facilitating Monday's meeting of key stakeholders to discuss the possibility of studying an alternative route for the Loop 202 Freeway through the Gila River Indian Community. I was elated by the fact that Lt. Gov. Joseph Manuel and Community Manager David White of the Gila River Indian Community attended this meeting and were open to the idea of receiving a proposal for an alternative route from ADOT and MAG.

As you know, I oppose the current proposed alignment along Pecos Road.

I realize that this intriguing new development is contingent upon further consideration and a written request by the Tribal Government, which Lt. Gov. Manuel indicated could be forthcoming soon. While I understand that the ongoing Environmental Impact Study on the current proposed Pecos Road route will continue in the mean time, I view this meeting – which included not only representatives from MAG, ADOT and the GRIC, but also representatives from the Federal Highway Administration, Bureau of Indian Affairs, City of Phoenix, Bureau of Indian Affairs, my office, the Office of Congressman Ed Pastor and Councilman Sal DiCiccio -- as an important opportunity worthy of exploration.

I was also especially interested to learn of the potentially substantial cost savings to taxpayers that could be achieved by pursuing an alternative route through the Gila River Indian Community. Given the current economic climate and the state's ongoing revenue issues, I look forward to seeing a proposal that outlines in more detail how these savings might be realized.

Again, thank you for your work and leadership on this matter, and please extend my gratitude to all who took part in the discussion.

Sincerely,

Harry E. Mitchell
Member of Congress

PRINTED ON RECYCLED PAPER

Department of Energy
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

MAR 23 2009

MAR 12 2009

Mr. Robert Hollis
Division Administrator
Federal Highway Administration
4000 North Central, Suite 1500
Phoenix, AZ 85012-1906

Dear Mr. Hollis:

We have received your February 4, 2009, letter inviting Western Area Power Administration's (Western), Desert Southwest Region to participate as a cooperating agency, as defined in the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR 1501.6 and 1508.5), for the South Mountain Corridor Project (Project), for which the Federal Highway Administration (FHWA) is the lead Federal agency. Western accepts FHWA's invitation to be a cooperating agency in the NEPA process of preparing an Environmental Impact Statement (EIS).

For the proposed Project, Western understands we may need to move or reconfigure several transmission line towers. Such involvement would obligate Western to conduct a NEPA review; however, as a cooperating agency, Western would be able to adopt FHWA's EIS to satisfy its NEPA compliance requirement.

Western's Desert Southwest Regional Office will coordinate with FHWA concerning the proposed EIS effort. If you have any questions or require further information, please contact Mr. John Holt by e-mail at holt@wapa.gov or by phone at 602-605-2592.

Sincerely,

Timothy J. Meeks
Administrator

cc:
Ms. Carol Borgstrom, Director
Office of NEPA Policy and Compliance, GC-20
U.S. Department of Energy
Washington, DC 20585

Ms. Yardena Mansoor
Office of NEPA Policy and Compliance, GC-20
U.S. Department of Energy
Washington, DC 20585

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

May 17, 2001

Kenneth H. Davis, District Engineer
Federal Highway Administration
234 North Central Avenue, Suite 330
Phoenix, AZ 85004

Dear Mr. Davis:

The U.S. Environmental Protection Agency (EPA) has reviewed the Notice of Intent published April 20, 2001, to prepare an Environmental Impact Statement (EIS) for the proposed **South Mountain Corridor in Maricopa County, Arizona.** Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

The proposed project is intended to provide improvements to accommodate existing and projected traffic demand. The proposed action is to construct a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I-10 west of Phoenix to I-10 southeast of Phoenix to form a southwest loop. Proposed alternatives include: 1) no action, 2) using alternate travel modes, 3) limited access parkway, 4) major urban arterial with transportation system management, and 5) a freeway.

We appreciate this opportunity for early participation in the environmental assessment of the South Mountain Corridor. EPA applauds the Federal Highway Administration (FHWA) for considering a broad range of alternatives, including using alternate travel modes, in this project. To assist in the scoping process, we have identified several issues for your attention in the preparation of the EIS. The Notice of Intent is fairly general in its description of the proposed project and its potential impacts. As such, our comments are fairly general. We look forward to continued participation in this process as more information becomes available. Our specific comments are listed below:

Purpose and Need

EPA considers a clear Purpose and Need statement fundamental to a well prepared EIS. The NOI states that improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. The "Need" statement in the EIS should address the following three questions for both current and future conditions:

- **Why?** What is the basic problem or deficiency with the existing situation and why is this a problem? How does it relate to the agency mission? What facts support the need?

- **Why here?** Why is this problem or deficiency occurring here and why is it important? Where does "here" end, and why?

- **Why now?** Why does the problem need to be addressed now (urgency)? Why not earlier or later? What could happen if the problem were not addressed now?

Each need for the action must have an associated measurable objective or "purpose" that can be used to measure the effectiveness of each alternative in meeting that need.

Traffic Modeling
The traffic modeling for the EIS will include projections of future traffic demand. EPA's overall recommendation for this section is to make both the methodology and the assumptions in the traffic analysis as transparent as possible to the public and decision makers. To do this, EPA recommends that FHWA:

- Identify which traffic model will be used, discuss its strengths and weaknesses, and describe why it was selected.

- Identify the variables, assumptions, and inputs used in the model, discuss the strengths and weaknesses of those variables, assumptions, and inputs, and discuss why those variables, assumptions, and inputs were selected.

- Include feedback loops in the traffic model between trip distribution and travel time.

- Include a table outlining traffic performance, by alternative, in the Summary section of the EIS.

The EIS should also include a specific section that addresses induced travel demand. Research indicates that, especially in rapidly growing communities, induced travel demand plays a considerable role in increased traffic volumes both in the short-run and the long-run (see attached: Noland, Robert B., and Lewison L. Lem, "Induced Travel: A Review of Recent Literature and the Implications for Transportation and Environmental Policy," paper presented at the European Transport Conference, Sept. 2000). EPA is particularly concerned about this issue because induced travel demand leads to increased vehicle miles traveled (VMT) and increased air emissions from those vehicles.

FHWA may want to consider using the SMITE model (Spreadsheet Model for Induced Travel Estimation) to estimate the amount of induced travel that may be generated by the proposed project. This is a sketch tool that can be useful in cases where four-step urban travel models are either unavailable or are unable to forecast the full induced demand effects.

Air Quality
The proposed project will likely have air quality impacts during both construction and operation. The Phoenix metropolitan area is currently in nonattainment for ozone, carbon monoxide (CO), and particulate matter less than ten microns (PM10). This situation has several implications for the proposed project:

- Since the project is located in a nonattainment area for ozone, the project should be included in a conforming Transportation Plan and Transportation Improvement Program (TIP) before the NEPA process is completed.

- Air quality impacts from project construction will likely include PM10 and CO emissions. Since the project is located in a nonattainment area for both PM10 and CO, the EIS should include a detailed fugitive dust control plan and a CO hot spot analysis. Sensitive receptors should be identified.

Indirect and Cumulative Impact in terms of Land Development
NEPA requires consideration of indirect and cumulative impacts, including those impacts from land development associated with the provision of additional transportation infrastructure. This is often referred to as Growth Inducing Impacts. Various methods to assess the land use impacts of transportation exist, as documented in the report by the National Academy of Sciences, Transportation Research Board's National Cooperative Highway Research Program entitled, "Land use Impacts of Transportation: A Guidebook" (Report 423A, 1999). An electronic copy of this report is available from EPA upon request.

As described in the report, some of the more analytically reliable methods to assess the land development impacts of transportation infrastructure include formal land use models such as DRAM/EMPAL, MEPLAN, and TRANUS. If a land use model is available and calibrated to the region, using these models can result in estimates of the potential land use impacts of the changes in transportation infrastructure. In situations where formal land use models are not available in the region, an alternative method of assessing future land development effects of transportation is the "Delphi review method". As NCHRP Report 423A describes, the Delphi review method uses a structured approach to obtain a set of expert opinions on the land development effects of transportation:

Like the traffic modeling section, EPA's overall recommendation is to make both the methodology and the assumptions in the growth inducing analysis as transparent as possible to the public and decision makers. To do this, EPA recommends that FHWA:

- Identify which land use model will be used, discuss its strengths and weaknesses, and describe why it was selected.

- Identify assumptions used in the model, the strengths and weaknesses of the assumptions, and why those assumptions were selected. For example, describe which method will be used to allocate growth to zones, its strengths and weaknesses, and why that method was selected.

- Ground truth the results of the land use model by enlisting local expertise involved in land use issues, such as local government officials, land use and transportation planners, home loan officers, and real estate representatives. Use their collective knowledge to validate or modify the results of the land use model.

- Use the results of the growth inducing analysis as inputs into the travel forecasting process performed on each of the build alternatives.

Pollution Prevention
The Resource Conservation & Recovery Act (RCRA) Section 6002 requires federal, state, local agencies, and their contractors that use appropriated federal funds, to purchase EPA-designated recycled materials, including EPA-designated transportation, construction, and landscaping products. In addition, EPA supports deconstruction and materials reuse in projects where existing structures are removed.

- Commit to materials reuse, where appropriate and feasible, and include a commitment to the Buy-Recycled requirements. For further details, please see EPA's web site at http://www.epa.gov/cpg, as well as attached materials on Buy-Recycled and Construction Waste Management.

If you have any questions, please do not hesitate to contact me. I would be happy to discuss these comments with you in further detail. Perhaps the project team meeting scheduled this summer would be a good time to discuss our comments, especially as more information may be available at that time. We look forward to continuing our early involvement in this project. I can be reached at 415-744-2089 or *blazej.nova@epa.gov*.

Sincerely,

Nova Blazej
Transportation Coordinator

Attachments: *Induced Travel*, Noland and Lem, 2000
2000 Buy-Recycled Series: Transportation, Construction, Landscaping Products
Construction Waste Management

cc: Steve Thomas, FHWA-AZ

4 of 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

October 23, 2001

Robert E. Hollis, Division Administrator
Federal Highway Administration, Arizona Division
234 N. Central Avenue, Suite 330
Phoenix, AZ 85004

Dear Mr. Hollis:

We are writing in response to your letter of September 7, 2001 inviting the Environmental Protection Agency (EPA) to participate as a cooperating agency in the proposed **South Mountain Corridor Project** located between I-10 south of Phoenix and I-10 west of Phoenix, in Maricopa County, Arizona. As you know, EPA enjoys a positive working relationship with the Arizona Division of the Federal Highway Administration (FHWA), and we look forward to continuing that relationship on the South Mountain Corridor Project.

EPA has been involved in this project through preliminary meetings with Steve Thomas, FHWA Environmental Coordinator, and by providing formal scoping comments in response to the project Notice of Intent. Nova Blazej of my staff will also attend the inter-agency scoping/partnering meeting on October 30 – 31 in Phoenix, and we plan to continue our early and coordinated involvement in this project throughout the development of the Environmental Impact Statement (EIS).

Due to resource constraints, however, EPA respectfully declines FHWA's invitation to participate in the South Mountain Corridor Project as a cooperating agency. EPA Region 9 encompasses the States of California, Nevada, Hawaii, and Arizona, and, with the exception of Hawaii, each of these States has a very active transportation program. Under Section 309 of the Clean Air Act, EPA is required to review and comment on all EISs. As such, our office is involved in a very high volume of FHWA projects. In the past year we were reviewed approximately 45 FHWA projects.

Because of our high work load, EPA is unable to participate as a cooperating agency in the South Mountain Corridor Project. We are, nonetheless, committed to being an active partner in the development of the EIS and are available to provide FHWA with early input into the project. As a point of clarification, your letter states that FHWA is inviting EPA to participate as a cooperating agency in the South Mountain Corridor Project because the Maricopa County is designated as a federal nonattainment area for carbon monoxide, particulates, and ozone, and, as stated, EPA has jurisdiction by law. While EPA does have jurisdiction within the Clean Air Act, we do not expect to have any approval activity within this project as related to air quality issues.

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If you have any questions or would like to discuss this further, please contact me or Nova Blazej, the point of contact for this project. Nova can be reached at 415-744-2089 (after October 30, 2001, 415-972-3846) or blazej.nova@epa.gov.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

cc:
Horst Greczmiel,CEQ
Joe Montgomery, EPA-HQ
Steve Thomas, FHWA-AZ

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

January 31, 2002

David Anderson
HDR
Suite 250, Park One
2141 East Highland Avenue
Phoenix, AZ 85016-4792

Dear Mr. Anderson:

The Environmental Protection Agency (EPA) has reviewed the Draft Purpose and Need Technical Memorandum (January 2002) prepared for the **South Mountain Transportation Corridor** project, Maricopa County, Arizona and sent by your office for the Arizona Department of Transportation (ADOT). The proposed project is intended to provide improvements to accommodate existing and projected east-west traffic demand by constructing a new multilane freeway in the metropolitan Phoenix area.

We appreciate the attention to and effort invested in the development of the Purpose & Need statement and this opportunity for our early involvement. The Purpose & Need statement lays the foundation for the rest of the document and deserves close attention.

We have two comments, one concerning the content of the memorandum and one concerning process. With regard to content, we recommend refining the project purpose and, thereby, establishing a basis for setting the project study area. The northeast boundary of the project study area presented in the memorandum runs along the south side of South Mountain Park. During the Interagency meeting held in October, 2001, several agencies suggested broadening the project study area to encompass the area *north* of South Mountain Park, as an alignment north of South Mountain Park might also satisfy the need for improved east-west travel demand. EPA has the following specific recommendations:

- Refine the project purpose, or project objectives. For example, the memorandum describes the transportation demand and land use objectives of the proposed project in somewhat general terms. The project purpose should be refined to describe specific transportation demand, system linkage, and land use planning objectives. A summary, in bulleted form, at the beginning of the document would also be helpful.
- Refining the project objectives will help determine the appropriate project study area boundary. Justify the study area boundary and make changes, as appropriate. Respond to the question as to whether an alignment north of South Mountain Park would satisfy the project objectives.

With regard to process, EPA believes this project would be appropriately reviewed under the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada Memorandum of Understanding (1994) (NEPA/404 MOU). Because of the potential project impacts to the Salt River and the need for an Individual Permit from the Army Corps of Engineers (ACOE), future project delays can be avoided by coordinating the NEPA process and the Section 404 process early on in project development. We have proposed initiating the NEPA/404 MOU process to the Federal Highway Administration (FHWA), and we continue to recommend using the NEPA/404 MOU process in the development of this project. Under the NEPA/404 MOU, the first step in the integration process is concurrence on Purpose & Need. Should FHWA and ADOT elect to initiate the NEPA/404 MOU process, EPA would be prepared to concur on the Purpose & Need statement with the changes cited above.

Again, thank you for this opportunity for early involvement. If you have any questions or comments, please feel free to contact me or Nova Blazej, the primary person working on this project. Nova Blazej can be reached at 415-972-3846 or *blazej.nova@epa.gov*.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

cc: Steve Thomas, FHWA
Ralph Ellis, ADOT
Dana Owsiany, ACOE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

May 2, 2002

Mr. David Folts
Concerned Families Along
South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85008

Dear Mr. Folts

The Environmental Protection Agency received your letter of March 25, 2002 outlining your concerns regarding the proposed South Mountain Corridor project. Your letter lists a number of health-related questions and requests that the Environmental Impact Statement (EIS) for the South Mountain Corridor project specifically address these questions. The EIS is the appropriate forum to address your concerns, as this document is intended to disclose all environmental, human health, and socio-economic impacts associated with the proposed project to the public and decision-makers.

The Federal Highway Administration, as the lead federal agency, and the Arizona Department of Transportation, as the project proponent, will work together to address all comments they receive during the project scoping period by incorporating those comments into the Draft EIS. This includes the issues raised in your letter. Once the Draft EIS is published, the public will have at least 45 days to review and comment on the document. The public will have an additional 30 days to comment once the Final EIS is published. The Environmental Protection Agency has been actively involved in this project and will participate in the review of both the Draft and Final EIS. If you have additional questions regarding the EIS review process, I can be contacted at 415-972-3846.

Sincerely,

Nova J. Blazej
Federal Activities Office

cc: Lisa Hanf, EPA
David Tomsovic, EPA
GR West, EPA
Steve Thomas, FHWA
Ralph Ellis, ADOT

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

March 17, 2005

David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85048

Dear Mr Folts:

Thank you for your email dated February 22, 2005, to the United States Environmental Protection Agency (EPA) concerning the potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA welcomes your concerns about future activities that may affect the human and natural environment in the vicinity of the proposed transportation project.

After receiving your email, Connell Dunning of my staff spoke with Steve Thomas of the Arizona Division of the Federal Highway Administration (FHWA) regarding the status of the South Mountain Draft Environmental Impact Statement (Draft EIS) and incorporation of comments raised through the scoping process. Mr. Thomas stated that the Draft EIS is still under development and has not been submitted for public comment. He confirmed that FHWA and Arizona Department of Transportation (ADOT) are working to address all comments raised through the scoping process.

If you are concerned that the EIS may not address the questions that you previously submitted, EPA recommends continuing to discuss your specific areas of concern with those agencies that are cooperating in drafting the document. I have copied the Arizona Department of Transportation Project Manager (Mike Bruder) as well as Steve Thomas on this correspondence. Steve Thomas also offered to provide additional information related to opportunities for public involvement. He can be reached at 602-379-3645 extension 117.

EPA commends you for taking an active role in efforts to protect the human environment and natural resources associated with the South Mountain area. Once the South Mountain Draft EIS is available to the public, we will review the proposed project to ensure project compliance with applicable environmental laws and regulations. If you have additional questions about EPA's authorities relative to this proposed project, please have your staff contact Connell Dunning, the lead reviewer of transportation-related environmental impact statements in Arizona. Connell can be reached at dunning.connell@epa.gov or 415-947-4161.

Sincerely,

for Lisa B. Hanf, Manager
Federal Activities Office

CC: Steve Thomas, Federal Highway Administration
Mike Bruder, Arizona Department of Transportation

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

RECEIVED
JUN 22 2005

June 17, 2005

Mr. David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85048

Dear Mr. Folts:

The U.S. Environmental Protection Agency (EPA) has been asked to respond to your April 16, 2005 letter to Representative J. D. Hayworth regarding the potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA commends you for taking an active role in efforts to protect the human and natural environment in the vicinity of the proposed transportation project.

As you know, the Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) are preparing a Draft Environmental Impact Statement (EIS) for the proposed South Mountain Loop 202 project. The regulations implementing the National Environmental Policy Act (NEPA) require that an EIS disclose significant direct, indirect and cumulative impacts of a proposed federal action to the human environment. Given the extensive scientific literature on near-roadway health effects, it is important that the EIS for South Mountain Loop 202 include a discussion of potential health effects of the proposed project, especially to "sensitive receptors" (such as children, the elderly, and people in poor health).

Following receipt of your February 22, 2005 correspondence to EPA, Connell Dunning of my staff spoke with Steve Thomas of the Arizona Division of the FHWA regarding the status of the South Mountain EIS and incorporation of comments raised through the scoping process (see attached letter March 17, 2005). Mr. Thomas confirmed that FHWA and ADOT are working to address all comments raised through the scoping process, including those raised by Concerned Families Along South Mountain Loop 202. Since you remain concerned that the EIS may not address the questions that you previously submitted, we continue to recommend that you discuss your specific concerns with ADOT and FHWA, the agencies that are preparing the EIS. I have copied the ADOT Project Manager, Mike Bruder, as well as Steve Thomas on this correspondence. As stated in our previous letter, Steve Thomas offered to provide additional information related to opportunities for public involvement. He can be reached at 602-379-3645 extension 117.

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Once the Draft EIS is available for public comment, EPA will review the proposed project to ensure project compliance with applicable environmental laws and regulations. Again, thank you for your letter. If you have additional questions, please contact me or your staff may contact Connell Dunning at 415-947-4161. Ms. Dunning is the lead environmental reviewer for transportation projects in Arizona.

Sincerely,

Enrique Manzanilla, Director
Community and Ecosystems Division

Enclosure

cc: Honorable J.D. Hayworth
Steve Thomas, Federal Highway Administration
Mike Bruder, Arizona Department of Transportation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

April 21, 2006

David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, AZ 85048

Dear Mr Folts:

Thank you for your February 28, 2006 letter to the United States Environmental Protection Agency (EPA) expressing your concerns with potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA has responded to your interest in attaining answers to specific air quality questions related to this project on three previous occasions, twice via letter to you (March 17, 2005 and June 17, 2005) and once through a phone conversation with a representative from Congressman J.D Hayworth's office (September 2005).

Your letter identifies that you continue to be concerned that the Draft Environmental Impact Statement (EIS) being developed for this project may not address the questions that you previously submitted. Exposure to mobile source air toxics is known to cause adverse human health impacts, including cancer and other serious health effects. With our increasing understanding of air toxics concerns, and the increasing public attention on this issue, EPA agrees that the Draft EIS for the South Mountain project should assess and reduce all emissions-related impacts to air quality and human health.

After receiving your February 28, 2006 letter, Connell Dunning of my staff spoke with Steve Thomas of the Arizona Division of the Federal Highway Administration (FHWA) regarding the status of the South Mountain Draft EIS and incorporation of your comments, as well as others raised through the scoping process. Mr. Thomas confirmed that the Draft EIS is still under development and has not been submitted for public comment. He confirmed that FHWA and Arizona Department of Transportation (ADOT) are working to address all comments raised through the scoping process.

EPA continues to recommend that you discuss your specific areas of concern with those agencies (ADOT and FHWA) that are cooperating in drafting the document. EPA has no role in compiling the Draft EIS and can only recommend that ADOT and FHWA incorporate into the Draft EIS a robust analysis of all direct, indirect, and cumulative impacts of this project and commit to appropriate mitigation and project design elements to reduce impacts to human health and all environmental resources. EPA has recommended via past phone conversations, and continues to recommend through this letter, that ADOT and FHWA include an air quality analysis in the Draft EIS that addresses all questions provided by you and analyzes potential

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impacts of emissions of criteria pollutants (particulate matter less than 10 microns, carbon monoxide, precursors of ozone), air toxics, and diesel particulate matter. EPA also recommends that the Draft EIS provide specific mitigation measures, including operational changes to project alternatives and construction practices, that will reduce impacts to air quality and human health from the proposed project.

Once the South Mountain Draft EIS is available to the public, we will review the proposed project to ensure project compliance with applicable environmental laws and regulations. If you have additional questions about EPA's authorities relative to this proposed project, please contact Connell Dunning, the lead reviewer of transportation-related environmental impact statements in Arizona. Connell can be reached at dunning.connell@epa.gov or 415-947-4161. I have also copied the Arizona Department of Transportation Project Manager (Mike Bruder) as well as Steve Thomas on this correspondence. Steve Thomas can be reached at 602-379-3645 extension 117.

Sincerely,

Duane James, Manager
Environmental Review Office

CC: Steve Thomas, Federal Highway Administration
Mike Bruder, Arizona Department of Transportation

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Pima Agency
Sacaton, Arizona 85247

005
Real Prop. Mgmt.
Phone 562-3552

April 19, 1967

Honorable James A. Haley
Chairman, Sub-Committee on
Interior and Insular Affairs
House of Representatives
Washington, D.C. 20240

Re: H.R. 2154

Honorable Haley:

In accordance with Dr. Taylor's request regarding yesterday's Sub-Committee hearing to consider H.R. 2154, the following information is respectively submitted in connection with Interstate #10 Highway through the Gila River Indian Reservation, Arizona.

Interstate #10 Highway across the Gila River Indian Reservation is 24.07 miles in length, 300 feet wide with additional width required by the four interchanges. Total amount paid was $473,860.00 of which $265,000.00 was paid for tribal lands and $208,860.00 for individual or allotted lands.

Planning and negotiations for Interstate #10 Highway involved approximately four years. Differences between Arizona State and Bureau of Indian Affairs appraisals were resolved before condemnation was seriously considered and the right of way was formally approved January 21, 1966.

Sincerely yours,

Kendall Cummings
Superintendent

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
PIMA AGENCY
Post Office Box 8 - Sacaton, Arizona 85247

IN REPLY REFER TO:

Mr. Robert E. Hollis
Division Administrator
U.S. Department of Transportation
Federal Highway Administration, AZ Division
234 North Central Avenue, Suite 330
Phoenix, Arizona 85004

Dear Mr. Hollis:

This is in response to your September 7, 2001 letter requesting Pima Agency's involvement as a cooperating agency with the Federal Highway Authority (FHWA) and Arizona Department of Transportation (ADOT) to evaluate issues related to the proposed South Mountain Corridor Project, Environmental Impact Statement (EIS) preparation process.

Currently, the Ak Chin Indian Community and Gila River Indian Community are under the administrative jurisdiction of Pima Agency. The Ak Chin Indian Community is located in Pinal County, south of Maricopa, Arizona and will also need involvement through this agency's representation with the EIS process.

We accept your agency's request to be involved with the project as a cooperating Federal agency and represent the interests for the two communities for the proposed South Mountain Corridor, EIS development process.

If you have any questions or need additional information, please contact Mr. Peter B. Overton, Agency Environmental Specialist, at (520) 562-3326, Extension 267.

Sincerely,

Acting Superintendent

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
PIMA AGENCY
Post Office Box 8 – Sacaton, Arizona 85247

IN REPLY REFER TO:

Office of the Superintendent
Telephone Number (520) 562-3326

MAY 5 2005

Marie A. Deeb-Roberge, PE
Arizona Department of Transportation
Environmental & Enhancement Group
205 S. 17th Avenue, Room 213E, MD 619E
Phoenix, Arizona 85007

Dear Ms. Deeb-Roberge:

We have received your request for this agency to formally comment in reference to the draft "Table of Contents" to be utilized with the draft Environmental Impact Statement (EIS), document for the proposed South Mountain Freeway Project, Maricopa County, Arizona.

After our meeting on April 20, 2005 with Gila River Indian Community (GRIC), Arizona Department of Transportation (ADOT), Federal Highway Administration (FHA) and Bureau of Indian Affairs (BIA) staff at the Sacaton Agency, it appears that there is no certainty that the proposed highway project will be located on the Gila River Indian Community lands, nor has the Community officially approved of the project or involvement in the EIS process.

Although a proposed freeway alignment, on community lands, is realistic and could be developed into an alternative cited in the EIS, this agency can only provide limited comments, at this time, without a formal commitment approved by community government, landowners and without a specific proposed alternative, cited on community lands, so that impacts may be properly analyzed. Specifically, a highway corridor alignment that is officially acceptable by the community (includes a community governmental resolution document) for study and then incorporation in the draft and final EIS document as one of the proposed alternatives.

The agency has been approved to act as a "Cooperating Federal Agency" with FHA assuming the "Lead Federal Agency" role for the National Environmental Protection Act, National Environmental Policy Act, NEPA, (EIS), process. Therefore, this agency will provide assistance, when requested, with the EIS process and provide comments to your office and directly to FHA, when appropriate.

Per the requested questions identified in your letter, dated February 15, 2005, the agency submits the following comments:

1. We have received and reviewed the proposed table of contents for the draft EIS. The document appears to be very well written, adequately covers all sections required per NEPA regulations and is very appropriate for use with the draft and final EIS document. A section devoted entirely to the Gila River Indian Community participation, if approved, would be an excellent addition to the document and provide easier reading and located specific information regarding the community's possible participation with the planned project.

2. There is no apparent need for additional sections at this point. If the community approves a specific alignment in the future, legal descriptions and additional related information could be added to the GRIC section currently shown in the draft table of contents.

3. The agency has reviewed the draft timeframe chart received from ADOT and finds the target dates to be realistic and future event planning for the process to be very good.

4. The agency would like to have 10 copies of the draft EIS and 6 copies of the final EIS document and ROD, if possible.

5. The agency shall transmit a copy of this letter to the local FHA official for their information and NEPA files.

Temporarily, all further official correspondence to Pima Agency should be addressed to the Acting Superintendent, BIA, Pima Agency, Box 8, Sacaton, Arizona.

We appreciate your request for our agency to assist the State of Arizona-DOT and we are looking forward to continue working with your agency and FHA to assist the community with there needs as well as the major task of completing the NEPA compliance process for this very important project.

If you have any questions or need advice please contact Mr. Peter B. Overton, Agency Environmental Protection Specialist, at 520-562-3700, extension 257.

Sincerely,

Acting Superintendent

MEMORANDUM OF UNDERSTANDING
BETWEEN
BUREAU OF INDIAN AFFAIRS AND
ARIZONA DEPARTMENT OF TRANSPORTATION

AND

INTERAGENCY AGREEMENT
BETWEEN
BUREAU OF INDIAN AFFAIRS AND
FEDERAL HIGHWAY ADMINISTRATION

FOR

ENVIRONMENTAL IMPACT STATEMENT AND SECTION 4(f) EVALUATION FOR
SOUTH MOUNTAIN FREEWAY (LOOP 202) INTERSTATE 10 (PAPAGO FREEWAY)
TO
INTERSTATE 10 (MARICOPA FREEWAY)

FEDERAL-AID PROJECT NUMBER: NH-202-D(ADY)
ADOT PROJECT NUMBER: 202L MA 054 H5764 01L

JUNE 2012

JUN 2012
WESTERN REGIONAL OFC
ENVIRONMENTAL
SERVICES

THIS AGREEMENT is entered into the _____day of _____, 2012, by and between the Bureau of Indian Affairs, (hereafter referred to as (BIA), the Arizona Department of Transportation, (hereafter referred to as ADOT), and the Federal Highway Administration (hereafter referred to as FHWA). This agreement was initiated pursuant to Council on Environmental Quality regulations (40 CFR § 1501.6), which emphasize the importance of cooperation early in the Environmental Impact Statement process for the proposed action, Section 4(f) Evaluation for South Mountain Freeway (Loop 202) Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), Federal-aid Project Number: NH-202-D(ADY), ADOT Project Number: 202L MA 054 H5764 01L.

I. INTRODUCTION/ STATEMENT OF PURPOSE

The Arizona Department of Transportation (ADOT), the project sponsor, working in close consultation with the Federal Highway Administration (FHWA), the lead federal agency for the proposed action, is developing the Administrative Draft Environmental Impact Statement for the proposed action. According to Council on Environmental Quality regulations (40 CFR § 1501.6), which emphasize the importance of cooperation early in the EIS process, upon request of the federal lead agency, other federal agencies, with jurisdiction by law or with special expertise on an environmental issue involved in the project, have the responsibility to be a cooperating agency. The Bureau of Indian Affairs (BIA) has agreed to be a cooperating agency for the proposed action.

The lead agencies have determined that a major transportation facility is needed to address increases in population, housing, and employment projected in the Phoenix metropolitan area over the next 25 years. A major transportation facility is also needed to address projected increases in regional transportation demand and deficiencies in the regional transportation system capacity. The purpose of the proposed action—the South Mountain Freeway—is to address these transportation needs.

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 4(f) of the Department of Transportation Act of 1966, and of Section 404 of the Clean Water Act, a Draft Environmental Impact Statement and Section 4(f) Evaluation is being prepared. The proposed action is hereinafter referred to as "the Project".

STATEMENT OF PURPOSE

This agreement between the BIA, the FHWA, and ADOT is intended to avoid duplication of effort by the Parties to this agreement in the development of an environmental impact statement (EIS) for the Project.

The Parties desire to cooperate, to streamline their review, to reduce duplication, and to satisfy the requirements of NEPA, the National Historic Preservation Act, the Endangered Species Act, and other applicable laws, by preparing a single EIS for the Project as permitted by NEPA.

The joint process will allow BIA, FHWA, and ADOT to fulfill other requirements under federal law, including informal or formal consultation with the U.S. Fish and Wildlife

Service under Section 7 of the Endangered Species Act and consultation with relevant parties under Section 106 of the National Historic Preservation Act.

II. AUTHORITY

The federal agency Parties enter into this agreement under the authority of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321 to 4370f, the regulations of the Council on Environmental Quality at 40 C.F.R. Part 1500 to 1508, FHWA's regulations on lead agency and cooperating agency status in the NEPA process, 23 C.F.R. § 771.111(d), and Department of Interior regulations on lead agency and cooperating agency status in the NEPA process, 43 C.F.R. § 46.225.

Federal regulations and Department of the Interior policy provide that the BIA, FHWA, and ADOT shall cooperate in meeting Federal laws, so that one document will comply with all applicable laws (40 C.F.R. § 1506.2(c); 43 C.F.R. § 46.220).

III. TEAM MEMBERS

The primary points of contact for carrying out the provisions of this agreement are:

BIA:
Amy Heuslein, Regional Environmental Protection Officer
2600 N. Central Avenue, 4th Floor Mailroom
Phoenix, AZ 85004-3050
(602) 379-6750
Amy.Heuslein@bia.gov

FHWA:
Rebecca Swiecki, Environmental Coordinator
4000 N Central Ave. Suite 1500
Phoenix, AZ 85012
(602) 382-8979
Rebecca.Swiecki@dot.gov

ADOT:
Sabri P. Chaun Hill, Assistant State Engineer
1611 W. Jackson, Mail Drop EM01
Phoenix, AZ 85007
(602) 712-6268
SHill@azdot.gov

IV. RESPONSIBILITIES

A. FHWA Responsibilities

1. Act as lead agency within the meaning of 40 C.F.R. § 1501.5 and 23 C.F.R. § 771.109.

2. Ensure that the EIS meets the requirements outlined in Council on Environmental Quality regulations at 40 C.F.R. §§ 1500 to 1508, and ensure that the EIS is in compliance with all applicable laws, policies, Executive Orders, and guidelines.

3. Participate in all phases of EIS preparation, including attending interagency coordination meetings, reviewing draft documents and public notices, and participating in public scoping and EIS public meetings and hearings.

4. Adhere to the schedule in Attachment 1 to the extent feasible.

5. Designate a representative(s) to serve as the day-to-day liaison or point of contact for the Project.

6. Identify the significant environmental issues, identify and evaluate Project alternatives that are technically and economically practical or feasible and meet the purposes and needs of the proposed action, and coordinate the decision process.

7. Review and approve the Draft EIS and Final EIS prior to its release to the public.

8. Receive and review all agency and public scoping comments, comments on the Draft EIS and the Final EIS, and assist where appropriate with preparing responses to comments.

9. Contribute to the maintenance of a comprehensive mailing list for distribution of Project information and NEPA documents.

10. Ensure that the cooperating agencies are consulted during the early stages of Project planning and are involved in the evaluation of environmental impacts, and development of recommendations for mitigation measures where impacts are unavoidable.

11. Ensure that all documents relative to the EIS are distributed to the cooperating agencies.

12. Prepare a Record of Decision for the FHWA decisions regarding the Project.

13. Prepare necessary notices for publication in the Federal Register, including Notice of Intent, Notice of Draft EIS Availability, Notice of Final EIS Availability, and Notice of Record of Decision.

14. Assist in maintenance of an administrative record for the EIS and the FHWA Record of Decision.

B. ADOT Responsibilities

1. Act as joint lead agency in accordance with 23 U.S.C. 139.

2. Prepare the EIS and other environmental review documents with the FHWA furnishing guidance, participating in the preparation, and independently evaluating the documents.

3. Participate in all phases of EIS preparation and the permitting process, including attending interagency coordination meetings, reviewing draft documents and public notices, and participating in public scoping and EIS public review meetings and hearings.

4. Adhere to the schedule in Attachment 1 to the extent feasible.

5. Designate a representative(s) to serve as the day-to-day liaison or point of contact for the Project.

6. Identify the significant environmental issues, identify and evaluate Project alternatives that are technically and economically practical or feasible and meet the purposes and needs of the proposed action, and participate in the decision process.

7. Review and approve the Draft EIS and Final EIS prior to its release to the public.

8. Receive and review all agency and public scoping comments, comments on the Draft EIS and the Final EIS, and prepare responses to comments.

9. Contribute and maintain a comprehensive mailing list for distribution of Project information and NEPA documents.

10. Ensure that the cooperating agencies are consulted during the early stages of Project planning and are involved in the evaluation of environmental impacts, and development of recommendations for mitigation measures where impacts are unavoidable.

11. Ensure that all documents relative to the EIS are distributed to the cooperating agencies.

12. Assist FHWA in the preparation of a Record of Decision for the FHWA decisions regarding the Project.

13. Assist in the preparation of necessary notices for publication in the Federal Register, including Notice of Intent, Notice of Draft EIS Availability, Notice of Final EIS Availability, and Notice of Record of Decision.

14. Maintain an administrative record for the EIS and the FHWA Record of Decision.

15. Construct the project in accordance with and incorporate all committed environmental impact mitigation measures listed in approved environmental review documents unless the State requests and receives written FHWA approval to modify or delete such mitigation features.

C. BIA Responsibilities. As a cooperating agency, the BIA will:

1. Act as a cooperating agency within the meaning of 40 C.F.R. § 1501.6 and 43 C.F.R. § 46.230.

2. Participate in the EIS process, including attending inter-agency coordination meetings, reviewing draft documents, and participating in the public scoping and EIS public review processes.

3. Designate a representative(s) to serve as the day-to-day liaison or point of contact for the Project.

4. Identify the significant environmental issues, particularly those that relate to the cooperating agency's special expertise or jurisdiction.

5. Articulate any special requirements (laws, regulations, policies, etc.) that need to be addressed in the EIS in order to be a usable document for BIA decisions regarding the project.

6. Maintain control of the administrative Draft EIS and not release or discuss portions of the document until the document has been released for public review.

7. Review agency and public scoping comments, comments on the Draft EIS and Final EIS, and assist where appropriate with preparing responses to comments.

8. Adhere to the schedule in Exhibit 1 to the extent feasible.

9. Contribute to a comprehensive mailing list for distribution of Project information and NEPA documents.

10. Make their respective decisions based on the EIS as permitted by applicable law and jurisdiction.

V. ADMINISTRATIVE AND LEGAL PROVISIONS

A. Applicable Law

The Parties agree to comply with all applicable laws governing activities under this agreement.

B. Effect on Prior Agreements

There are no prior agreements among the Parties that this agreement would affect.

C. Term

This agreement will commence upon the date last signed and executed by the Parties, and will remain in effect until terminated in accordance with Part V.E. below.

D. Amendments

This agreement may be amended by mutual consent of the Parties at the same organizational level as those that sign this agreement. Any such amendments will be incorporated by written instrument, executed and signed by all Parties, and will be effective as of the date they are signed and executed.

E. Termination

1. Any Party may terminate this agreement upon sixty (60) days written notice to the other Parties of their intention to do so.

2. This agreement shall terminate when no longer authorized by the U.S. Department of the Interior, by federal or state law, or if determined to be unenforceable by any court having jurisdiction over the Parties.

F. Severability

Should any portion of this agreement be determined to be illegal or unenforceable, the remainder of the agreement will continue in full force and effect, and any party may renegotiate the terms affected by the severance.

G. Confidentiality

Each agency will abide by the confidentiality requirements of its own laws and regulations with respect to determinations concerning and handling of proprietary

data and any other statutes, regulations, or directives concerning restricted access to records or information in any form.

H. Access to Records

Each agency will provide public access in accordance with its own rules.

I. Information Sharing

Each agency will provide the others with courtesy copies of all regulation and policy changes that deal with common or pertinent issues.

J. Third Party Beneficiary Rights

The Parties do not intend to create in any other individual or entity the status of third party beneficiary, and this agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this agreement operate only between the Parties to this agreement, and inure solely to the benefit of the Parties to this agreement.

VI. SIGNATURES

Sabri P. Chaun Hill 06/22/12
Sabri P. Chaun Hill, Assistant State Engineer
Arizona Department of Transportation

6-26-12
Rebecca Swiecki, Environmental Coordinator
Federal Highway Administration

9/12/12
Bryan Bowker, Regional Director
Bureau of Indian Affairs

EXHIBIT 1 -- *DRAFT*
ESTIMATED EIS REVIEW SCHEDULE FOR THE ENVIRONMENTAL IMPACT STATEMENT AND SECTION 4(F) EVALUATION FOR SOUTH MOUNTAIN FREEWAY (LOOP 202) INTERSTATE 10 (PAPAGO FREEWAY) TO INTERSTATE 10 (MARICOPA FREEWAY)

Tasks	Target Dates
Finalize and Sign Memorandum of Understanding/Interagency Agreement	10 days after receipt
FHWA Provides Administrative Draft EIS to BIA for Review	Summer2012
BIA Provides ADEIS Comments to FHWA	30 days after receipt of ADEIS
90 Day Public Comment Period on Draft EIS Ends	Winter 2012
FHWA Provides Preliminary Final EIS to BIA	Spring 2013
BIA Decisions Based on EIS - ROD	30 days after receipt of ROD

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Phoenix Field Office
21605 North 7th Avenue
Phoenix, AZ 85027

In reply refer to:
2800/2912 (210)
AZA-31292-01

June 13, 2005

Mr. Robert E. Hollis, Division Administrator
U. S. Department of Transportation
Federal Highway Administration
400 East Van Buren Street
One Arizona Center, Suite 410
Phoenix, Arizona 85004-2264

Dear Mr. Hollis:

This letter is being sent in response to your letter dated May 27, 2005, concerning the Environmental Impact Statement (EIS) being prepared for the South Mountain Corridor Project.

We have reviewed the map that was enclosed with your above dated letter and determined that there are no other lands that are either managed by the Bureau of Land Management (BLM) or that the BLM maintains an interest, except for the lands at 67th Avenue and the Salt River, which are leased under the Recreation and Public Purposes Act to the City of Phoenix.

We accept your invitation to participate in coordination meetings, and agree to assist in consultation of relevant technical studies.

If you have any questions, please contact Jim Andersen at (623) 580-5570.

Sincerely,

Teresa A. Raml
Field Manager

United States Department of the Interior
U.S. Fish and Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 FAX: (602) 242-2513

SEP 2001

In Reply Refer To:

AESO/FA

202-D(ADY)

September 17, 2001

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
234 North Central Avenue, Suite 330
Phoenix, Arizona 85004

Dear Mr. Hollis:

We have received your September 7, 2001, request for the U.S. Fish and Wildlife Service to be a cooperating agency for the preparation of an Environmental Impact Statement for the proposed South Mountain Corridor Project.

Due to heavy workloads and higher priority responsibilities, we unfortunately will not be able to participate as a cooperating agency for this project as requested. We will assist as necessary and appropriate in order to carry out other National Environmental Policy Act, Clean Water Act, and Endangered Species Act activities to assist you in the planning and implementation of this proposed project.

Sincerely,

David L. Harlow
Field Supervisor

W:\South Mountain Project.doc:GDM:jh

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Arizona Ecological Services Field Office
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 Fax: (602) 242-2513

In Reply Refer To:

AESO/SE
2-21-02-I-005

October 29, 2001

Mary Viparina, P.E.
Project Manager
HDR Engineering, Inc.
2141 East Highland Avenue Ste. 250
Phoenix, Arizona 85016

RE: Biltmore Medical Mall Located at 2222 East Highland, Phoenix, Arizona

Dear Ms. Viparina,

This letter responds to your October 3, 2001, request for an inventory of threatened or endangered species, or those that are proposed to be listed as such under the Endangered Species Act of 1973, as amended (Act), which may potentially occur in your project area (Maricopa County). The enclosed list may include candidate species as well. We hope the enclosed county list of species will be helpful. In future communications regarding this project, please refer to consultation number 2-21-02-I-005.

The enclosed list of the endangered, threatened, proposed, and candidate species includes all those potentially occurring anywhere in the county, or counties, where your project occurs. Please note that your project area may not necessarily include all or any of these species. The information provided includes general descriptions, habitat requirements, and other information for each species on the list. Also on the enclosed list is the Code of Federal Regulations (CFR) citation for each list and is available at most public libraries. This information should assist you in determining which species may or may not occur within your project area. Site-specific surveys could also be helpful and may be needed to verify the presence or absence of a species or its habitat as required for the evaluation of proposed project-related impacts.
Endangered and threatened species are protected by Federal law and must be considered prior to project development. If the action agency determines that listed species or critical habitat may be adversely affected by a federally funded, permitted, or authorized activity, the action agency must request formal consultation with the Service. If the action agency determines that the planned action may jeopardize a proposed species or destroy or adversely modify proposed critical habitat, the action agency must enter into a section 7 conference with the Service. Candidate species are those which are being considered for addition to the list of threatened or endangered species. Candidate species are those for which there is sufficient information to support a proposal for listing. Although candidate species have no legal protection under the Act, we recommend that they be considered in the planning process in the event that they become listed or proposed for listing prior to project completion.

If any proposed action occurs in or near areas with trees and shrubs growing along watercourses, known as riparian habitat, the Service recommends the protection of these areas. Riparian areas are critical to biological community diversity and provide linear corridors important to migratory species. In addition, if the project will result in the deposition of dredged or fill materials into waterways or excavation in waterways, we recommend you contact the Army Corps of Engineers which regulates these activities under Section 404 of the Clean Water Act.

The State of Arizona protects some plant and animal species not protected by Federal law. We recommend you contact the Arizona Game and Fish Department and the Arizona Department of Agriculture for State-listed or sensitive species in your project area.

The Service appreciates your efforts to identify and avoid impacts to listed and sensitive species in your project area. If we may be of further assistance, please feel free to contact Tom Gatz (x240).

Sincerely,

David L. Harlow
Field Supervisor

Enclosure

cc: John Kennedy, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ
Governor, Gila River Indian Community, Sacaton, AZ (Attn: Biologist)

W:\Cathy Gordon\species list letters\South Mtn. Corridor Team HDR Engineering.wpd:cgg

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: **MARICOPA**

10/11/2001

1) LISTED

TOTAL= 14

NAME: **ARIZONA AGAVE** *AGAVE ARIZONICA*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 49 FR 21055, 05-18-1984
DESCRIPTION: HAS ATTRACTIVE ROSETTES OF BRIGHT GREEN LEAVES WITH DARK MAHOGANY MARGINS. FLOWER: BORNE ON SUB-UMBELLATE INFLORESCENCES.
ELEVATION RANGE: 3000-6000 FT.

COUNTIES: GILA, YAVAPAI, MARICOPA

HABITAT: TRANSITION ZONE BETWEEN OAK-JUNIPER WOODLAND & MOUNTAIN MAHOGANY-OAK SCRUB

SCATTERED CLONES IN NEW RIVER MOUNTAINS AND SIERRA ANCHA. USUALLY FOUND ON STEEP, ROCKY SLOPES. POSSIBLY MAZATAL MOUNTAINS. SHOULD BE LOOKED FOR WHEREVER THE RANGES OF Agave toumeyana var. bella AND Agave chrystantha OVERLAP.

NAME: **ARIZONA CLIFFROSE** *PURSHIA SUBINTEGRA*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 49 FR 22326 5-29-84
DESCRIPTION: EVERGREEN SHRUB OF THE ROSE FAMILY (ROSEACEAE). BARK PALE SHREDDY. YOUNG TWIGS WITH DENSE HAIRS. LEAVES 1-5 LOBES AND EDGES CURL DOWNWARD (REVOLUTE). FLOWERS: 5 WHITE OR YELLOW PETALS <0.5 INCH LONG.
ELEVATION RANGE: <4000 FT.

COUNTIES: GRAHAM YAVAPAI MARICOPA MOHAVE

HABITAT: CHARACTERISTIC WHITE SOILS OF TERTIARY LIMESTONE LAKEBED DEPOSITS.

WHITE SOILS OF TERITIARY LIMESTONE LAKEBED DEPOSITS CAN BE SEEN FROM A DISTANCE.

NAME: **ARIZONA HEDGEHOG CACTUS** *ECHINOCEREUS TRIGLOCHIDIATUS ARIZONICUS*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 44 FR 61556,10-15-1979
DESCRIPTION: DARK GREEN CYLINDROID 2.5-12 INCHES TALL, 2-10 INCHES IN DIAMETER, SINGLE OR IN CLUSTERS. 1-3 GRAY OR PINKISH CENTRAL SPINES LARGEST DEFLEXED AND 5-11 SHORTER RADIAL SPINES. FLOWER: BRILLIANT RED, SIDE OF STEM IN APRIL- MAY
ELEVATION RANGE: 3700-5200 FT.

COUNTIES: MARICOPA, GILA, PINAL

HABITAT: ECOTONE BETWEEN INTERIOR CHAPPARAL AND MADREAN EVERGREEN WOODLAND

OPEN SLOPES, IN NARROW CRACKS BETWEEN BOULDERS, AND IN UNDERSTORY OF SHRUBS. THIS VARIETY IS BELIEVED TO INTERGRADE AT THE EDGES OF ITS DISTRIBUTION WITH VARIETIES MELANCANTHUS AND NEOMEXICANUS CAUSING SOME CONFUSION IN IDENTIFICATION.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: **MARICOPA**

10/11/2001

NAME: **LESSER LONG-NOSED BAT** *LEPTONYCTERIS CURASOAE YERBABUENAE*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 53 FR 38456, 09-30-88

DESCRIPTION: ELONGATED MUZZLE, SMALL LEAF NOSE, AND LONG TONGUE. YELLOWISH BROWN OR GRAY ABOVE AND CINNAMON BROWN BELOW. TAIL MINUTE AND APPEARS TO BE LACKING. EASILY DISTURBED.

ELEVATION RANGE: <6000 FT.

COUNTIES: COCHISE, GILA, GRAHAM, GREENLEE, MARICOPA, PIMA, PINAL, SANTA CRUZ, YAVAPAI

HABITAT: DESERT SCRUB HABITAT WITH AGAVE AND COLUNMNAR CACTI PRESENT AS FOOD PLANTS

DAY ROOSTS IN CAVES AND ABANDONED TUNNELS. FORAGES AT NIGHT ON NECTAR, POLLEN, AND FRUIT OF PANICULATE AGAVES AND COLUMNAR CACTI. THIS SPECIES IS MIGRATORY AND IS PRESENT IN ARIZONA , USUALLY FROM APRIL TO SEPTMBER AND SOUTH OF THE BORDER THE REMAINDER OF THE YEAR.

NAME: **SONORAN PRONGHORN** *ANTILOCAPRA AMERICANA SONORIENSIS*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 32 FR 4001, 03-11-67

DESCRIPTION: BUFF ON BACK AND WHITE BELOW, HOOFED WITH SLIGHTLY CURVED BLACK HORNS HAVING A SINGLE PRONG. SMALLEST AND PALEST OF THE PRONGHORN SUBSPECIES.

ELEVATION RANGE: 2000-4000 FT.

COUNTIES: PIMA, YUMA, MARICOPA

HABITAT: BROAD, INTERMOUNTAIN ALLUVIAL VALLEYS WITH CREOSOTE-BURSAGE & PALO VERDE-MIXED CACTI ASSOCIATIONS

TYPICALLY, BAJADAS ARE USED AS FAWNING AREAS AND SANDY DUNE AREAS PROVIDE FOOD SEASONALLY. HISTORIC RANGE WAS PROBABLY LARGER THAN EXISTS TODAY. THIS SUBSPECIES ALSO OCCURS IN MEXICO.

NAME: **DESERT PUPFISH** *CYPRINODON MACULARIUS*

STATUS: ENDANGERED CRITICAL HAB Yes RECOVERY PLAN: Yes CFR: 51 FR 10842, 03-31-1986

DESCRIPTION: SMALL (2 INCHES) SMOOTHLY ROUNDED BODY SHAPE WITH NARROW VERTICAL BARS ON THE SIDES. BREEDING MALES BLUE ON HEAD AND SIDES WITH YELLOW ON TAIL. FEMALES & JUVENILES TAN TO OLIVE COLORED BACK AND SILVERY SIDES.

ELEVATION RANGE: <5000 FT.

COUNTIES: LA PAZ, PIMA, GRAHAM, MARICOPA, PINAL, YAVAPAI, SANTA CRUZ

HABITAT: SHALLOW SPRINGS, SMALL STREAMS, AND MARSHES. TOLERATES SALINE & WARM WATER

CRITICAL HABITAT INCLUDES QUITOBAQUITO SPRING, PIMA COUNTY, PORTIONS OF SAN FELIPE CREEK, CARRIZO WASH, AND FISH CREEK WASH, IMPERIAL COUNTY, CALIFORNIA. TWO SUBSPECIES ARE RECOGNIZED: DESERT PUPFISH (C. m. macularis) AND QUITOBAQUITO PUPFISH (C. m. eremus).

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: **MARICOPA**

10/11/2001

NAME: **GILA TOPMINNOW** *POECILIOPSIS OCCIDENTALIS OCCIDENTALIS*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 32 FR 4001, 03-11-1967

DESCRIPTION: SMALL (2 INCHES), GUPPY-LIKE, LIVE BEARING, LACKS DARK SPOTS ON ITS FINS. BREEDING MALES ARE JET BLACK WITH YELLOW FINS.

ELEVATION RANGE: <4500 FT.

COUNTIES: GILA, PINAL, GRAHAM, YAVAPAI, SANTA CRUZ, PIMA, MARICOPA, LA PAZ

HABITAT: SMALL STREAMS, SPRINGS, AND CIENEGAS VEGETATED SHALLOWS

SPECIES HISTORICALLY OCCURRED IN BACKWATERS OF LARGE RIVERS BUT IS CURRENTLY ISOLATED TO SMALL STREAMS AND SPRINGS

NAME: **RAZORBACK SUCKER** *XYRAUCHEN TEXANUS*

STATUS: ENDANGERED CRITICAL HAB Yes RECOVERY PLAN: Yes CFR: 56 FR 54957 10-23-1991; 59 FR 13374, 03-21-1994

DESCRIPTION: LARGE (UP TO 3 FEET AND UP TO 6 POUNDS) LONG, HIGH SHARP-EDGED KEEL-LIKE HUMP BEHIND THE HEAD. HEAD FLATTENED ON TOP. OLIVE-BROWN ABOVE TO YELLOWISH BELOW.

ELEVATION RANGE: <6000 FT.

COUNTIES: GREENLEE, MOHAVE, PINAL, YAVAPAI, YUMA, LA PAZ, MARICOPA (REFUGIA), GILA, COCONINO, GRAHAM

HABITAT: RIVERINE & LACUSTRINE AREAS, GENERALLY NOT IN FAST MOVING WATER AND MAY USE BACKWATERS

SPECIES IS ALSO FOUND IN HORSESHOE RESERVOIR (MARICOPA COUNTY).CRITICAL HABITAT INCLUDES THE 100-YEAR FLOODPLAIN OF THE RIVER THROUGH GRAND CANYON FROM CONFLUENCE WITH PARIA RIVER TO HOOVER DAM; HOOVER DAM TO DAVIS DAM; PARKER DAM TO IMPERIAL DAM. ALSO GILA RIVER FROM AZ/NM BORDER TO COOLIDGE DAM; AND SALT RIVER FROM HWY 60/SR 77 BRIDGE TO ROOSEVELT DAM; VERDE RIVER FROM FS BOUNDARY TO HORSESHOE LAKE.

NAME: **BALD EAGLE** *HALIAEETUS LEUCOCEPHALUS*

STATUS: THREATENED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 60 FR 35999, 07-12-95

DESCRIPTION: LARGE, ADULTS HAVE WHITE HEAD AND TAIL. HEIGHT 28 - 38"; WINGSPAN 66 - 96". 1-4 YRS DARK WITH VARYING DEGREES OF MOTTLED BROWN PLUMAGE. FEET BARE OF FEATHERS.

ELEVATION RANGE: VARIES FT.

COUNTIES: YUMA, LA PAZ, MOHAVE, YAVAPAI, MARICOPA, PINAL, COCONINO, NAVAJO, APACHE, SANTA CRUZ, PIMA, GILA, GRAHAM, COCHISE

HABITAT: LARGE TREES OR CLIFFS NEAR WATER (RESERVOIRS, RIVERS AND STREAMS) WITH ABUNDANT PREY

SOME BIRDS ARE NESTING RESIDENTS WHILE A LARGER NUMBER WINTERS ALONG RIVERS AND RESERVOIRS. AN ESTIMATED 200 TO 300 BIRDS WINTER IN ARIZONA. ONCE ENDANGERED (32 FR 4001, 03-11-1967; 43 FR 6233, 02-14-78) BECAUSE OF REPRODUCTIVE FAILURES FROM PESTICIDE POISONING AND LOSS OF HABITAT, THIS SPECIES WAS DOWN LISTED TO THREATENED ON AUGUST 11, 1995. ILLEGAL SHOOTING, DISTURBANCE, LOSS OF HABITAT CONTINUES TO BE A PROBLEM. SPECIES HAS BEEN PROPOSED FOR DELISTING (64 FR 36454) BUT STILL RECEIVES FULL PROTECTION UNDER ESA.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: **MARICOPA**

10/11/2001

NAME: **BROWN PELICAN** *PELECANUS OCCIDENTALIS CALIFORNICUS*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 35 FR 16047, 10-13-70; 35 FR 18320, 12-02-70

DESCRIPTION: LARGE DARK GRAY-BROWN WATER BIRD WITH A POUCH UNDERNEATH LONG BILL AND WEBBED FEET. ADULTS HAVE A WHITE HEAD AND NECK, BROWNISH BLACK BREAST, AND SILVER GRAY UPPER PARTS.

ELEVATION RANGE: VARIES FT.

COUNTIES: APACHE, COCHISE, COCONINO, GILA, GRAHAM, GREENLEE LA PAZ, MARICOPA, MOHAVE, NAVAJO, PIMA, PINAL, SANTA CRUZ, YAVAPAI, YUMA

HABITAT: COASTAL LAND AND ISLANDS; ARIZONA LAKES AND RIVERS

SUBSPECIES IS FOUND ON PACIFIC COAST AND IS ENDANGERED DUE TO PESTICIDES. IT IS AN UNCOMMON TRANSIENT IN ARIZONA ON MANY ARIZONA LAKES AND RIVERS. INDIVIDUALS WANDER UP FROM MEXICO IN SUMMER AND FALL. NO BREEDING RECORDS IN ARIZONA.

NAME: **CACTUS FERRUGINOUS PYGMY-OWL** *GLAUCIDIUM BRASILIANUM CACTORUM*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 62 FR 10730, 3-10-97

DESCRIPTION: SMALL (APPROX. 7"), DIURNAL OWL REDDISH BROWN OVERALL WITH CREAM-COLORED BELLY STREAKED WITH REDDISH BROWN. SOME INDIVIDUALS ARE GRAYISH BROWN

ELEVATION RANGE: <4000 FT.

COUNTIES: MARICOPA, YUMA, SANTA CRUZ, GRAHAM, GREENLEE, PIMA, PINAL, GILA, COCHISE

HABITAT: MATURE COTTONWOOD/WILLOW, MESQUITE BOSQUES, AND SONORAN DESERTSCRUB

RANGE LIMIT IN ARIZONA IS FROM NEW RIVER (NORTH) TO GILA BOX (EAST) TO CABEZA PRIETA MOUNTAINS (WEST). ONLY A FEW DOCUMENTED SITES WHERE THIS SPECIES PERSISTS ARE KNOWN, ADDITIONAL SURVEYS ARE NEEDED. CRITICAL HABITAT WAS VACATED BY THE U.S. DISTRICT COURT FOR THE DISTRICT OF ARIZONA (9/19/01).

NAME: **MEXICAN SPOTTED OWL** *STRIX OCCIDENTALIS LUCIDA*

STATUS: THREATENED CRITICAL HAB Yes RECOVERY PLAN: Yes CFR: 56 FR 14678, 04-11-91; 66 FR 8530, 2/1/01

DESCRIPTION: MEDIUM SIZED WITH DARK EYES AND NO EAR TUFTS. BROWNISH AND HEAVILY SPOTTED WITH WHITE OR BEIGE.

ELEVATION RANGE: 4100-9000 FT.

COUNTIES: MOHAVE, COCONINO, NAVAJO, APACHE, YAVAPAI, GRAHAM, GREENLEE, COCHISE, SANTA CRUZ, PIMA, PINAL, GILA, MARICOPA

HABITAT: NESTS IN CANYONS AND DENSE FORESTS WITH MULTI-LAYERED FOLIAGE STRUCTURE

GENERALLY NESTS IN OLDER FORESTS OF MIXED CONIFER OR PONDERSA PINE/GAMBEL OAK TYPE, IN CANYONS, AND USE VARIETY OF HABITATS FOR FORAGING. SITES WITH COOL MICROCLIMATES APPEAR TO BE OF IMPORTANCE OR ARE PREFERED. CRITICAL HABITAT WAS REMOVED IN 1998 BUT RE-PROPOSED IN JULY 2000 AND FINALIZED IN FEB 2001 FOR APACHE, COCHISE, COCONINO, GRAHAM, MOHAVE, PIMA COUNTIES; ALSO IN NEW MEXICO, UTAH, AND COLORADO.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: **MARICOPA**

10/11/2001

NAME: **SOUTHWESTERN WILLOW FLYCATCHER** *EMPIDONAX TRAILLII EXTIMUS*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: No CFR: 60 FR 10694, 02-27-95

DESCRIPTION: SMALL PASSERINE (ABOUT 6") GRAYISH-GREEN BACK AND WINGS, WHITISH THROAT, LIGHT OLIVE-GRAY BREAST AND PALE YELLOWISH BELLY. TWO WINGBARS VISIBLE. EYE-RING FAINT OR ABSENT.

ELEVATION RANGE: <8500 FT.

COUNTIES: YAVAPAI, GILA, MARICOPA, MOHAVE, COCONINO, NAVAJO, APACHE, PINAL, LA PAZ, GREENLEE, GRAHAM, YUMA, PIMA, COCHISE, SANTA CRUZ

HABITAT: COTTONWOOD/WILLOW & TAMARISK VEGETATION COMMUNITIES ALONG RIVERS & STREAMS

MIGRATORY RIPARIAN OBLIGATE SPECIES THAT OCCUPIES BREEDING HABITAT FROM LATE APRIL TO SEPTEMBER. DISTRIBUTION WITHIN ITS RANGE IS RESTRICTED TO RIPARIAN CORRIDORS. DIFFICULT TO DISTINGUISH FROM OTHER MEMBERS OF THE EMPIDONAX COMPLEX BY SIGHT ALONE. TRAINING SEMINAR REQUIRED FOR THOSE CONDUCTING FLYCATCHER SURVEYS. CRITICAL HABITAT WAS SET ASIDE BY THE 10TH CIRCUIT COURT OF APPEALS (5/17/01).

NAME: **YUMA CLAPPER RAIL** *RALLUS LONGIROSTRIS YUMANENSIS*

STATUS: ENDANGERED CRITICAL HAB No RECOVERY PLAN: Yes CFR: 32 FR 4001, 03-11-67; 48 FR 34182, 07-27-83

DESCRIPTION: WATER BIRD WITH LONG LEGS AND SHORT TAIL. LONG SLENDER DECURVED BILL. MOTTLED BROWN ON GRAY ON ITS RUMP. FLANKS AND UNDERSIDES ARE DARK GRAY WITH NARROW VERTICAL STRIPES PRODUCING A BARRING EFFECT.

ELEVATION RANGE: <4500 FT.

COUNTIES: YUMA, LA PAZ, MARICOPA, PINAL, MOHAVE

HABITAT: FRESH WATER AND BRACKISH MARSHES

SPECIES IS ASSOCIATED WITH DENSE EMERGENT RIPARIAN VEGETATION. REQUIRES WET SUBSTRATE (MUDFLAT, SANDBAR) WITH DENSE HERBACEOUS OR WOODY VEGETATION FOR NESTING AND FORAGING. CHANNELIZATION AND MARSH DEVELOPMENT ARE PRIMARY SOURCES OF HABITAT LOSS.

LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA

10/11/2001

3) CANDIDATE TOTAL= 1

NAME: YELLOW-BILLED CUCKOO *COCCYZUS AMERICANUS*

STATUS: CANDIDATE CRITICAL HAB No RECOVERY PLAN: No CFR: 66 FR 38611; 07-25-01

DESCRIPTION: MEDIUM-SIZED BIRD WITH A SLENDER, LONG-TAILED PROFILE, SLIGHTLY DOWN-CURVED BILL, WHICH IS BLUE-BLACK WITH YELLOW ON THE LOWER HALF OF THE BILL. PLUMAGE IS GRAYISH-BROWN ABOVE AND WHITE BELOW, WITH RUFOUS PRIMARY FLIGHT FEATHERS. ELEVATION RANGE: <6,500 FT.

COUNTIES: APACHE, COCHISE, COCONINO, GILA, GRAHAM, GREENLEE, LA PAZ, MARICOPA, MOHAVE, NAVAJO, PIMA, PINAL, SANTA CRUZ, YAVAPAI, YUMA

HABITAT: LARGE BLOCKS OF RIPARIAN WOODLANDS (COTTONWOOD, WILLOW, OR TAMARISK GALLERIES)

SPECIES WAS FOUND WARRANTED, BUT PRECLUDED FOR LISTING AS A DISTINCT VERTEBRATE POPULATION SEGMENT IN THE WESTERN U.S. ON JULY 25, 2001. THIS FINDING INDICATES THAT THE SERVICE HAS SUFFICIENT INFORMATION TO LIST THE BIRD, BUT OTHER, HIGHER PRIORITY LISTING ACTIONS PREVENT THE SERVICE FROM ADDRESSING THE LISTING OF THE CUCKOO AT THIS TIME.

I2.1 Races, Rallies, Enduros *Effective: 01-01-91*

Department Policy: The Game and Fish Department will closely scrutinize and assist in regulation and control, where possible, of those activities involving all-terrain motor powered vehicles that may affect wildlife or create conflicts among competing users of the land resource.

Procedures: While recognizing a segment of the population accrues enjoyment from involvement in road/trail races, rallies, enduros, and similar events, organized or otherwise, the Department's primary concern is protection of wildlife resources and habitat.

Department employees are requested to be alert to such activities and inform management.

Where these activities involve public lands, the Department requests that the agency or group involved limit such activities primarily to washes and established roads and that the use of trails be minimal and confined to trails where no habitat damage will result. Further, the Department requests that it be notified of the planned activities and offered an opportunity to review the route, comment and advise on any effects that the activity may have on wildlife and its habitat with reference to the Wildlife and Wildlife Habitat Compensation Policy and Procedure, and recommend alternate routes if considered necessary.

I2.2 National Environmental Act Compliance *Effective: 01-01-91*

Department Policy: The Arizona Game and Fish Department will comply with the National Environmental Policy Act of 1969. This requires that every proposed Federal Aid (Pittman-Robertson and Dingell-Johnson) project be examined objectively to determine the effects it will have on the environment in accordance with NEPA in Federal Aid NEPA Guidelines. Further, the Department will comply with the objectives of NEPA on any other project or program that may have an effect on the environment. (Contact the Habitat Branch for procedures and guidelines for NEPA compliance.)

I2.3 Wildlife and Wildlife Habitat Compensation *Effective: 06-04-94*

Department Policy: It shall be the policy of the Department to develop adequate compensation plans for actual or potential habitat losses resulting from land and water projects in accordance with State and Federal laws. Habitat compensation plans will seek compensation at a 100% level, where feasible, and will be developed using habitat resource category designations. See Commission Policy A2.16.

Authority: The Director of the Arizona Game and Fish Department is authorized under A.R.S. Title 17-211, Subsection D, to perform the necessary administrative tasks required to manage the wildlife resources of the State of Arizona. Pursuant to those duties and in accordance with federal environmental laws and resource management acts, such as the National Environmental Policy Act, Fish and Wildlife Coordination Act, and Endangered Species Act, the Director is further charged with cooperating in the determination of potential impacts to Arizona's wildlife resources resulting from federally funded land and water projects. In addition, a Commission M.O.U. assigns similar responsibilities for evaluating proposed projects on lands administered by the State Land Department. An integral part of this process is the development of adequate compensation measures aimed at eliminating or reducing project-associated impacts.

Procedure: Criteria used to identify general compensation goals are as follows:

A. Resource Category I.

1. **Designation Criteria.** Habitat in this category are of the highest value to Arizona wildlife species, and are unique and/or irreplaceable on a statewide or ecoregion basis.
2. **Compensation Goal.** No loss of existing in-kind habitat value.
3. **Guideline.** The Department will recommend that all potential losses of existing habitat values be prevented. Insignificant changes that would not result in adverse impacts to habitat values may be acceptable provided they will have no significant cumulative impact.
4. **Habitat Types.** Habitat types associated with Resource Category I shall include, but not limited to the following examples:
   a. Perennial Stream Habitats.
   b. Westlands and Riparian habitats of at least one acre in size which are associated with perennial waters. Biotic communities included in this classification follow descriptions provided in Brown (1982) and Henderson and Minckley (1984).
   c. Key utilization areas for species listed or proposed for listing under the Endangered Species Act of 1973 as Threatened or Endangered and Endangered State Threatened Native Wildlife species.

B. Resource Category II.

1. **Designation Criteria.** Habitats in this category are of high value for Arizona wildlife species and are

relatively scarce or becoming scarce on a statewide or ecoregion basis.

2. **Compensation Goal.** No net loss of existing habitat value, while minimizing loss of in-kind value.
3. **Guideline.** The Department will recommend that all potential losses of Resource Category II habitat values be avoided or minimized. If significant losses are likely to occur, the Department will recommend alternatives to immediately rectify, reduce, or eliminate these losses over time.
4. **Habitat Types.** Habitat types associated with Resource Category II shall include, but not limited to, the following examples:
   a. Key utilization areas for antelope and bighorn sheep.
   b. Key utilization areas for Threatened and Candidate State Threatened Native Wildlife species, candidate species for federal listing as Threatened or Endangered (Categories 1 and 2).
   c. Actual or potential reintroduction sites for species that are listed as Extirpated or Endangered on the State Threatened Native Wildlife list.
   d. Blue ribbon fishing areas (i.e., Lee's Ferry and Becker Lake).
   e. Isolated mountain ranges providing Subalpine-coniferous forest habitats (i.e., Pinaleno Mountains).
   f. State and federally operated game preserves, refuges or wildlife areas.
   g. Montane meadows.

C. **Resource Category III.**

1. **Designation Criteria.** Habitats in this category are of high to medium value for Arizona wildlife species, and are relatively abundant on a statewide basis.
2. **Mitigation Goal.** No net loss of habitat value.
3. **Guidelines.** The Department will recommend ways to minimize or avoid habitat losses. Anticipated losses will be compensated by replacement of habitat values in-kind, or by substitution of high value habitat types, or by increased management of replacement habitats, so that no net loss occurs.
4. **Habitat Types Involved.** Habitats in this category are of a natural, undisturbed condition or they involve bodies of water of economic importance and shall include, but not be limited to, the following examples:
   a. Chihuahua, Great Basin, Mohave, and Sonoran Desert habitat types.
   b. Desert-grasslands and Chaparral zones.
   c. Oak and coniferous woodlands and coniferous forests.
   d. Reservoir habitats.

D. **Resource Category IV.**

1. **Designation Criteria.** Habitats in this category are of medium to low value for Arizona wildlife species, due to proximity to urban developments or low productivity associated with these lands.
2. **Mitigation Goal.** Minimize loss of habitat value.
3. **Guideline.** The Department will recommend ways to avoid or minimize habitat losses. Should losses be unavoidable, the Department may make a recommendation for compensation, based on the significance of the loss.
4. **Habitat Types Involved.** Habitat types associated with Resource Category IV shall include, but not be limited to, the following examples:
   a. Agricultural Lands.
   b. Undeveloped urban areas (i.e., land proximal to waste water treatment facilities, municipal mountain preserves, and undeveloped lands in proximity to municipal and industrial areas).
   c. Habitats exhibiting low wildlife productivity as a result of man's influence.

I2.4 Land Protection Evaluation Process

Effective: 11-01-93

Stage List:

A. **Proposal Submittal.** Conservation Supervisor (Habitat Branch) receives all lands protection proposals on an open and continuous basis, whether they are generated internally or externally.

Responsibilities: Date stamp proposals on receipt; retain original proposals in files; send letters to proponents acknowledging receipt; and distribute proposals and relevant information from the lands files (e.g. previous protection proposals for the same general area) to the Proposal Screening Committee.

Time: 5 days from receipt for acknowledgement to proponent.

B. **Proposal Screening Committee.** Conservation Supervisor, chair; Development Branch Chief, Nongame Branch Chief, and Field Operations Coordinator.

Responsibilities: Screen proposals on a monthly basis to determine adequacy and appropriateness; return inadequate proposals to proponents for remedy; Conservation Supervisor prepares State 3 briefing and routes adequate proposal(s) to Assistant Director, Wildlife Management Division (WMD).

Time: Director's Office briefing presentation occurs the Tuesday immediately following the monthly meeting; return to proponent (RTP) or forwarding to Assistant Director, WMD, to occur within 5 days of monthly meeting.

C. **Director's Office Briefing Presentation.** Conservation Supervisor presents summary of which proposals were returned to proponents (and why they were returned) and which were routed for biological review.

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
3003. N. Central Ave., Suite 800
Phoenix, Arizona 85012-2946

Scott C. Mars
HDR Engineering
2141 East Highland Avenue
Suite 250
Phoenix, Arizona 85016-4736

June 14, 2002

Dear Mr. Mars:

This response is in regard to your letter dated May 30, 2002, concerning the proposed alignments of the South Mountain Freeway Corridor Project.

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and to review projects that may affect prime farmland and/or wetlands associated with agriculture. After reviewing the information provided, the following is noted:

1. The proposed project, if implemented as planned, will impact prime or unique farmland. Enclosed is for AD-1006, Farmland Conversion Impact rating form.

2. We do not see any immediate concerns or impacts that would directly affect wetland areas associated with agriculture.

Projects such as this require a corridor-type assessment. Without the final alignment, we cannot accurately assess the impacts to prime and unique farmland from your project. Please submit an AD-1006 and map for review when the final alignment for this project is selected.

Should you have questions, please feel free to contact Jeff Schmidt, Community Assistance Coordinator at 602.280.8818. Thank you for the chance to review the proposed project.

Sincerely,

MICHAEL SOMERVILLE
State Conservationist

Cc:
Jim Briggs, Assistant State Conservationist, NRCS, Phoenix, Arizona
Kristen Graham-Chaves, District Conservationist, NRCS, Phoenix, Arizona
Jeff Schmidt, Community Assistance Coordinator, NRCS, Phoenix, Arizona

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

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United States Department of Agriculture

NRCS

Natural Resources Conservation Service
230 N. First Avenue, Suite 509
Phoenix, AZ 85003-1706

APR 19 2006

Scott Mars
HDR
3200 East Camelback, Suite #350
Phoenix, Arizona 85018

Dear Mr. Mars:

In response to your request for interpretation of the Farmland Protection Policy Act (FPPA) in regards to land that has "been committed to urban development," the following is provided:

As you are aware, land committed to urban development is not subject to the FPPA. The Act is implemented by regulations that can be found in Title 7 of the Code of Federal Regulations, Part 658.

In 7CFR658.2, the definition for "farmland" subject to the Act is as such:

> *"Farmland means prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary to be farmland of statewide of local importance. "Farmland" does not include land already in or committed to urban developmentor water storage. Farmland "already in" urban developmentor water storage includes all such land with a density of 30 structures per 40-acre area. Farmland already in urban development also includes lands identified as "urbanized area" (UA) on the Census Bureau Map, or as urban area mapped with a "tint overprint" on the USGS topographical maps, or as "urban-built-up" on the USDA Important Farmland Maps. Areas shown as white on the USDA Important Farmland Maps are not "farmland" and, therefore, are not subject to the Act. Farmland "committed to urban development or water storage" includes all such land that receives a combined score of 160 points or less from the land evaluation and site assessment criteria."*

The only way to exempt lands from the Act are explained therein. A Comprehensive Land Use Plan that designates land to urban development, in itself, does not exempt such lands from the Act.

Your reference to 7CFR658.2(d), where comprehensive land use plans are mentioned, is still under the "definitions" section and is merely describing the phrase "State or local government policies or programs to protect farmland." This phrase is used in the actual site assessment process where subject projects are evaluated on form AD-1006. If a farmland protection program is part of a comprehensive land use plan, then those lands are given more points in the assessment process.

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

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The only other lands that might be exempt from the Act are described in 7CFR658.2(c)(2). This section describes federal programs that were "beyond the planning stage" on August 4, 1984.

We hope this written interpretation meets your needs. We are looking into ways to streamline Prime and Unique Farmland requests on very large corridor projects, such as your major road projects.

If you have any other questions and/or needs regarding the FPPA, please contact Steve Smarik, Environmental Specialist, at 602-280-8785.

Thank you for your interest in the proper administration of the Farmland Protection Policy Act.

Eric Banks

ERIC BANKS
Assistant State Conservationist (FA Programs)

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
U.S. Courthouse – Federal Building
230 N. First Avenue, Suite 509
Phoenix, Arizona 85003-1733
(602) 280-8801

HDR
RECEIVED
APR 22 2009
PROJ: _____
FILE: _____
DIST.: _____

APR 21 2009

Scott Mars, PE, REM
HDR Engineering, Inc.
3200 East Camelback Rd., Suite 350
Phoenix, Arizona 85018

Re: South Mountain Transportation Corridor (SR202)

Dear Mr. Mars:

This response is in regard to your request for Prime/Unique Farmland determination that was hand delivered to our office on January 16, 2009. The NRCS was requested to evaluate nine alternative corridors for SR202.

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and to review projects that may affect prime, unique, or statewide important farmland and/or wetlands associated with agriculture. You submitted the required form NRCS-CPA-106 with parts I, III, and VI completed for all nine alternative corridors, W55, W71, W101WFR, W101CPR, W101EPR, W101WPR, W101CFR, W101EFR, and E1. NRCS has completed sections II, IV, and V. After reviewing the information provided, the following has been determined:

1- The weighted relative values of the soils were entered in Part V of the form. This value was determined by weighting the productivity of the soils (based on alfalfa) to the numbers of acres of each soil in the corridor. Prime Farmland soils will be affected in all nine alternative corridors. However, the Land Evaluation and Site Assessment score is 160 points or less for alternatives W55, W71, W101WPR, W101CPR, W101CFR, and E1. This renders these corridors as "lands already committed to urban development." As such, they are not considered "farmland" as defined by the Farmland Protection Policy Act. No further analysis or reporting is necessary for actions in these corridors.

2- The Land Evaluation and Site Assessment scores for the remaining corridors are:
W101WFR - 161 points
W101EPR - 162 points
W101EFR - 162 points

3- We do not see any immediate concerns or impacts that would directly affect wetland areas associated with agriculture.

Helping People Help the Land

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Since you have already analyzed alternative corridors, your only remaining requirement is to report what alternative is selected. This is documented on the bottom of the NRCS-CPA-106 forms that are being returned to you as an attachment to this letter.

Should you have questions, please feel free contact Stephen Smarik, Environmental Specialist at 602-280-8785. Thank you again for the opportunity to review the proposed project.

Sincerely,

Donald L. Paulsen for

DAVID L. MCKAY
State Conservationist

Enclosures

cc:
Corey Nelson, District Conservationist, NRCS, Avondale, Arizona
Stephen Smarik, Environmental Specialist, NRCS, Phoenix, Arizona

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*

3. Date of Land Evaluation Request: 1/11/10
4. Sheet 1 of 3
1. Name of Project: South Mountain Transportation Corridor
5. Federal Agency Involved: Federal Highway Administration
2. Type of Project: EIS
6. County and State: Maricopa County, Arizona

PART II *(To be completed by NRCS)*

1. Date Request Received by NRCS: 1/11/10
2. Person Completing Form: Steve Smarik
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form): YES ☑ NO ☐
4. Acres Irrigated: 267,295 | Average Farm Size: 302
5. Major Crop(s): Alfalfa, Cotton, Grains, Vegetables
6. Farmable Land in Government Jurisdiction: Acres: 267,295 % 4.5
7. Amount of Farmland As Defined in FPPA: Acres: 190,182 % 4.5
8. Name Of Land Evaluation System Used: NA
9. Name of Local Site Assessment System: NA
10. Date Land Evaluation Returned by NRCS: 2/3/10

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment - Western Section			
	W59	W71	W101WFR	W101CPR
A. Total Acres To Be Converted Directly	504	578	789	763
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	504	578	789	763
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	504	578	789	763
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.27%	.30%	.44%	.40%
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	25	25	25	35
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*	86	86	87	82
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))* — Maximum Points				
1. Area in Nonurban Use — 15	10	10	10	10
2. Perimeter in Nonurban Use — 10	7	7	7	7
3. Percent Of Corridor Being Farmed — 20	12	12	12	12
4. Protection Provided By State And Local Government — 20	0	0	0	0
5. Size of Present Farm Unit Compared To Average — 10	5	5	5	5
6. Creation Of Nonfarmable Farmland — 25	10	10	10	10
7. Availability Of Farm Support Services — 5	3	3	3	3
8. On-Farm Investments — 20	15	15	15	15
9. Effects Of Conversion On Farm Support Services — 25	8	8	8	8
10. Compatibility With Existing Agricultural Use — 10	4	4	4	4
TOTAL CORRIDOR ASSESSMENT POINTS — 160	74	74	74	74
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	86	86	87	82
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	74	74	74	74
TOTAL POINTS *(Total of above 2 lines)* — 260	160	160	161	156

1. Corridor Selected:
2. Total Acres of Farmlands to be Converted by Project:
3. Date Of Selection:
4. Was A Local Site Assessment Used? YES ☐ NO ☐
5. Reason For Selection:

Signature of Person Completing this Part: DATE

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

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*

3. Date of Land Evaluation Request: 1/11/10
4. Sheet 2 of 3
1. Name of Project: South Mountain Transportation Corridor
5. Federal Agency Involved: Federal Highway Administration
2. Type of Project: EIS
6. County and State: Maricopa County, Arizona

PART II *(To be completed by NRCS)*

1. Date Request Received by NRCS: 1/11/10
2. Person Completing Form: Steve Smarik
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form): YES ☑ NO ☐
4. Acres Irrigated: 267,295 | Average Farm Size: 302
5. Major Crop(s): Alfalfa, Cotton, Grains, Vegetables
6. Farmable Land in Government Jurisdiction: Acres: 267,295 % 4.5
7. Amount of Farmland As Defined in FPPA: Acres: 190,892 % 32
8. Name Of Land Evaluation System Used: NA
9. Name of Local Site Assessment System: NA
10. Date Land Evaluation Returned by NRCS: 2/3/10

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment - Western Section			
	W101EPR	W101WPR		W101CFR
A. Total Acres To Be Converted Directly	807	813		787
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	807	813		787
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	807	813		787
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.42%	.42%		.41%
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	22	25		32
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*	88	86		84
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))* — Maximum Points				
1. Area in Nonurban Use — 15	10	10		10
2. Perimeter in Nonurban Use — 10	7	7		7
3. Percent Of Corridor Being Farmed — 20	12	12		12
4. Protection Provided By State And Local Government — 20	0	0		0
5. Size of Present Farm Unit Compared To Average — 10	5	5		5
6. Creation Of Nonfarmable Farmland — 25	10	10		10
7. Availability Of Farm Support Services — 5	3	3		3
8. On-Farm Investments — 20	15	15		15
9. Effects Of Conversion On Farm Support Services — 25	8	8		8
10. Compatibility With Existing Agricultural Use — 10	4	4		4
TOTAL CORRIDOR ASSESSMENT POINTS — 160	74	74		74
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	88	86		84
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	74	74		74
TOTAL POINTS *(Total of above 2 lines)* — 260	162	160		158

1. Corridor Selected:
2. Total Acres of Farmlands to be Converted by Project:
3. Date Of Selection:
4. Was A Local Site Assessment Used? YES ☐ NO ☐
5. Reason For Selection:

Signature of Person Completing this Part: DATE

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

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request 1/11/10	4. Sheet 3 of 3
1. Name of Project: South Mountain Transportation Corridor	5. Federal Agency Involved: Federal Highway Administration	
2. Type of Project: EIS	6. County and State: Maricopa County, Arizona	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS: 1/11/10	2. Person Completing Form: Steve Smarik
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form): YES ☑ NO ☐	4. Acres Irrigated: 267,295 / Average Farm Size: 302	
5. Major Crop(s): Alfalfa, Cotton, Grains, Vegetables	6. Farmable Land in Government Jurisdiction: Acres: 267,295 % 4.5	7. Amount of Farmland As Defined in FPPA: Acres: 190,782 % 4.5
8. Name Of Land Evaluation System Used: NA	9. Name of Local Site Assessment System: NA	10. Date Land Evaluation Returned by NRCS: 2/3/10

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Western & Eastern Sections			
	W101EFR	E1		
A. Total Acres To Be Converted Directly	783	150		
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	783	150		
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	783	150		
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	41%	07%		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	22	22		
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*	88	89		
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*	Maximum Points			
1. Area in Nonurban Use	15	10	7	
2. Perimeter in Nonurban Use	10	7	5	
3. Percent Of Corridor Being Farmed	20	12	0	
4. Protection Provided By State And Local Government	20	0	0	
5. Size of Present Farm Unit Compared To Average	10	5	0	
6. Creation Of Nonfarmable Farmland	25	10	0	
7. Availablility Of Farm Support Services	5	3	0	
8. On-Farm Investments	20	15	0	
9. Effects Of Conversion On Farm Support Services	25	8	0	
10. Compatibility With Existing Agricultural Use	10	4	4	
TOTAL CORRIDOR ASSESSMENT POINTS	160	74	16	
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V)	100	88	89	
Total Corridor Assessment (From Part VI above or a local site assessment)	160	74	16	
TOTAL POINTS *(Total of above 2 lines)*	260	162	105	

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used?
			YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part: DATE

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

NRCS-CPA-106 *(Reverse)*

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?
More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with $1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

December 11, 2009

Governor William R. Rhodes
Gila River Indian Community
Governance Center
P.O. Box 2138
Sacaton, AZ 85147

Dear Governor Rhodes:

On behalf of the people of Arizona, I want to express my enthusiastic support for the discussions that have occurred this week regarding potential partnership between the State and the Gila River Indian Community on the issue of development of the South Mountain Freeway.

I pledge the full engagement of the Arizona Department of Transportation in working with you to consider the opportunities that may exist with the economic development potential of this much-needed transportation corridor.

While there is much work still to be done regarding final alignment of the route, I am pleased to know that your team is part of the conversation and that there is a path forward for ongoing talks about how the Community might consider getting involved.

Please do not hesitate to call on me or my team if there is anything we can do to help further your consideration of this very critical regional project.

Sincerely,

Janice K. Brewer
Governor

1700 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007
602-542-4331 • FAX 602-542-7602

ARIZONA DERARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

BRUCE BABBITT
Governor

CHARLES L. MILLER
Director

W.O. FORD
State Engineer

May 30, 1986

Cecil Antone
Gila River Indian Community
P. O. Box 398
Sacaton, Arizona 85247

Dear Cecil:

I would like to thank you and other Gila River Indian Community (GRIC) staff for providing Arizona Department of Transportation (ADOT) with GRIC Staff Access Desires to the Southeast and Southwest Loop and informing ADOT of GRIC access concerns.

The following is my understanding of GRIC access desires from our May 13, 1986 meeting:

INTERCHANGES AT
51st Avenue, 19th Avenue, 7th Avenue, 32nd Street, 40th Street, Kyrene, and McClintock Drive.

GRADE SEPARATIONS AT
48th Street and 56th Street

It is also my understanding that GRIC feels access via Interchanges at Kyrene and McClintock Drive as well as the Grade Separation at 56th Street is essential for their proposed development of the Memorial Air Park area.

GRIC staff also feels that it could help facilitate the purchase of land (allotment and tribal) that would be necessary for the McClintock interchange.

Please let me know if any of the above is incorrect.

Sincerely,

John L. Louis
Corridor Location Engineer
Urban Highway Section

JLL/la

HIGHWAYS • AERONAUTICS • OR VEHICLE • PUBLIC TRANSIT • ADMINISTRATIVE SERVICES • TRANSPORTATION PLANNING

ARIZONA DEPARTMENT OF TRANSPORTATION

OFFICE MEMO

February 5, 1987

TO: ROBERT P. MICKELSON
Deputy State Engineer

FROM: JOHN LOUIS
Corridor Location Engineer
Urban Highway Section

RE: Southeast Loop & Southwest Loop
GRIC concerns

The letter form the GRIC dated December 2, 1986 identifies the following as issues of concern:

1. Location and type of local access points.
2. Access to Pima - Chandler Industrial Park.
3. Access to Price Road south of Pecos Road.
4. Access to GRIC where freeway is offset from the reservation boundary.

These issues have been addressed in various coordination meetings involving the GRIC. The following is a summary of our response to these issues:

Location and Type of Access Points

The following access points have been agreed upon by both the GRIC and the City of Phoenix. These were again confirmed in a December 9 meeting with GRIC representatives.

TI at 51st Avenue
TI in vicinity of 35th Avenue
TI at 19th Avenue
TI at 7th Avenue
TI at 7th Street
TI at 24th Street
TI at 40th Street
Grade Separation at 48th Street

8-9590 2/75
(FORMERLY 8-954)

The following access points have been discussed in meetings with the GRIC and City of Chandler:

Grade Separation at 56th Street
TI at Kyrene Road
TI or Grade Separation at McClintock Road

There has been a general concurrence, but no firm commitment, on these access points. The consultant has pointed out that a TI at McClintock Road may require R/W from GRIC and may not work at all due to the proximity to the Price / Southeast Loop TI.

Access to Pima - Chandler Industrial Park

All concepts being considered for the I-10 TI maintain existing access to Maricopa Road and Chandler Blvd. A new additional TI is anticipated at Kyrene Road. We believe that access to the Pima - Chandler Industrial Park will be enhanced.

Access to Price Road South of Pecos Road

Directional TI concepts are being developed which allow for a direct through movement of the Price facility to the south. Projected development in this area, some of which should be reflected in the new MAG forecasts, suggests that such a connection may be desirable. It also seems logical from a continuity standpoint and would be beneficial if, at some future date, Price Expressway needed to be extended south.

Access to GRIC where Freeway is offset from Reservation Boundary

In meetings with the GRIC, we have pointed out that MAG funds can not be expended on arterial streets. Chandler has indicated in these meetings that they intend to construct the arterials to the reservation boundary.

This is the first positive piece of correspondence received from Governor Antone; it might be appropriate to recommend a meeting with him to show our interest. To this point their staff has not indicated any desire or ability to help solve any access or drainage problem by obtaining R/W & granting it to us.

JLL:ca

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

THOMAS A. BRYANT,II
State Engineer

September 28, 1989

Governor Thomas R. White
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

Dear Governor White:

This letter is to update you on the status of the utilization of storm water runoff as an irrigation and recreation water resource in relation to the Gila Drain.

Salt River Project has been requested to provide any information they have regarding the quality and quantity of water flowing in the Gila Drain. SRP has agreed to provide what information is available but, to date, our consultant has not received this information and SRP has been unable to provide a date as to when they will have this information.

I have instructed the Urban Highway staff to keep Ms. Dorothy Hallock of your planning staff informed on the progress of this study.

Sincerely,

GARY K. ROBINSON
Chief Deputy State Engineer
Highway Division

GKR:GEW:vlb

bcc: Jim Patterson
George Wallace

ARIZONA DEPARTMENT OF TRANSPORTATION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

TRANSPORTATION BOARD
Jim Patterson
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Verne D. Seidel
James A. Soto

October 5, 1989

Charles Miller, Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, Az. 85007

Dear Charlie:

Thought you would be interested in the Conceptual Master Plan of the Gila River Indian Reservation area, south of the South Mountain San Tan Freeways. Specifically this indicates what they have in mind for their floodway greenbelts, golf course, reservoirs, etc., in that particular area, and it could possibly be a great use for additional waters in the Gila Drain.

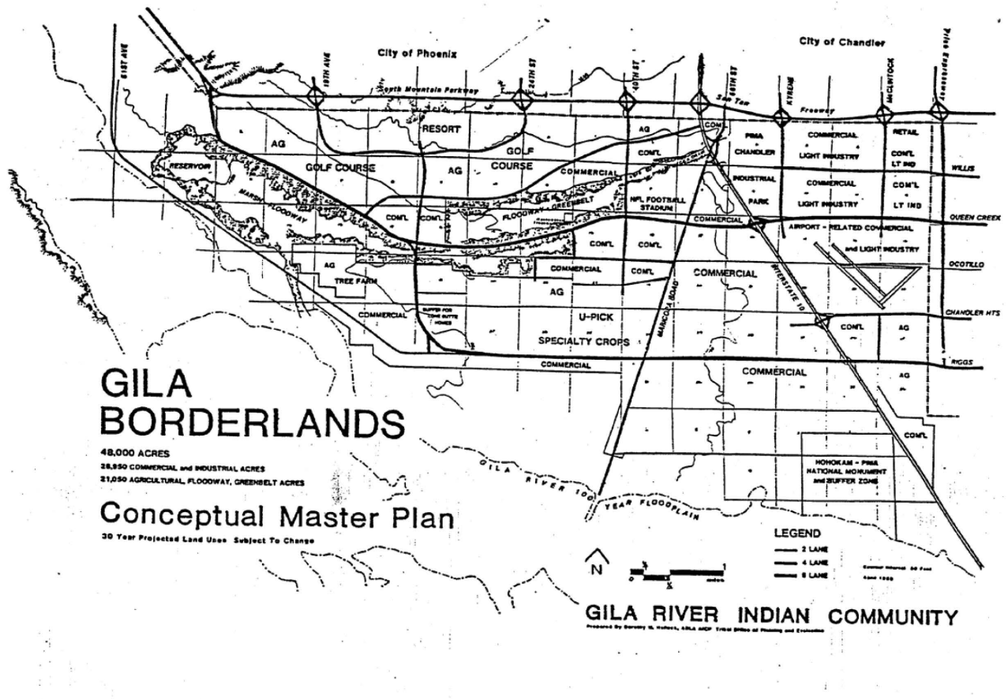
Again, I think this is a project for this water that Chandler, ADOT and others with a common interest should be working very closely with the Tribe.

Sincerely,

Jim Patterson

JP/jlm

cc: Gary Robinson GKR 10/10/89



ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

October 30, 1989

THOMAS A. BRYANT, II
State Engineer

Mr. James H. Matteson, P.E.
Street Transportation Director
City of Phoenix
125 E. Washington St.
Phoenix, AZ 85004

Subject: South Mountain Freeway/7th Avenue Interchange

Dear Mr. Matteson:

This letter is in response to your October 13, 1989 letter to Mr. Charles Miller regarding the removal of the 7th Avenue Interchange at South Mountain Freeway from the Department plans.

Since the referenced T.I. was included in the Design Concept plans at the request of the City, the Department has no objection to its elimination. In order to accomplish this, however, two conditions must be met:

- Dedication of right-of-way for 7th Avenue and the well site near 24th Street will be required. These areas were excluded from the area purchased from the Foothills in 1988. These are highlighted on the attached drawing.

- A letter to the Department from the Gila River Indian Community stating their concurrence with the UDC proposal. Although they have indicated their position to UDC, numerous statements regarding restriction of access to G.R.I.C. lands made during the location study makes it necessary that they formalize their position in writing to the Department.

Upon receipt of these two items and review by our Urban Highway Section, the Department can concur with your request to eliminate the interchange from the plans.

Please contact George Wallace of the Urban Highway Section if you have any questions regarding this matter.

Sincerely,

R. Gutierrez

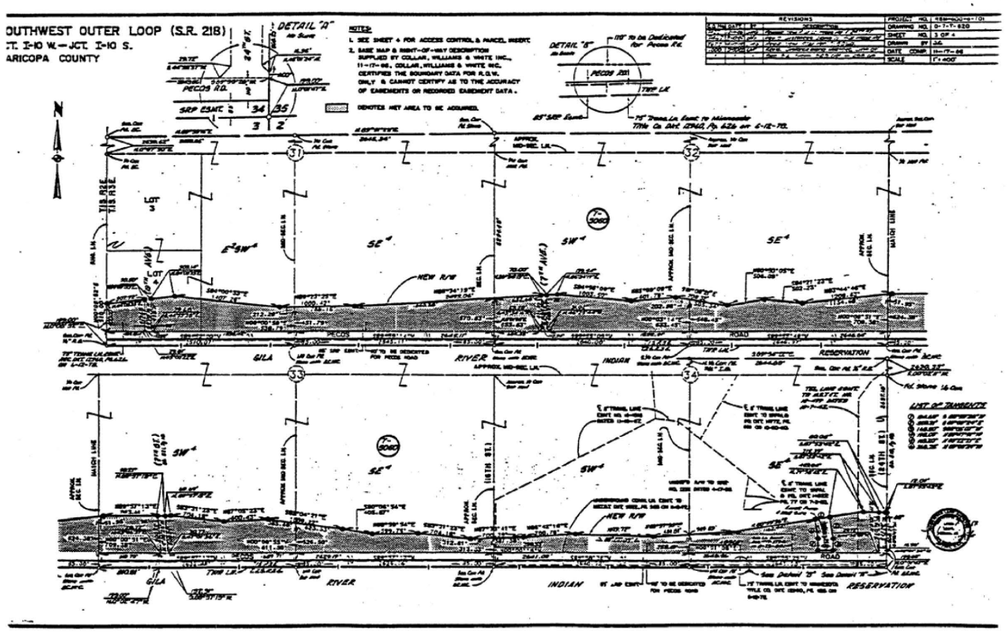
ROSENDO GUTIERREZ
Urban Highway Engineer

RG:GEW:nb

Attachment

cc: Charles Miller
Thomas Bryant, II

HIGHWAYS • AERONAUTICES • MOTOR VEHICLE • PUBLIC TRANSIT • ADMINISTRATIVE SERVICES • TRANSPORTATION PLANNING



ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

THOMAS A. BRYANT, II
State Engineer

February 16, 1990

Governor Thomas R. White
Gila River Indian Community
P. O. Box 97
Sacaton, AZ 85247

Dear Governor White:

As we discussed at our meeting January 11, 1990 I am enclosing a copy of the Final Gila Drain Alternative Study for your use.

Please feel free to call me if you have any questions.

Sincerely,

R. Gutierrez

ROSENDO GUTIERREZ
Urban Highway Engineer
Urban Highway Section

RG:GEW:mc

Enclosure

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

March 21, 1990

THOMAS A. BRYANT,II
State Engineer

Mr. Cecil Antone
Program Administrator
Gila Indian River Community
P. O. Box 398
Sacaton, Arizona 85247

RE: Price/Santan Freeways
TRACS No. H2222 01D

Dear Mr. Antone:

The Arizona Department of Transportation respectfully requests to be placed on the agenda for the April 4, 1990 meeting of the Tribal Council.

The agenda item will be a presentation of the General Plan for the Santan Freeway between the vicinity of 56th Street and Dobson Road, and Price Expressway from Pecos Road to Ray Road.

The Department's consultant, HDR Engineering, Inc., has refined the highway design that was developed in the August 1988 design concept report. There is no significant change from the design concept report, however, the design has been improved.

Access to the Santan Freeway from the Gila River Indian Community continues to be provided at Kyrene Road, McClintock Drive and Country Club Way.

ADOT will also have representatives from HDR at the meeting to respond to any questions. Please call me at 255-7545 to advise of the time we should be present for the meeting.

Also, per your request at our staff presentation on Tuesday, March 20, 1990 I am enclosing one copy of Volume I - Main Report of the Hydrology Study performed by HDR Engineering, Inc., and one blueline copy each of sheets 4 of 5 and 5 of 5 of the study depicting approximate detention basin locations, sizes, depths, etc., along Price Expressway and the Santan Freeway between Price Road and approximately 56th Street.

Thank you for your consideration.

Sincerely,

George E. Wallace

GEORGE E. WALLACE, P. E.
Corridor Engineer
Urban Highway Section

GEW:vlb

Enclosures

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
XXXXXXXXXXXXXXX
XXXXXX
CHARLES L. MILLER
Director
James S. Creedon
Acting Director

October 19, 1990

THOMAS A. BRYANT,II
State Engineer

Mr. Lucius Kyyitan, Chairman
Natural Resources Committee
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

SUBJECT: Gila Borderlands Concept
Greenbelt Channel Proposal

Dear Mr. Kyyitan:

The Arizona Department of Transportation (ADOT) respectfully requests to be placed on the agenda for the October 30, 1990 meeting of the Natural Resources Committee.

The agenda item will be a proposal to implement a portion of the planned "greenbelt" channel shown in the Gila Borderlands Conceptual Master Plan by utilizing the channel as a borrow source for construction of the South Mountain Freeway. This proposal would be under essentially the same terms as the agreement the Community currently has with Pinal County for the Maricopa Road project. As a part of this proposal, ADOT will also request permission to discharge stormwater collected along the future Price Expressway and Santan Freeway into the improved "greenbelt" channel.

The Department's consultant, HDR Engineering, Inc. has investigated the use of the Gila Floodway (the location of the "greenbelt" channel) as a potential stormwater outfall for the Price and Santan Freeways. The Gila Floodway is the historical path this water takes to the Gila River. We propose to use the excavated floodway to maintain the historical outfall of this runoff and convey this water to the proposed marshland and reservoir shown in the Gila Borderlands plan.

Our consultants will make a brief presentation to your committee and answer any questions you may have. Please call me at 255-7545 to advise of the time we should be present for the meeting.

Thank you for your consideration.

Sincerely,

George E. Wallace

GEORGE E. WALLACE, P.E.
Corridor Engineer
Urban Highways Section

GEW:mj

cc: Cecil Antone, GRIC Land Planning

0745p

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION
206 South Seventeenth Avenue - Phoenix, Arizona 85007-3213

FIFE SYMINGTON
Governor

CHARLES E. COWAN
Director

GARY K. ROBINSON
State Engineer

January 20, 1992

Mr. Cecil Antone
Gila River Indian Community
P.O. Box 398
Sacaton, Arizona 85247

Dear Mr. Antone:

Enclosed find one fully executed copy of ADOT Joint Project Agreement 91-99 regarding the Arizona State University Study of the Gila Floodway, for your information

The GRIC will be kept informed of the status of the Development of this project. Please feel free to contact me or Steve Martin at 255-7545 if you need any additional information.

Sincerely,

George E. Wallace

GEORGE E. WALLACE
Corridor Engineer
Urban Highway Section

GEW:km 0059p

Attachment

cc: Lynn Acree, ADOT-ECS

SAMPLE

ADOT South Mountain corridor team

Project Information: 602-712-7006
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

October 3, 2001

Amy Edwards
Transportation Engineer
HDR
2141 E Highland Ave #250
Phoenix, AZ 85016

RE: FEDERAL HIGHWAY ADMINISTRATION & ARIZONA DEPARTMENT OF TRANSPORTATION

AGENCY SCOPING – FIELD REVIEW AND WORKSHOP
South Mountain Corridor Location/Design Concept Report & Environmental Impact Statement

OCTOBER 30-31, 2001
Biltmore Medical Mall, Room 204, 2222 East Highland, Phoenix

Dear Amy Edwards:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) invite you to attend an Agency Scoping - Field Review and Workshop for the South Mountain Corridor study, which will be conducted over the next three years.

A South Mountain Freeway was included in the Regional Freeway System plan that was approved by Maricopa County voters in 1985. A conceptual design and state-level Environmental Assessment (EA) were completed in 1988. As presented in the EA, the freeway would connect Interstate 10 south of Phoenix with Interstate 10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to Interstate 10 between 55th and 63rd avenues.

ADOT and FHWA are beginning a conceptual design and Environmental Impact Statement (EIS) process that will examine a full range of alternatives for a South Mountain transportation corridor, including the concept presented in the 1988 EA. The potential social, economic and environmental impacts of each reasonable alternative will be studied, along with ways to lessen any negative impacts.

Although subject to change, the general study area is defined as follows: the western portion of the study area is bounded Interstate 10 on the north, 107th Avenue/Gila River on the west and 43rd Avenue on the east. The eastern portion of the study area is bounded by Pecos Road on the north, Ocotillo Road on the south, the Gila River on the west and Interstate 10 on the east.

On October 30, ADOT study team members will provide an overview of the project followed by a tour of the project area. On the second day, each agency representative is invited to identify issues and concerns that will need to be considered during the study. To assist you in preparing for the meeting, we have enclosed the following:

- Project area map
- Notice of Intent to Prepare an EIS *(Located on the backside of the project area map.)*
- Fact sheet and commonly asked questions
- October 30 and 31 Agendas
- Map to the meeting site *(Located on the backside of the agenda.)*
- Registration form

It is important that we identify all of your issues at the October 31 scoping meeting to allow the project team adequate time to resolve your agency concerns through the study process. In order for the meeting to be effective to both ADOT and your agency, please take time prior to the meeting to consider the following:

- What is your agency's responsibility? If a public entity, what is your agency's responsibility to the public?
- How does this mandate relate to ADOT's mandate to serve the driving public? Similarities? Differences?
- Are there specific areas/services in the project area that your agency is responsible for?
- What information can you bring to the meeting that will aid in communicating agency concerns/issues/opportunities?
- Do you have any maps, plans or designs of projects or studies within the project area? If so, please bring a copy.

We believe effective early scoping of issues can result in a project that meets the needs and objectives of your agency. Therefore, we have allocated the afternoon of the second day for you to present your suggestions, issues and concerns.

Your participation is critical to helping us meet the project goals and schedule. Please complete the enclosed registration form and return by October 15, 2000. If you have any questions, please feel free to call Theresa Gunn, public involvement coordinator, at 623-362-1597 or leave a message on the project information line at 602-712-7006.

Sincerely,

Mary Viparina

Mary Viparina, P.E.
Project Manager

Enclosures

facilities they used and the services they received. The information collected will be used to evaluate current maintenance, facility, and service practices and policies and to identify new opportunities for improvements.

Jacklyn J. Stephenson,

Senior Manager, Enterprise Operations Information Services.

[FR Doc. 01–9817 Filed 4–19–01; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Maricopa County, Arizona

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an individual impact statement will be prepared for a proposed highway project within Maricopa County, Arizona.

FOR FURTHER INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 234 North Central Avenue, Suite 330, Phoenix, AZ 85004, telephone (602) 379–3646.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new multilane freeway in the metropolitan Phoenix area extending approximately 25 miles from I–10 west of Phoenix to I–10 southeast of Phoenix to form a southwest loop. The proposed project will evaluate potential impacts to mountain preserve land, residential and commercial development, Tribal lands, cultural resources, historic roads and canals, Endangered Species, jurisdictional water of the U.S., air and noise quality, and hazardous waste.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered including (1) taking no action; (2) using alternate travel modes; (3) limited access parkway; (4) major urban arterial with transportation system management improvements; and (5) a freeway.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time, a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed time and changed conditions that have occurred since completion of these documents, new studies are required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies including the Environmental Protection Agency, U.S. Army Corps of Engineers, Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, Arizona State Land Department, Arizona Game & Fish Department, City of Phoenix, Town of Laveen, City of Avondale, and the Gila River Indian Tribe. Letters will also be sent to interested parties including, the Ahwatukee Foothills Village Planning Committee, Laveen Village Planning Committee and Estrella Village Planning Committee.

A series of public meetings will be held in the communities within the proposed study area. In addition, a public hearing will be held. Public notice will be given advising of the time and place of the meetings and hearing. A formal scoping meeting is planned between Federal, State, city and Tribal stakeholders.

To insure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Kenneth H. Davis,

District Engineer, Phoenix.

[FR Doc. 01–9782 Filed 4–19–01; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–97–2341]

Parts and Accessories Necessary for Safe Operation; Manufactured Home Tires

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

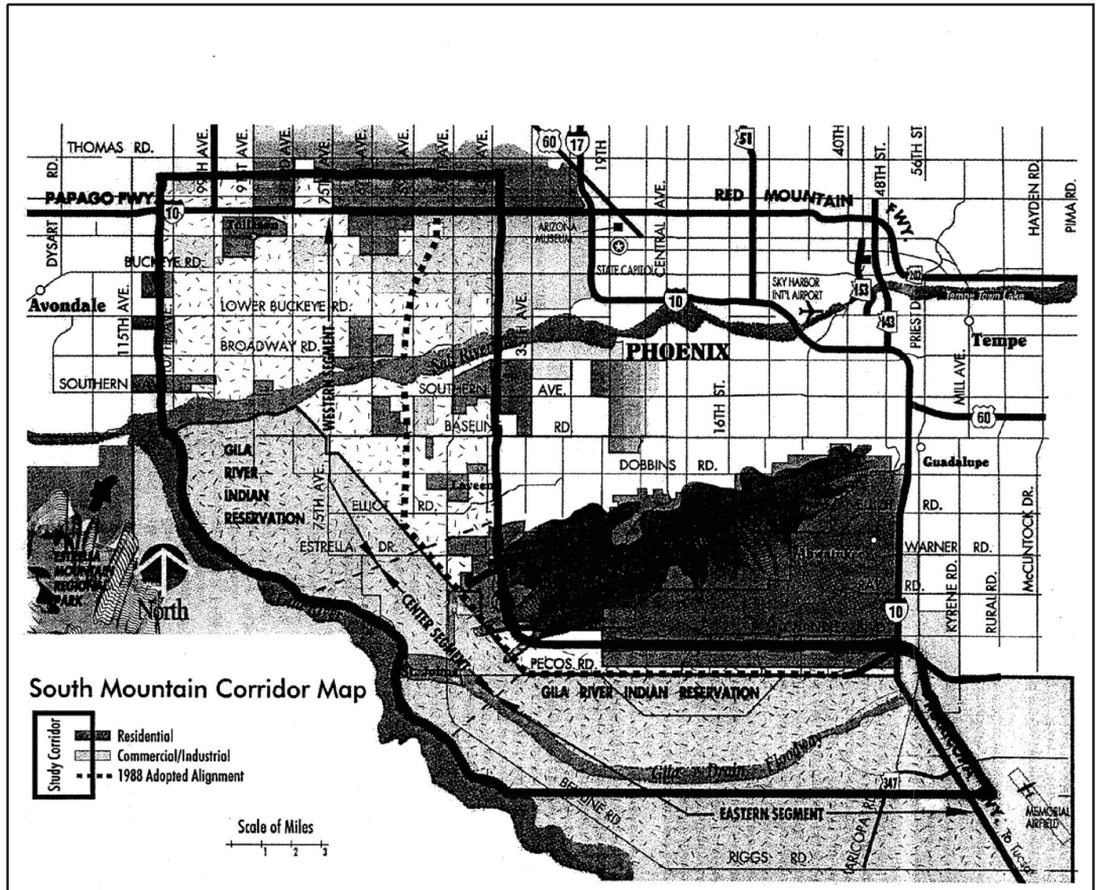
ACTION: Notice of intent to deny petitions for rulemaking; request for comments.

SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking from the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (Multinational) concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tires, or in the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specializing in tires. The termination date of the rule allowing 18-percent overloading of these tires was originally set for November 20, 2000, but was delayed until December 31, 2001, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of Multinational's petition to rescind the final rule which delayed the termination date until December 31, 2001, and determined on a preliminary basis that the petition should be denied. Denial of both petitions would result in transporters of manufactured homes being prohibited from operating such units on overloaded tires on or after January 1, 2002.

DATES: We must receive your comments by May 21, 2001. We will consider comments received after the comment closing date to the extent practicable.

ADDRESSES: You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Docket Management Facility, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590–0001, FAX (202) 493–2251, on-line at *http://dmses.dot.gov/submit.* You must include the docket number that appears in the heading of this document in your comment. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., e.t. Monday through Friday, except Federal holidays. If you want us to notify you that we received you comments, please include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Larry W. Minor, Office of Bus and Truck Standards and Operations, MC–PSV, (202) 366–4009, Federal Motor Carrier Safety Administration, 400 Seventh



South Mountain Corridor Study
Facts, Questions and Answers

OVERVIEW

A South Mountain Freeway was included in the Regional Freeway System plan that was approved by Maricopa County voters in 1985. A conceptual design and state-level Environmental Assessment (EA) were completed in 1988. As presented in the EA, the freeway would connect Interstate 10 south of Phoenix with Interstate 10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to Interstate 10 between 55th and 63rd avenues.

The north-south leg of the freeway would pass near the community of Laveen and through agricultural lands within the city of Phoenix. After it passed South Mountain Park and turned to the east, the freeway would pass through the Ahwatukee/Foothills community, following an alignment along Pecos Road.

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) are conducting a new engineering and environmental study – known as an Environmental Impact Statement (EIS) – that will examine a full range of alternatives to the concept presented in the 1988 EA. The potential social, economic and environmental impacts of each reasonable alternative will be studied, along with ways to lessen those impacts.

CHRONOLOGY

A brief history of the South Mountain Corridor, from its inception to the present is listed below.

- 1983 – The Maricopa Association of Government (MAG) prepares planning studies for the Phoenix metropolitan area that identify corridors for an integrated freeway network. The South Mountain Freeway corridor is defined as a roughly two-mile wide corridor from I-10 near 51st Avenue, around South Mountain, to I-10 near Chandler Boulevard.

- 1985 – Maricopa County voters approve a half-cent sales tax to fund construction of the MAG Regional Freeway System, including a 22-mile freeway connecting I-10 in Chandler with I-10 in west Phoenix.

- 1988 – A state-level Location/Design Concept Report and an Environmental Assessment are completed for the South Mountain Freeway, designating an alignment along Pecos Road and the Gila River Indian Community border and north to I-10 between 55th and 63rd avenues. This refined corridor is adopted by the State Transportation Board.

- 1994 – Due to a funding shortfall, the Arizona Department of Transportation (ADOT) identifies 76 miles of planned freeways as "unfunded segments" and later drops some of those segments from the system. The South Mountain Corridor is designated for potential development as a toll road.

- 1996 – A consortium of private companies proposes to build the South Mountain Freeway as a toll road. The consortium would later withdraw its proposal, saying the project was not financially feasible. The South Mountain Corridor remains a part of the MAG regional Freeway System, but is designated as "unfunded."

- 1999 – ADOT announces plans to accelerate completion of the entire Regional Freeway System by seven years to 2007. The acceleration plan includes an unspecified portion of the South Mountain Corridor, which remains largely unfunded.

- 2000 – In anticipation of initial construction of the South Mountain Freeway, the city of Phoenix conducts a local study of Ahwatukee/Foothills area transportation needs that includes an assessment of freeway options.

- 2001 – ADOT begins preparation of a new Location/Design Concept Report and Environmental Impact Statement to examine a broad range of alternatives to the 1988 South Mountain Freeway concept.

ISSUES

The first thing the EIS will be considering will be three questions posed by the US Environmental Protection Agency (EPA):

1. Why? What is the basic problem or deficiency with the existing situation and why is this a problem?
2. Why here? Why is this problem or deficiency occurring here and why is it important?
3. Why now? Why does the problem need to be addressed now? What could happen if the problem was not addressed now?

If a need is found to exist for a major transportation improvement in this corridor, the study then will move forward to consider all reasonable solutions, including the original freeway concept from the 1988 EA.

QUESTIONS AND ANSWERS

The South Mountain Corridor Team has attempted to anticipate and answer as many questions as possible regarding this study and the future of the corridor. Some questions cannot be fully answered until later in the study process. This document will be updated as new questions are asked and new information becomes available.

Has an alignment along Pecos Road already been decided?

No. Although an alignment along Pecos Road was identified as a result of the 1988 EA, this study will start from the beginning and will consider all reasonable alternatives.

Why is ADOT conducting a second environmental study?

Much has changed in this area since the 1988 EA was completed. The new study is being conducted in light of new development in the area as well as changes in design standards and environmental regulations and to qualify for federal funds.

If the Pecos Road alignment is not a foregone conclusion, then why has ADOT purchased right-of-way along that alignment?

ADOT began purchasing right-of-way in the corridor at a time when a specific alignment along Pecos Road had been identified and adopted. ADOT began acquiring right-of-way to preserve the viability of the corridor and to minimize future relocation of homes and businesses. 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.

Will the fact that ADOT already owns right-of-way in this corridor influence the final decision?

FHWA regulations do not allow the ownership of right-of-way to be a factor in the decision regarding the adoption of an alternative.

Will an alignment on the Gila River Indian Community be considered?

Yes. The Gila River Indian Community is an active participant in this process. As long as the Community is receptive to alignments that might cross Indian lands, those alignments will be considered. However, if it were clearly indicated that the Community does not want and will not accept an alignment across its lands, consideration of such an alternative would no longer be considered viable or productive.

What factors will be considered in choosing an alternative?

Many factors will be studied, including whether there is a need for a major transportation improvement in this area and the degree to which the original freeway concept or any alternatives would address that need. Other factors that will be considered include social, economic and environmental impacts, environmental regulations, relocating of existing homes and businesses, traffic projections, safety, constructability, cost and public concerns and preferences.

What about truck traffic that might be generated by a new highway?

One of the factors that will be considered in this study is the amount of truck traffic that would be generated and its potential impact on the surrounding community.

Will the public have a voice in choosing an alternative?

Yes. An extensive effort has been developed to keep the public informed of the progress of the study and to elicit public comment. Problems, concerns and preferences expressed by citizens will be factors in the ultimate decision whether to build or not to build a new facility, what should be built and where it should be located.

Will anything other than a freeway be considered?

Yes, other alternatives will be considered. Among other things, the study will consider improving existing facilities, improving or expanding other travel modes and strategies to reduce travel demand. This study will examine not only the potential impacts of a new freeway, but also the consequences of building nothing.

Is it possible that nothing will be built?

Yes. That is one of the options that will be studied.

Would air, noise and visual quality be impacted by construction of a new road or freeway?

A major purpose of this study is to determine the potential impacts on air, noise and visual quality and to look for ways to lessen those impacts.

Will existing and planned trails be accommodated?

Yes, to the extent possible. ADOT has historically made every effort possible to accommodate recreational trails.

How might South Mountain Park be affected?

Any impact on South Mountain Park would be subject to restrictions in federal law, which essentially says that no parkland can be used unless it can be shown that there are no feasible or prudent alternatives.

How long will this study take to complete?

Approximately three years. Ultimately, however, that will be determined by issues and impacts that are discovered during the course of the study.

When is something likely to be built?

It is conceivable that construction could begin as early as a year after conclusion of the study. The actual timing of construction is dependent on the availability of funding and the priority assignment to the corridor by local, regional and state officials once the EIS has been completed.

Is funding available for a major transportation improvement in this area?

Some money is currently available, but ADOT has not identified a source for the remainder of the funding that would be needed for a major transportation improvement.

Why was the toll road proposal dropped?

The toll road proposal was dropped for several reasons, including public opposition to the toll road concept and questions concerning the financial feasibility of the proposal.

Where would the corridor join I-10 to the west of Phoenix?

The corridor would likely join I-10 somewhere between 43rd Avenue and 107th Avenue. A major purpose of this study is to look at other potential locations.

Is it likely that construction of a new road or freeway would require the acquisition of existing homes or businesses?

It is highly unlikely that a major transportation improvement could be completed in this area without acquiring some existing homes and/or businesses. One purpose of this study is to determine the extent of new right-of-way that would be needed for each possible alternative.

Isn't the real purpose of a South Mountain Freeway simply to act as a bypass to divert trucks from downtown Phoenix?

The Phoenix Regional Freeway System was conceived to improve mobility in the region by increasing capacity and providing alternatives to allow traffic, including truck traffic, to bypass already congested routes.

How will planned improvements to State Route 85 affect this project?

The effects of all planned improvements, including the upgrade of SR85, will be considered in the traffic analysis to be conducted as part of this study.

How is an EIS different from the EA that was conducted in 1988?

The 1988 EA was prepared in order to satisfy state requirements only. In order to make any resulting project eligible for federal funding, the new study will satisfy federal requirements and will have to comply with the National Environmental Policy Act (NEPA). Under NEPA, an EIS is required for this project due to the potential of substantial impacts on the environment and surrounding communities. An EIS is different from an EA in that it will address in detail a number of alternatives to satisfy the transportation needs in the corridor.

For More Information on the South Mountain Corridor Study:

Project Information Line: 602-712-7006

Website: www.dot.state.az.us

Email: SouthMountain@dot.state.az.us

Address: HDR Engineering, Inc., 2141 E. Highland Avenue, Suite 250
Phoenix AZ 85016

ADOT South Mountain corridor team

Project Information: 602-712-7006
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

December 15, 2001

Mr. Anthony Villareal, Chairman
Gila River Indian Community
District 6
P. O. Box 54
Laveen, Arizona 85339

Dear Mr. Villareal,

As you suggested, I am submitting this letter as a formal request for you to allow our team to present an update on the South Mountain Corridor Environmental Impact Statement (EIS) at the next District 6 Community Meeting, or at your earliest convenience.

The Arizona Department of Transportation and Federal Highway Administration have given us the task of conducting an EIS in an area of the south and southwest Valley to explore the purpose and need and alternatives for possible transportation improvements in the area. The details of this study are explained in greater detail in an attached newsletter that has been distributed to approximately 75,000 people in the study area. This project is in no way associated with the past toll road study in the area, the 51st Avenue widening study conducted by Maricopa County, or the Truck Bypass Study conducted by Maricopa County. Our presentation and any questions that may follow should take no more than 30 minutes.

Our team meets monthly with a Gila River Indian Community (GRIC) Task Force assigned to monitor this project led by Sandra Shade, Director of the GRIC Department of Transportation.

Over the past several weeks our team has made presentations and answered questions at community meetings in Districts 4 and 7, the Elderly Concerns Group, the Borderlands Task Force, and the I-10/Pecos Road Landowners Association.

Also, as we discussed, I am requesting your assistance in selecting someone who does not hold elective office to represent District 6 on a citizen's advisory group that we are assembling to help guide our work on this project. And as we discussed, I hope that you will be able to recommend a candidate to us within the next two weeks. I would welcome an opportunity to talk with you in greater detail about the purpose of this group at your earliest convenience.

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix AZ 85016

If you have any questions about this please call me. Thank you very much for your time, Mr. Villareal.

Sincerely,
South Mountain Project Team

John D. Godec
602.266.5556

cc:

Sandra Shade
Mary Viparina
Ralph Ellis
Steve Martin
Jack Allen

ADOT
Jane Dee Hull
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Dick Wright
State Engineer

April 26, 2002

Mr. David Folts
Concerned Families Along South Mountain Loop 202
3407 East Cedarwood Lane
Phoenix, Arizona 85048

Dear Mr. Folts:

Thank you for your letter dated March 25, 2002, concerning several air quality and health questions that the Concerned Families Along South Mountain Loop 202 (Families) would like addressed in the South Mountain Corridor Environmental Impact Statement (EIS). Victor Mendez has asked me to respond on his behalf.

It is important to note that the Arizona Department of Transportation's (ADOT) South Mountain Corridor Study is in the early stages of development. ADOT and other stakeholders are evaluating the purpose and need to determine what transportation improvements within the study area are needed. Preliminary analyses indicate that a freeway option should be considered and alternative alignments are just now being developed. Further analyses and refinement of alternatives will be ongoing for another year or more.

The twelve questions posed in your letter are very specific regarding data parameters such as, distance from the freeway, exposure time periods, and percentages of impacts to distinct groups, such as, "children" or the "average person". The project team will continue to research available literature and utilize any applicable studies related to freeway air quality that are geared to the highly specific parameters identified in your questions. We cannot, however, guarantee that ADOT will be able to provide definitive answers to your questions.

Arizona Governor's Award for Quality
2001 Award Recipient

Typically, pollutants in vehicle exhaust are lighter than air and are quickly dispersed into the atmosphere. This also tends to be true for air pollutants from other sources. For this reason, vehicle exhaust is typically viewed as a part of a larger regional air quality problem and health effects are evaluated on a regional basis. The air quality analysis performed for the EIS evaluates the potential contribution of pollutants a proposed freeway makes to the regional air quality. The exception is carbon monoxide which is also evaluated for local impacts and this analysis will be presented in the EIS.

Information regarding the health effects related to regional air quality in Maricopa County may be obtained from the Maricopa Association of Governments at (602) 254-6300, the Arizona Department of Environmental Quality at (602) 207-2347 and the Maricopa County Department of Environmental Health Services at (602) 506-6712.

Sincerely,

Mary Viparina

Mary Viparina
Senior Project Manager
ADOT Valley Transportation

MV/ta

c. Victor Mendez
William Vachon, FHWA
Thor Anderson

ADOT South Mountain corridor team

Project Information: 602-712-7006
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

July 12, 2002

Chief Harold Hurtt
City of Phoenix Police Department
620 West Washington
Phoenix, Arizona 85003

Dear Chief Hurtt:

The Arizona Department of Transportation (ADOT) and Federal Highway Administration (FHWA) are conducting an Environmental Impact Statement (EIS) and Design Concept Report (DCR) for the previously proposed South Mountain leg of the Valley's Loop 202 freeway segment.

A consulting team led by HDR Engineering, Inc. has been hired to conduct this study. As part of an extensive public involvement effort we are working with a Citizens Advisory Team (CAT) to help guide this effort. This CAT comprised of citizens from throughout the south and southwestern parts of the Valley as well as the Gila River Indian Community.

Based on the recommendation of City of Phoenix planning staff I spoke with Assistant Chief Silverio Ontiveros earlier this week and asked him to join this group to help us in this endeavor as a representative of the Laveen Village Planning Committee. He has expressed his initial willingness to do so but asked that I also forward this request to you to help ensure that there would be no apparent conflicts.

This group meets on the fourth Thursday of each month in the evening. Meetings are generally held at Vee Quiva on the Gila River Indian Community near Laveen. Assistant Chief Ontiveros' participation and perspective would be extremely valuable, both as a member of the Laveen Village Planning Committee and as a senior member of the Phoenix Police Department.

If you have any questions about this request or Chief Ontiveros' role in this matter, please feel free to call me at 602.266.5556, Mary Viparina at ADOT at 602.712.7643, Thor Anderson at ADOT at 602.712.8637, or Bill Vachon at FHWA at 602.379.3646, extension 118.

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix AZ 85016

South Mountain Citizen's Advisory Team Letter
July 12, 2002
Page 2

Sincerely,
South Mountain Corridor Team

John D. Godec
602.266.5556

CC:
Assistant Chief Silverio Ontiveras
Mary Viparina
Thor Anderson
Bill Vachon
Amy Edwards

ADOT

Jane Dee Hull
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Dick Wright
State Engineer

October 3, 2002

Governor Donald R. Antone, Sr.
Lieutenant Governor Richard Narcia
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Re: South Mountain Corridor Study
Availability for Information Update - District 6

Dear Governor Antone and Lieutenant Governor Narcia:

The South Mountain Corridor Study Team wants to keep you apprised of all Gila River Indian Community coordination and information sharing activities concerning this project. We have provided District 6 with a letter, copy enclosed, advising them of our availability to present information on status and activities of the South Mountain Study and we look forward to receiving their invitation.

Sincerely,

Mary Viparina

Mary Viparina
Project Manager
Arizona Department of Transportation

c: Mary Thomas
Anthony Villareal
Sandra Shade
Project File

Enclosure

Arizona Governor's Award for Quality
2001 Award Recipient

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Jane Dee Hull
Governor

Victor M. Mendez
Director

Dick Wright
State Engineer

October 3, 2002

Mr. Albert Pablo
Chairman, St. John's Community Council
District 6
Gila River Indian Community
P.O. Box 54
Laveen, AZ 85339

Re: Information on the South Mountain Corridor Study

Dear Mr. Pablo:

The Arizona Department of Transportation (ADOT) is progressing on the South Mountain Corridor Study. Coordination and information sharing with the Gila River Indian Community is a high priority for both the Federal Highway Administration and ADOT. If desired, we are prepared to provide an information update of study activities to the District 6 Council and others as you may wish to invite. Our study team can provide information on the project history, recent activities and developments, as well as the next steps in the environmental review process.

We would be prepared to present to you at the October 21, 2002 Council Meeting or at your convenience. Please let me know if the council would be interested in such a presentation. I can be reached at 602-712-7643.

Sincerely,

Mary Viparina

Mary Viparina
Project Manager
Arizona Department of Transportation

c: Mary Thomas
Sandra Shade
Anthony Villareal
Project File

Arizona Governor's Award for Quality
2001 Award Recipient

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra R. Brisk
Deputy Director

February 5, 2003

Mayor Ron Drake
City of Avondale
525 North Central Avenue
Avondale, AZ 85323-1999

RE: South Mountain EIS and L/DCR

Dear Mr. Drake:

Thank you for your letter of January 27, 2003, regarding the proposed alternatives to be studied for the South Mountain Environmental Impact Statement and Location/Design Concept Report. As you may be aware, we are completing the data gathering efforts for the corridor alternative development. Included in this effort was requesting suggested routes for the corridor from the public, the Citizens Advisory Team, potentially affected jurisdictions as well as from the technical team. This effort was undertaken per the National Environmental Policy Act and requires review of all reasonable and feasible alternatives.

During the first few months of the project, we gathered suggested routes from the public. We compiled these routes and reviewed them, looking for similarities in intent as well as ability to meet the purpose and need of the project, which is improved regional mobility. Once we had reviewed the suggested routes, it was determined they represented eight corridor alternatives. We presented these corridor alternatives to the Citizens Advisory Team and the potentially affected jurisdictions during October and November of 2002, including a meeting with staff members from the City of Avondale. During this series of meetings, a corridor alternative along 107th Avenue was suggested for review. The technical team considered this corridor alternative and determined to include it during this phase of the analysis.

The project team is currently involved in gathering impact data for each of the corridors presented. Part of the impact data being considered includes compatibility with adopted general plans, impact on existing and proposed residential, industrial and commercial developments, and public/political acceptability. The basis for the public/political acceptability impact is the information shared by your staff during the jurisdictional meeting as well as the information presented by yourself in the referenced letter. Like the City of Avondale, other jurisdictions have expressed their concern related to certain corridor alternatives and all of this information, as well as other environmental and technical data, will be used during the corridor alternatives screening process. At the completion of this phase, the stakeholders, FHWA, and ADOT will determine which corridor alternatives will be carried forward for detailed analysis in the EIS.

Arizona Governor's Award for Quality
2001 Award Recipient

ADOT South Mountain corridor team

Project Information: 602-712-7006
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

March 21, 2003

Ms. Jeanette Yarmata
Gila River Telecommunications Inc.
Box 5015, 7065 W. Allison Drive
Chandler, Arizona 85226

Via Facsimile: 520.796.7534

Dear Ms. Yarmata:

As per our telephone conversation I am seeking information to be used as part of the South Mountain Corridor Environmental Impact Statement study.

We need to identify the specific locations and addresses for existing and currently planned Gila River Indian Community (GRIC) Fire Department stations, Police Department stations, Public and Private/Parochial Schools, and Hospitals. The GRIC Executive Offices referred me to you as the person who could provide us with this information.

Please call me if you have any questions about this issue, or if there is someone else that I should contact, or if there is anything else that I can do to expedite this request.

Thank you very much for your help

Sincerely,
South Mountain Corridor Team

John D. Godec
602.236.5556

cc: Amy Edwards, HDR Engineering, Inc.

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix AZ 85016

May 27, 2003

Arizona State Department of Transportation
ATTN: Mr. Bill Hayden, Special Assistant
State Engineer's Office
206 S. 17th Avenue
Room 101A
Phoenix, Arizona 85007

RE: South Mountain Transportation Corridor Alternative Screening Report, Version 2.0/March 2003 Review and Comments

Dear Mr. Hayden:

On behalf of the Tolleson Mayor and Council I would like to thank you and the South Mountain Transportation Corridor Team for taking the time to visit Tolleson on March 19, 2003 for the purpose of allowing Tolleson an opportunity to comment on the proposed alternatives for the South Mountain Freeway.

Regionally speaking, I acknowledge the need for an alignment that not only moves traffic but is also logistically placed, however, there are significant cultural, financial and social issues and material technical elements that, in my opinion, make Alternatives #2 and #3 non-viable within our city corporate limits. As you will read in this letter, Alternatives #2 and #3 are, and will be, vehemently opposed by Tolleson. Tolleson strongly recommends that the South Mountain Freeway be located at its originally planned location, Alternative #1.

The Tolleson community would once again be disproportionately prejudiced by the extension of the South Mountain Freeway from Loop 101 along Alternatives #2 or #3. As you are aware, Tolleson is a small community comprised of six square miles, two miles of which are currently bisected by I-10. The citizens of Tolleson are predominately Hispanic, earning less than the average median income. Obviously, given the elements of our City and its citizens, you can see our resources are limited. The City's ability to effectively protest the proposed alignments or of its citizens to fight the siting of another freeway in their backyards is also limited. Clearly, Tolleson and its proud population have been the victims of previous highway construction. Tolleson's citizens were the last group to get a sound wall and the noise producing elevated interchange of I-10 and Loop 101 in Tolleson are recent examples of this blatant abuse of the disadvantaged. While some on the council are claiming the siting of the South Mountain Freeway in Tolleson

The proximity of Alternatives #2 and #3 to the residential area immediately east of the proposed alignments would drastically exacerbate existing noise pollution levels stemming from the stack at 99th Avenue and I-10. Virtually, all of the residential community between 91st and 97th Avenue north and south of Van Buren will be affected by the proposed alignments. The 97th Avenue alignment would also have a detrimental effect on the neighboring Tolleson Union High School Alternative Campus, which lies within a few feet east of the proposed alignment. Furthermore, increased traffic will adversely impact air quality within the adjacent residential neighborhood.

The numerous trucking/warehousing businesses would require rerouting due to the proposed alignment along 99th Avenue, and obviously some of the same truck traffic will eventually end up on Tolleson's main street, in search of the path of least resistance – fewer left turns.

The study prepared by the committee completely ignores the floodplain caused by the railroad tracks and the compounding of the floodplain's problems caused by the Alternatives. The existing floodplain located within the City and designated as Category A Floodplain will require major modifications. Construction of either Alternative #2 or #3 without a natural flow will increase the geographical size of the flood plain. It currently lies south of Jefferson Street, and any major barrier will affect the plain, possibly as far north as Van Buren.

Alternatives #2 and #3 represent Tolleson's biggest threat to financial ruin. Both alignments create devastating economic impacts that will last an eternity. Elimination of jobs, loss of primary property tax revenues and secondary tax revenues that fund city and schools capital bond projects, reduction of current sales tax revenues as well as projected General Plan retail service developments, and most importantly, loss of development and building permitting fees generated as a result of construction have huge budget implications. From a service delivery perspective, the City of Tolleson would have to reduce the General Fund operating budget in order to meet the cumulative loss generated by the construction of the South Mountain Freeway through the heart of Tolleson's commercial and industrial development corridor. Prime commercial and industrial land and accompanying improvements would be affected by the South Mountain Freeway. The adverse multiplier impact is unknown however; it would touch on all of the elements mentioned above.

The meeting held at the Southwest Valley Chamber of Commerce on Monday, May 5, 2003 did little to fairly address the devastation of Tolleson and its citizens caused by the construction of Alternatives #2 or #3. Frankly, if a western alignment of the South Mountain Freeway (west of 51st Avenue) is required the alignment for Alternative #9 should be readdressed. An alignment of Alternative #9 just west of the 107th alignment appears to be a route with less impact. Your preliminary route for Alternative #9 literally destroys existing warehouses – Sara Lee, Lisanti, and States Logistics – and is projected to be constructed on the parcel that PepsiCo recently purchased for a regional warehouse. A route slightly west of this path avoids these problems. Perhaps the safety issues regarding the Alternative #9 "S" curve conceptual design should be revisited.

would perpetuate the institutional racism Tolleson and its citizens have suffered in the past, this letter is written with the request that the siting not be the result of what route offers the least resistance.

If the Loop 101/South Mountain Freeway extends south into Tolleson four of Tolleson's six square miles would be adversely impacted by freeways. Economically valuable property along the City's main industrial and retail corridor (99th Avenue) would be completely destroyed or severely diminished. After the South Mountain Freeway extension, land on the east side of 99th Avenue (Tolleson property) would be totally taken or only shallow development parcels would remain. Traffic on 99th Avenue in Tolleson, once a dynamic roadway, would be an awkward roadway no longer serving businesses on both frontages. From a General Plan and Land Use perspective and following a similar pattern with the construction of I-10 and Loop 101, both Alternatives #2 and #3 require a taking of large parcels of undeveloped land in Tolleson. Based on a percentage of incorporated square miles Tolleson has provided the most property for freeways during the past 15 years. When the 101 was connected to I-10 from the north, prime commercial and industrial property along McDowell was taken for retention and detention of waters flowing south from Glendale and Phoenix. Additional freeway takings will only add to the already high ratio of freeway dedicated land versus that developed or to be developed.

Both Alternatives drastically impact the ability of Tolleson to serve water to its residential and corporate citizens. Two wells serve all of Tolleson's water needs. Alternatives #2 and #3 wipe out Tolleson's only two water production wells.

We hope you are aware that there is a massive pollution plume comprised primarily of TCE directly east of Tolleson and over the recent past has continued its westward flow to Tolleson. The plume's western edge is at Tolleson's east border. The City has shut down its eastern most wells and has had to relocate its two wells in western Tolleson. These wells are now in the path of Alternatives #2 and #3. Tolleson has no land in its boundaries east of 99th Avenue and north of Van Buren, in short if 101 is extended south in Tolleson, Tolleson would lose its wells and would have to move its wells back east, back towards the pollution plume.

In addition to the wells and adjoining storage facilities, each well has water treatment facilities that provide the necessary purification to the water. Tolleson spent millions of dollars on the facilities. The electro dialysis reversal (EDR) systems are utilized for the treatment and purification of water, including water used by Pepsico for their production of Gatorade. The production wells, booster pumps, electrical panels, stand-by natural gas driven diesel engine, metering and production equipment and building as well as the twelve inch (12") major transmission water lines leading to and from the production wells would perhaps require relocation and/or abandonment. A permanent or temporary curtailment of water production will create a severe water shortage in the city, for the average daily use is approximately 3.0 million gallons of water. Any reduction in water production would bring about a crisis for both commercial (Gatorade and milk facilities at Fry's) and residential users as well as severely inhibiting fire suppression capabilities.

ADOT will be required to pay for the complete replacement of these important water utility facilities.

Alternatives #2 and #3 would have a significant impact on local and regional sewer lines. Four major sewer lines serving the Tolleson and the Phoenix Sewage Treatment facilities rest in the path of both alternatives. Currently, a 66" sewer main runs in 99th Avenue. This major trunk line serves the northern affiliated parties/cities and would require relocation and major modifications at 99th Avenue and McDowell Road as well as major reconstruction of the diversion structure facility at 99th Avenue and Van Buren. Any existing or future businesses fronting 99th Avenue would be disrupted due to the inability to provide sewer service. Loss of operations would result in reduction of respective business operating profits and loss of city sales tax.

The sewer lines – 60", 48" and 42" – run east and west and parallel the Union Pacific Railroad tracks from 99th Avenue easterly to 95th Avenue. At this juncture the lines turn south and are joined by yet another 27" line, all leading south on 95th Avenue under Buckeye Road into the regional City of Tolleson Wastewater Treatment Plant head works facility. Replacement lines, whether permanent or temporary, would be required so as not to create a disruption in sewage flows being discharged by various affiliated parties – i.e, Sun City, Youngtown, Peoria, Glendale, Phoenix and Tolleson - and headed south to the respective sewage treatment facilities in Phoenix and Tolleson. Any below grade freeway would obviously destroy the regional transmission grid.

Any stoppage in sewer flows would trigger a reduction in effluent being discharged by Tolleson, pursuant to a contract, into a 53" line connected to the Palo Verde Nuclear Generating Plant where the water is used to cool nuclear generating system turbines. Failure to meet contractual obligations between Arizona Public Service will most definitely result in litigation against the City of Tolleson.

With respect to arterial streets and proposed intersection improvements, Alternatives #2 and #3 will create major modifications to the existing intersection at 99th Avenue and Van Buren, and eventually lead to water and sewer lines displacement and/or relocation. The proposed alignment would require a half or full diamond interchange somewhere between 96th and 99th Avenues. These improvements would increase traffic in the immediate vicinity and ultimately have an adverse traffic impact on Tolleson's major streets, Van Buren and 99th Avenue. Local traffic could no longer utilize local streets for through traffic. Obviously, the increase in traffic will affect the service level of Van Buren Street, Tolleson's downtown main street.

Environmentally, the proposed Alternatives #2 and #3 fail to recognize both the pollution plume referred to earlier and the hazardous site at approximately 97th Avenue and Harrison Street. The site, running from 97th Avenue westerly to approximately 150 feet east of 99th Avenue, has been abandoned for years, and at last report, the site is being remediated to the air by a mechanical device.

Mr. Hayden, it is quite evident that the City of Tolleson is very disturbed at the notion of having Alternatives #2, #3 or #9 constructed in Tolleson. As I mentioned previously, I strongly agree that we need a regional alignment for the South Mountain Freeway, one that moves traffic and is not as devastating to a city's culture or economy such as the Alternatives discussed above.

Again, thank you for your visits and your interest in our community. Please feel free to call me if you have any questions regarding this letter.

Sincerely,

Ralph Velez
City Manager

cc: Amy S. Edwards, HDR Transportation Engineer
Bill Vachon, FHWA, Senior Area Engineer
Floyd Roehrich, Jr., ADOT, Senior Project Manager

Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

August 27, 2003

Ms. Elaine Blackwater
Land Use Ordinance Officer
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Environmental Impact Statement

Dear Ms. Blackwater:

Over the past two years, the Arizona Department of Transportation along with the Federal Highway Administration have been studying the South Mountain Freeway Corridor. As part of this study, we have met regularly with technical staff from the Gila River Indian Community, including representatives from your office, and have met periodically with the Executive Office. As such, in accordance with Governor Narcia's letter of April 11, 2003 (see attached), the study team is developing potential alignments within the Community in the established study area (see attached).

Part of the effort required for developing potential alignments is acquiring data regarding existing social and environmental conditions. At this time, the study team is performing literature and database reviews of any known information pertinent for an environmental study. To facilitate this effort, representatives of the study team will be in contact with your office to work with you in determining what information is necessary at this point of the study and how we can acquire it. The study team will be contacting representatives of the Department of Transportation, Department of Economic Development, Department of Land Use Planning and Zoning, Cultural Resource Management Program, the Community Manager and the Pima-Maricopa Irrigation Project.

Arizona Governor's Award for Quality
2001 Award Recipient

At this time, the study team will not be performing any field surveys for data. However, as the study continues, it will be necessary to make field surveys for specific data. At that time, your office will be notified of our schedule for performing these functions.

If you have any questions regarding this matter, please contact me at 602-712-7643.

Sincerely,

Floyd P. Roehrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc: Bill Vachon, FHWA
Amy Edwards, HDR

Attachments
Governor Narcia's Letter – April 11, 2003
South Mountain Study Area within GRIC

The previous letter was also sent to:
Mr. Urban Giff, Gila River Indian Community, Community Manager
Ms. Pat Mariella, Gila River Indian Community, Department of environmental Quality
Mr. John Ravesloot, Gila River Indian Community, Cultural Resource Management Program

Richard P. Narcia
GOVERNOR



Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

April 11, 2003

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004-2285

Re: HDA-AZ File #: NH-202-D(ADY)

Dear Mr. Hollis:

This correspondence is in response to your March 6, 2003 letter in which you have requested the Community to identify a corridor for study for the Environmental Impact Statement Study for the South Mountain Corridor Study.

As you will note from the attached letter to ADOT dated January 10, 2002 and accompanying map to the Right of Entry Permit, a reduced corridor study was outlined as the area North of the Ocotillo Road section line and North of the Gila River.

For the Community to offer an "alignment(s)" for study, we would have to undertake a similar process that ADOT's consultant, HDR, is currently undergoing with regarding to the Environmental Impact Statement Study. If the Community were to "dictate" an alignment for study, this might defeat the purpose of the study.

As also conveyed in a letter to FHWA dated April 25, 2002 our Community Council has adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Until such time that our Council revisits this resolution, the Community staff, as a part of the monthly EIS meetings, cannot offer any alignments for consideration.

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

Robert E. Hollis
April 11, 2003
Page 2

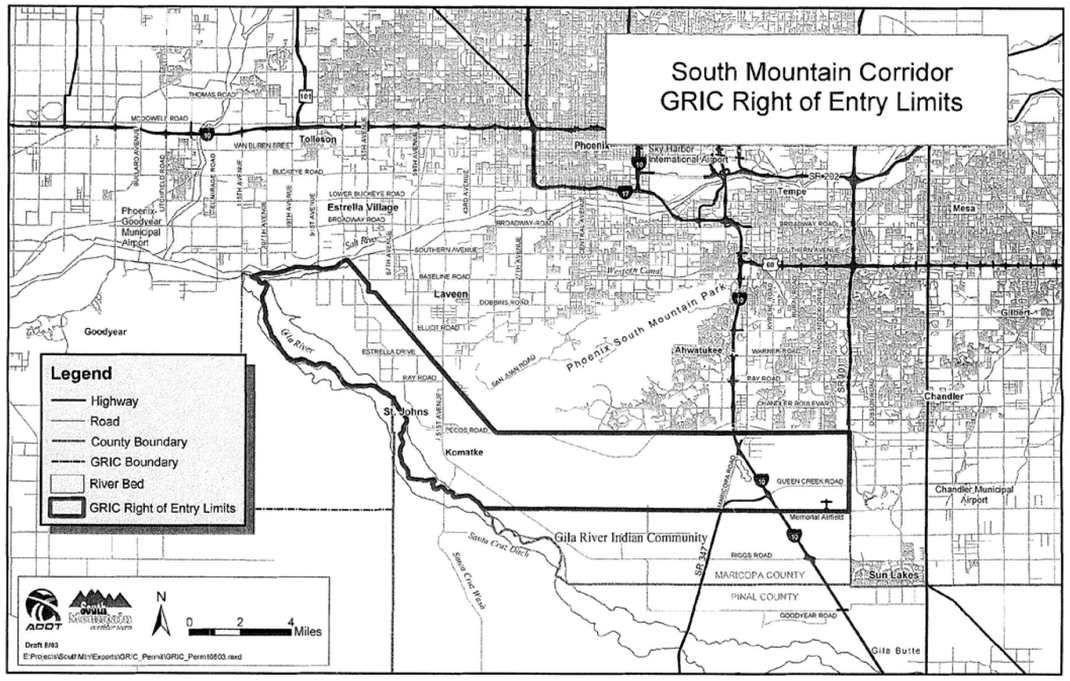
At this time, we feel that you have a corridor to study alignments. Any alignments for consideration must be ultimately approved by our Community Council.

Sincerely,

Richard P. Narcia
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council , GRIC
Victor Mendez, Director, ADOT

attachments: Correspondence dated January 10, 2002 to ADOT Director
Correspondence dated April 25, 2002 to FHWA Division Administrator



Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

August 27, 2003

Ms. Sandra Shade, Director
Gila River Indian Community
Department of Transportation
315 W. Casa Blanca Rd.,
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Environmental Impact Statement

Dear Ms. Shade:

Over the past two years, the Arizona Department of Transportation along with the Federal Highway Administration have been studying the South Mountain Freeway Corridor. As part of this study, we have met regularly with technical staff from the Gila River Indian Community, including representatives from your office, and have met periodically with the Executive Office. As such, in accordance with Governor Narcia's letter of April 11, 2003 (see attached), the study team is developing potential alignments within the Community in the established study area (see attached).

Part of the effort required for developing potential alignments is acquiring data regarding existing social and environmental conditions. At this time, the study team is performing literature and database reviews of any known information pertinent for an environmental study. To facilitate this effort, representatives of the study team will be in contact with your office to work with you in determining what information is necessary at this point of the study and how we can acquire it. The study team will be contacting representatives of the Department of Transportation, Department of Economic Development, Department of Land Use Planning and Zoning, Cultural Resource Management Program, the Community Manager and the Pima-Maricopa Irrigation Project.

Arizona Governor's Award for Quality
2001 Award Recipient

At this time, the study team will not be performing any field surveys for data. However, as the study continues, it will be necessary to make field surveys for specific data. At that time, your office will be notified of our schedule for performing these functions.

If you have any questions regarding this matter, please contact me at 602-712-7643.

Sincerely,

Floyd P. Roehrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc: Bill Vachon, FHWA
Amy Edwards, HDR

Attachments
Governor Narcia's Letter – April 11, 2003
South Mountain Study Area within GRIC

The previous letter was also sent to:
Mr. Lee Thompson, Gila River Indian Community
Mr. Dean Weatherly, Director of Economic Development, Gila River Indian Community

ADOT
South Mountain corridor team

Project Information: 602-712-7006
Website: www.dot.state.az.us Email: SouthMountain@dot.state.az.us

September 8, 2003

Bob Broscheid
Project Evaluation Program Supervisor
Arizona Game and Fish Department
Habitat Branch
2221 W. Greenway Road WM-HB
Phoenix, AZ 85023

Re: South Mountain Corridor Study

Dear Mr. Broscheid:

In a letter dated January 10, 2002, HDR, Inc. sent a request to you for a species list and critical habitat information that would be pertinent to South Mountain Corridor Study. This was done on behalf of the Arizona Department of Transportation and the Federal Highway Administration. The database information is being used as part of the Environmental Impact Statement being prepared for the proposed project. Since two years have almost passed, I am requesting more up to date information. I have attached the initial AGFD response letter that you may find helpful.

The freeway would connect to Interstate 10, south of Phoenix, at Pecos Road. The alignment continues along Pecos Road through the western tip of South Mountain Park, then north to Interstate-10 between 59th and 99th Avenues. Presently, there are five alternative alignments being considered. The legal location of the study area is: Township 2 North, Range 1 East, Sections 33-36; Township 2 North, Range 2 East, Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East, Sections 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Sections 1 and 12; Township 1 South, Range 2 East, Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East, Sections 31-33.

HDR, Inc. is requesting a species list, critical habitat information, or any additional information that would be relevant to the proposed project. A response received by October 1, 2003 would be greatly appreciated, since a technical report must be submitted the following week. Information should be sent to Ms. Andrea Love, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

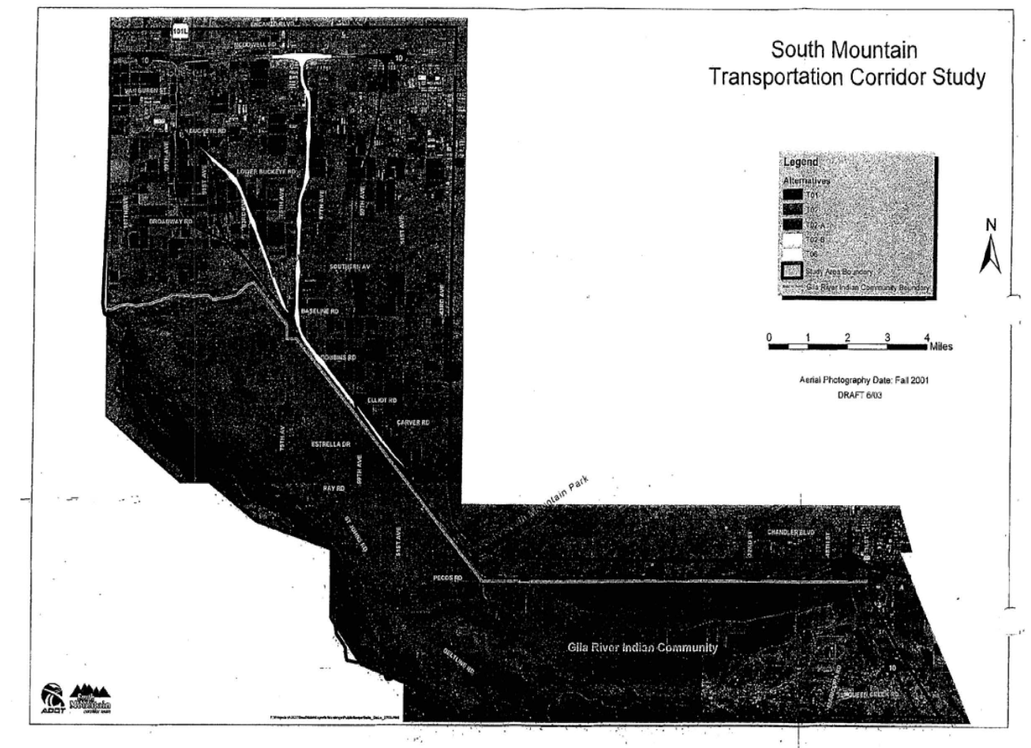
Thank you for your assistance.

Sincerely,

HDR ENGINEERING, INC.

Andrea Love
Senior Environmental Planner

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix AZ 85016



Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Bill Higgins
State Engineer

March 24, 2004

Mr. Mark Schlappi
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 85003

Subject: South Mountain Corridor L/DCR & EIS
MAG Model Traffic Forecast Request

Dear Mr. Schlappi:

The ADOT South Mountain Freeway corridor study team has identified 3 preliminary alignments that will be evaluated further to determine the preferred roadway alignment alternative. Four scenarios using these alignments will be evaluated using as base the 2025 RTP network and the newly adopted 2025 MAG socioeconomic data. The networks will be coded by Lima & Associates to include the alternative networks and will be provided to MAG in EMME2 format via e-mail or CD. Forecasted traffic volumes for the 24-hour and am and pm peak hour conditions will include the following alternatives:

- Alt. T1 South Mountain alignment along 59th Avenue as per the RTP with the I-10 Reliever
- Alt. T1A South Mountain alignment along 59th Avenue as per the RTP without the I-10 Reliever
- Alt. T6 South Mountain alignment with I-10 Western termini between 75th and 83rd Avenue with the I-10 Reliever
- Alt T2A South Mountain alignment with I-10 Western termini at Loop 101 and the I-10 Reliever

We would like to request that all EMME/2 files be provided to us in shape file format or EMME2 text file format, and be sent via e-mail, if possible, to Ms Patrizia Gonella-Ramos at pramos@lima-inc.com. If you need further clarifications, please contact Ms Gonella-Ramos at 602.331.0600.

Thank you for your continuing cooperation.

Arizona Governor's Award for Quality
2001 Award Recipient

Sincerely,

Floyd Roehrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007

cc: Amy Edwards, HDR
Patrizia Gonella-Ramos, Lima & Associates

Arizona Governor's Award for Quality
2001 Award Recipient

ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra R. Brisk
Deputy Director

March 29, 2004

Sandra Shade, Director
Department of Transportation
Gila River Indian Community
315 West Casa Blanca Road
Sacaton, AZ 85247

Dear Ms. Shade:

Enclosed for your review and distribution are 125 copies of the South Mountain Freeway Study videos with attachments.

Preparation of the video was in response to District 4's Community Council's request to provide an informational video for those Community members who had not previously been involved in or aware of ADOT's Environmental Study.

The video provides a brief overview of the study and a status update regarding freeway alternative alignments currently being evaluated. Response cards are provided for Community members who view the video, as we are very interested in their comments and suggestions.
As discussed, a thirty-day period will be provided for Community members to review the video. We will of course provide you with all input received from their review.

As requested the South Mountain Corridor Study Team will present the video and provide a status update of the Study to the Tribal Administration and the Tribal Council prior to scheduling meetings in Districts 4, 6 and 7.

We are most appreciative of your and your staff's support and involvement in the preparation of this important activity and look forward to meeting with the involved Districts' residents and landowners to discuss all issues associated with the Study.

Please contact me if you have questions regarding the video or its distribution. The Study team will be coordinating future presentations to the Administration and Tribal Council with you as soon as feasible.

Arizona Governor's Award for Quality
2001 Award Recipient

Sincerely,

William "Bill" Hayden
Special Assist. Regional Freeway System

Enclosures:
Cc:
Ken Davis, FHWA
Bill Vachon, FHWA
Dave Anderson, HDR
Amy Edwards, HDR
John Godac, Godac & Assoc.
Thressa Gunn, Godac & Assoc.
Dan Lance, ADOT
Steve Jimenez, ADOT
Floyd Roehrich, ADOT

Arizona Governor's Award for Quality
2001 Award Recipient

ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra R. Brisk
Deputy Director

June 30, 2004

Ms. Sandra Shade
Director of the Department of Transportation
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Freeway EIS & L/DCR
Draft Public Involvement Plan for Gila River Indian Community

As we continue moving forward with the South Mountain Freeway EIS & L/DCR project, we appreciate the opportunity to work with you and your staff in determining the best approach for providing information and gathering input with Gila River Indian Community members. With the distribution of the project video within GRIC, it is now time to consider the details of the next phase of public involvement. As such, we are providing a brief history of where we have been and draft plan of how to proceed for your review. If possible, we would like to meet with you and your representatives to discuss these issues prior to our next Coordination Team meeting scheduled for July 9, 2004.

History
From 2001 through mid-2003, public meetings were held on a regular basis with GRIC districts and key organizations. Members of GRIC districts and other GRIC stakeholders have participated continually in the South Mountain Citizens Advisory Team (SMCAT). Project newsletters have been distributed in the Community and reprinted in the Gila River Indian Community Newspaper (GRIN).

In June of 2003 a meeting was held with key GRIC officials from Districts 4, 6 and 7 as well as other tribal stakeholders. At that meeting GRIC council members requested that ADOT, FHWA and consulting team members not meet with GRIC citizens until a video compilation of the project could be produced and distributed within the Community. Few meetings were held with GRIC members other than tribal leaders, officials and SMCAT members during the nearly year-long video production.

Plan
A proactive, transparent and on-going public involvement program must be reinitiated with GRIC members as soon as GRIC tribal officials agree ADOT, FHWA and the consulting team members should meet with residents in their Community. This project must be presented to Community residents so it is completely understood.

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2001 Award Recipient

Implementation Options
Keeping the intent of the plan in mind, we suggest the following actions be taken during the timeframes indicated:

- It is recommended that a newsletter update be written and produced to explain the history of the project, activity to date, promote the availability of the video, and invite members to meetings to share their comments and concerns about the project. We recommend that the newsletter be written with the cooperation of tribal officials and made available to Community members at distribution points on the Community. Where appropriate, we will also work with tribal officials and the GRIN to enable copy from the newsletter to be used and published in news stories off the Community. We recommend that this action commence immediately.

- We will design and produce an informational poster to be used and displayed in the districts in the Community to encourage members to learn more about the project and give us their feedback. We recommend that this action commence immediately.

- We will also work with each GRIC district to meet with residents as often as possible to answer questions about the project and present updates on the progress of the study. We suggest meeting with District 4, 6 and 7 residents monthly. We recommend beginning this coordination effort immediately with the intent to be included in district meeting schedules during the month of August. We intend to promote each district meeting with displays on District signboards.

Additional steps could be taken to support communication efforts with Community member. We look to you for your guidance on the potential need to implement the following actions:

- We will work to find a GRIC member to work with the consulting team on a part time or interim basis to help guide the public information/involvement effort, and to host meetings and presentations.

- We will work to the goal of co-hosting a joint District 4, 6 and 7 public meeting to get feedback from GRIC residents on the study process, impacts and hopefully, a preferred alignment.

Any suggestions you have regarding the plan as presented or possible improvements would be greatly appreciated.

Thank you for your on-going assistance on this project. We look forward to meeting with you as soon as possible to discuss the details of this plan. Please contact me at 602-712-7643 at your earliest convenience to coordinate a meeting time.

Sincerely,

Floyd Roehrich, Jr., P.E.
Senior Project Manager
ADOT Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007

Arizona Governor's Award for Quality
2001 Award Recipient

Cc: Doug Torres, GRIC
Gary Bohnee, GRIC
Bill Vachon, FHWA
Amy Edwards, HDR
Dan Lance, ADOT
Shannon Wilhelmsen, ADOT
William Hayden, ADOT

Arizona Governor's Award for Quality
2001 Award Recipient

ADOT
Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Debra R. Brisk
Deputy Director

July 16, 2004

Ms. B. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, AZ 85247

RE: South Mountain Freeway DCR/EIS Study ROE Permit Request

Dear Ms. Blackwater:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration in cooperation with the Gila River Indian Community (GRIC), was initiated July 9, 2001. Our study will evaluate transportation improvement alternatives, including construction of a new freeway, around South Mountain between the southeast valley and the northwest valley. Refer to attached Regional Freeway System map. The study will require entry onto GRIC lands during the study duration of three years from August 2004 through August 2007 for a variety of information collection project tasks. We are requesting a blanket Right of Entry permit for the project team to enter GRIC lands for the project duration to include the following general types of work:

1. To perform land surveying and temporary aerial target construction.

2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities and other environmental considerations.

Attached is a map showing the general GRIC geographic limits to be included in the study. Also attached is a list of personnel and a list vehicles makes, models, and license plate numbers that may enter GRIC lands periodically during the study phase of the project.

Arizona Governor's Award for Quality
2001 Award Recipient

Our staff will advise you prior to their research activities.

Please contact me directly at (602) 712-7524 if you require additional information to approve our Right of Entry request. Thank you for your assistance.

Sincerely,

William "Bill" Hayden
Special Assistant to the Regional Freeway System

Attachments

C: Lt. Governor Mary Thomas
Sandra Shade
Doug Torrez
John Roberts
Floyd Roehrich
Amy Edwards
File

Arizona Governor's Award for Quality
2001 Award Recipient

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

4 August 2004

Mr. Eric Anderson
Maricopa Association of Governments
302 N. 1st Avenue, Suite 300
Phoenix, AZ 85003

RE: ADOT's South Mountain Freeway EIS & L/DCR
Economic Impacts Analysis

Dear Mr. Anderson:

The Arizona Department of Transportation's South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report project is entering the detailed impacts analysis phase. Over the past three years, the project team has acquired preliminary data regarding a variety of potential impacts, including economic impacts. As the team moves forward in the analysis of all impacts, we would like to work with each of the affected jurisdictions on the approach that will be used.

At this time, the project team is proposing the following multi-step approach to the economic impacts development and analysis. Each step within this process requires close coordination with each of the potentially affected jurisdictions. As such, we would be looking to you and your staff to assist where you feel it is appropriate. The efforts detailed below would be initiated with a coordination meeting including all potentially affected jurisdictions. The intent of this meeting would be to agree upon the process to be followed, the modeling software to be used, the input and output data required and the source of the data. It is anticipated that each jurisdiction would assist to the extent possible in gathering and developing the necessary input data. However, this would be discussed and agreed upon in the initial coordination meeting. The proposed steps in the process and the anticipated jurisdictional staff involvement are detailed in the following:

1. Determine and evaluate direct and indirect impacts of residential, commercial and industrial displacements (existing and planned). Determine which properties are displaced and direct impacts in net loss of property value, wages and tax revenue.
   Secondary and induced impacts will be evaluated by use of a pre-approved, widely accepted input output economic model. The project team will work closely with your staff in identifying existing and planned direct and indirect impacts, property value impacts, wage impacts and tax revenue impacts. Impacts evaluation will look at:
   - Impacts of the alternatives to specific industrial sectors at the local and regional levels (including but not limited to trucking, auto dealerships and light industry).
   - Potential for loss of tax revenue at the local and regional level.
   - Potential for job loss at the local and regional level.
   - Impacts of the alternatives to overall economic activity at the local and regional level.
2. Determine and evaluate road user benefits associated with each alternative. These will be in terms of time savings, travel cost savings and safety. The project team will develop this information utilizing the MAG travel model.
3. Develop and evaluate land use changes that could occur as a result of each alternative and identify positive and negative changes in property value and in distribution of growth. The project team will utilize the MAG land use model as a starting point, then a special allocation model to capture impacts on local communities in terms of land values, employment and other factors. This analysis would only be developed for comparison purposes between alternative locations with and without the freeway and the No Build alternative. The project team will develop the necessary data with input from your staff. Consensus will be reached prior to data collection on the appropriate allocation software to be used in the analysis.
4. The results of the previous steps would be utilized to develop appropriate mitigation measures that could reduce or reverse negative impacts. Consensus will be reached among all jurisdictions regarding the proposed mitigation measures and their anticipated affect.

Throughout the implementation of this economic impacts analysis, the project team will not only coordinate with the potentially affected jurisdictions, but also with key stakeholders in the public. We would be looking to your staff to assist in determining who these stakeholders should be within your jurisdiction.

As we move forward with the implementation of this analysis process, we will be contacting you or your designated representative to set up the initial coordination meeting. We anticipate this meeting to occur within the month of August. If you have any questions regarding the process as presented or would like to suggest additional contact and coordination people, please do not hesitate to contact either myself at 602-712-7643 or Amy Edwards of HDR at 602-522-7755.

Sincerely,

Floyd Roehrich, Jr., P.E.
Senior Project Manager
ADOT - Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007

cc: Dan Lance, ADOT
Shannon Wilhelmsen, ADOT
Bill Vachon, FHWA
Amy Edwards, HDR

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The previous letter was also sent to:
Mr. Bob Woodring, Maricopa Department of Transportation
Mr. Jeff Fairman, CED, Economic Development Director, City of Avondale
Mr. Robert, Franco, Acting Community and Economic Development Director, City of Phoenix
Mr. Ralph Velez, City of Tolleson

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor
Victor M. Mendez
Director

Debra Brisk
Deputy Director

4 August 2004

Mr. Jim Book
Transportation Director
City of Glendale
5850 W. Glendale Avenue
Glendale, AZ 85301

RE : South Mountain EIS and L/DCR

Dear Mr. Book:

Almost three years ago, the Arizona Department of Transportation (ADOT) began an Environmental Impact Statement and Location/Design Concept Report for the South Mountain Freeway (Loop 202) project. At this time, the project team is providing update information to all potentially affected jurisdictions, regarding the past project efforts and current undertakings.

As part of the project efforts, numerous alternative connections to I-10 on the west side of Phoenix were considered, between the Agua Fria River and 43rd Avenue. During this consideration, the alternative connections to be carried forward for further analysis were determined to be the following:

- Approximately 55th Avenue (similar to the connection proposed in the 1988 ADOT Environmental Assessment and Design Concept Report),
- Approximately 71st Avenue, and
- Direct connection at Loop 101.

The project team is currently studying the potential impacts of each of these connection locations on the existing I-10 and Loop 101 facilities. Connecting the South Mountain Freeway at any of these locations will require extensive construction along both of these facilities, including approximately nine miles of construction along I-10 for each alternative and four miles of construction along Loop 101 with the direct connection alternative. The construction required may include additional travel lanes, reconfiguration of existing interchanges and reconstruction of arterial street crossings.

Due to the potential impacts of these alternatives on your city, we would like to offer you an opportunity to be involved in the project. This involvement level is left to your discretion, and could include periodic update meetings to your staff from the project team, participation by a city staff member in the monthly progress meetings and/or inclusion of key staff members on the public information mailing list to receive update newsletters and public meeting notices.

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Please let me know how best to accommodate the interests of Glendale in our on-going study process. If you have any questions or would like to discuss this matter, please do not hesitate to contact me at 602-712-7643 or Amy Edwards of HDR at 602-522-7755.

Sincerely,

Floyd Roehrich. Jr., PE
Senior Project Manager
ADOT - Valley Project Management
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc:
Amy Edwards, HDR, Inc.

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Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

October 21, 2004

Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Study

Dear Ms. Martinez:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated July 9, 2001. This study will evaluate potential transportation improvements, including a potential new freeway, around South Mountain between the southeast valley and the northwest valley. The study will require entry onto allottee lands within GRIC for a variety non-destructive project tasks. We are requesting authorization from your agency to begin coordination with the landowners and to access the land for the following specific project tasks.

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

Attached is a map showing the general GRIC limits expected to be included in the study. Also attached is a list of personnel, and a list of vehicle makes, models, and license plates that may enter GRIC lands during the project.

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Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Page 2
10/21/2004

It is our intent to continue to coordinate with your agency regarding all matters of the study. Please advise if there is anything else you need for approval of this request. Thank you for your assistance.

Sincerely,

Shannon L. Wilhelmsen
Director of Communication and Community Partnerships
Arizona Department of Transportation

Attachments:
Map
Personnel List

cc: Lt. Governor Thomas
Sandra Shade, GRIC DOT
Bill Vachon, FHWA
Amy Edwards, HDR
Project File

Arizona Department of Transportation

Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

November 29, 2004

Mr. Daniel L. Brown
Assistant City Attorney
City of Phoenix
200 West Washington Street, Suite 1300
Phoenix, AZ 85003-1611

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Study
ADOT Tracs No. H 5764 01L

Dear Mr. Brown:

As a follow up to the recent South Mountain Freeway EIS & L/DCR Status Meeting held on November 4, 2004, I have enclosed the additional information you requested regarding the project. Enclosed, you will find the following information:

- General EIS Topics, Responsible Author and Firm
- Federal Register Notice of Intent
- Public Scoping Report – Includes comments acquired during initial scoping effort
- Alternatives Screening Report – Includes basis of analysis in screening initial 9 corridors to 3 corridors for further study

Thank you for your interest in this study. I look forward to working with you and other City of Phoenix staff as the study continues. If you have additional questions, please do not hesitate to contact me at (602) 712-7356.

Sincerely,

Shannon L. Wilhelmsen
Director of Communication and Community Partnerships

CC: Steve Jimenez, ADOT
Bill Vachon, FHWA
Amy Edwards, HDR
Project File

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Arizona Department of Transportation

Office of the Director
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Debra Brisk
Deputy Director

December 3, 2004

Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Study
ADOT Tracs No. H 5764 01L

Dear Ms. Martinez:

As you are aware, part of the on-going public involvement efforts by the Arizona Department of Transportation and HDR, Inc. (engineering consultant to ADOT), on the South Mountain Freeway project, is an on-going dialogue with Community members. Throughout the life of the project, we have periodically met with Community members through District update meetings and occasional landowner meetings. As we move forward on the project we would like to reach out to more of the landowners within this area of the Community.

This letter is to request your assistance, as the repository of landowner records, in providing the name and addresses of the parcel owners within the freeway study's affected area. This information will be used to notify landowners of upcoming meetings and to invite their input into the study process. Enclosed, we are providing the realty group of the Pima Agency with a map developed by HDR that delineates parcels within the Community that we believe may be affected by this study.

If you would like, we will use our resources to send the landowner notices. We are very aware of the sensitivity of this information and the high level of confidentiality that must be maintained upon receipt of this documentation. Therefore, any records we receive will ***only*** be used to generate a mailing list for its intended purpose of notifying landowners of upcoming meetings and inviting their input into the study process.

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If you honor this request, you may send the information in the form you deem most convenient (i.e., hard copy, electronic - spreadsheet, GIS, etc.), to the following address:

Shannon L. Wilhelmsen
206 S. 17th Avenue
Mail Drop 118A
Phoenix, AZ 85007
SWilhelmsen@dot.state.az.us

I look forward to continuing to work with you and your staff as this project moves forward. If you have any questions regarding this matter, or the study in general, please do not hesitate to contact me at (602) 712-7356.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Governor Narcia, GRIC
Lt. Governor Thomas, GRIC
Sandra Shade, GRIC DOT
Bill Vachon, FHWA
Mike Bruder, ADOT
Amy Edwards, HDR
Project File

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Michael J. Ortega
State Engineer

March 21, 2005

Mr. Pete Overton
Environmental Preservation Specialist
The Bureau of Indian Affairs
Pima Agency
P.O. Box 8; Sacaton, AZ 85247

Re: Project Name: South Mountain Freeway
ADOT TRACS No: 202 MA 054 H5764 01L
Project No: RAM-202-C-(200)

Dear Mr. Overton:

The Bureau of Indian Affairs (BIA) is a cooperating agency with Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) for the South Mountain Freeway Environmental Impact Statement (EIS). Per our phone conversation on February 2, 2005, I am, submitting on behalf of FHWA this letter requesting that BIA formally comment on the EIS document format, requirements, review process and timeframes. These comments, as they relate to BIA's needs, will allow ADOT to ensure that they are reflected in the FHWA document. If BIA requires additional sections be included in the EIS, please inform me and I will forward to FHWA for they review.

After your review, I would like to set up a meeting, if you consider it appropriate, between FHWA, ADOT and yourself, so we discuss in detail your review comments. Please let me know of the date, location and time that are appropriate for you.

EIS review process

After ADOT Environmental & Enhancement Group (EEG) reviews and incorporates comments of the Working Draft EIS, it will be submitted to FHWA for initial review (the document will include line numbers). It is also anticipated that FHWA, and BIA will review the Draft and Final documents concurrently and that a quick turn around review time for each submittal will be required. Please let me know how many bound and/or unbound copies of each document you will need for your review.

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After this review, a comment resolution meeting will be held to discuss and resolve comments on the document. Once the Draft EIS is completed and approved by FHWA, the document will be available for public review. The anticipated public hearings (still to be established) will be announced with the publication of the Draft EIS.

After the public hearings, an additional cooperating agency comment resolution meeting will be held to discuss the comments received from the public involvement process. After ADOT EEG reviews the pre-final EIS, the final document will be reviewed by FHWA and the cooperating agencies. To finalize the EIS process, FHWA will request BIA provide them a letter stating their agreement with the findings of the EIS.

If you have any questions or need additional information, please contact me as noted below.

Respectively,

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

- Enclosures

c.c. Steve Thomas, FHWA
Mike Bruder, ADOT Valley Project Management
Ralph Ellis, ADOT Environmental & Enhancement Group
Amy Edwards, HDR, Inc
Jack Allen, HDR, Inc
Project file

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Mr. Overton
Page 3

Dear Mr. Overton:

Please complete as appropriate,

1. Does BIA require **additional sections** be included in the EIS? (yes or no)

   If yes, please inform me and I will forward to FHWA for they review.

2. After your review, do you consider appropriate, to **set up a meeting** between FHWA, ADOT and yourself, so we discuss in detail your review comments? (yes or no)

   If yes, please let me know of the date, location and time that are appropriate for you.

3. BIA will review the Draft and Final documents and a quick turn around review time for each submittal will be required.

   Please let me know **how many** bound and/or unbound copies of each document you will need for your review.

Upon completion please forward to:

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

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RE: **South Mountain Freeway EIS & L/DCR Table of Contents.**

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- Description of the Approach Used to Prepare the Draft EIS
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- Impact[illegible]ssociated with All Action Alternative[illegible]/E)
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- [illegible]her Revenues
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- ...oidance Measures
- Minimization Measures

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- Minim...on Alternatives

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Gila River Indian Community

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Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

ADOT

Janet Napolitano
Governor

Victor M. Mendez
Director

Daniel Lance
Deputy State Engineer

April 14, 2005

Sandra Shade, Director
GRIC Department of Transportation
315 West Casa Blanca Road, PO Box 97
Sacaton, AZ 85247

Re: Project Name: South Mountain Freeway
ADOT TRACS No: 202 MA 054 H5764 01L
Project No: NH-202-D-( )

Dear Ms. Shade:

The Gila River Indian Community (GRIC) is an important stakeholder that, together with Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are collaborating in the development of the South Mountain Freeway Environmental Impact Statement (EIS). Per the phone conversation with your office on April 14, 2005, I am, submitting on behalf of FHWA this letter requesting that GRIC comment on the EIS table of contents. These comments, as they relate to GRIC's needs, will allow ADOT to ensure that they are reflected in the FHWA document.

After your review of the table of contents for the EIS, I would like to set up a meeting, if you consider it necessary and appropriate, between FHWA, ADOT and yourself, so we can discuss in detail your review comments. Please let me know of the date, location and time that is appropriate for you.

EIS review process

After ADOT Environmental & Enhancement Group (EEG) reviews and incorporates comments of the Administrative Draft EIS, it will be submitted to FHWA for initial review (the document will include line numbers). At this time we would like to know if the GRIC will participate in a concurrent review with FHWA, the Army Corps of Engineers and the Bureau of Indian Affairs (BIA) of the Draft and Final documents, and that a 4 weeks turn around review time for each submittal will be required. Please let me know how many copies of each document you will need for your review, as well as the time you consider appropriate for the reviews mentioned above.

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After this review, a comment resolution meeting will be held to discuss and resolve comments on the document. Once the Draft EIS is completed and approved by FHWA, the document will be available for public review. The anticipated public hearings (still to be established) will be announced with the publication of the Draft EIS.

After the public hearings, an additional cooperating agency comment resolution meeting will be held to discuss the comments received from the public involvement process. After ADOT EEG reviews the pre-final EIS, the final document will be reviewed by FHWA, GRIC and the cooperating agencies. To finalize the EIS process, FHWA will request the cooperative agencies provide them a letter stating their agreement with the findings of the EIS and will continue to work with the GRIC in final resolution.

If you have any questions or need additional information, please contact me as noted below.

Respectfully,

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

- Enclosures

c.c. Steve Thomas, FHWA
William Vachon, FHWA
Mike Bruder, ADOT Valley Project Management
Ralph Ellis, ADOT Environmental & Enhancement Group
Matt Burdick, ADOT Communication & Community Partnerships
Amy Edwards, HDR, Inc
Jack Allen, HDR, Inc
Project file

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Shannon Wilhelmsen
Communications Director

April 15, 2005

Ms. LaQuinta Allison, Community Chairperson
District 4 Community Council
Gila River Indian Community
District 4 Service Center
PO Box 557
Sacaton, AZ 85247

RE: ADOT South Mountain Freeway Environment Impact Statement and Location/Design Concept Report

Dear Ms. Allison:

Thank you for the opportunity to visit your District on November 15, 2004, to share information about the South Mountain Freeway Study and to receive District members' input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received.

- Concern expressed to keep the land for the children who are the future of the Community.
- The land is needed for homes in the future.
- A freeway may be useful in the future but not now.
- Do not want the freeway on GRIC but do not want to be blocked from having access to it.
- Concerned about environmental impacts whether a freeway is on GRIC or not - noise impacts, potential for rubberized asphalt.
- Tired of ADOT's question and answer sessions regarding the freeway.
- How many acres of GRIC land would a freeway take? Allotted lands? Tribal lands?
- ADOT has made promises in the past with regard to SR 587, SR 87 and I-10 freeway access.
- GRIC has a resolution saying no to the freeway.
- Problems (traffic speeds, safety) with SR 587 and SR 87 at Santan Road and Sesame Road.

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.

We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

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If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

Given the lengthy history of this project, (almost 20 years), there have been other alternatives studied in the area, including a toll road. During the development of the toll road study, during the early 1990's, it became apparent that the project would not be economically feasible and was dropped from further study. At this time, the South Mountain Freeway Study is not considering a toll road option.

We also recognize that there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching the concerns you expressed regarding SR 587, SR 87 and I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we have also had the opportunity to visit Districts 6 and 7 with this same presentation. We have attached a summary of what was heard at those meetings as well for your information. All of this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

Sincerely,

Mike Bruder, Project Manager
ADOT Valley Project Management

CC: Ms. Sandra Shade, GRIC DOT
Mr. Gary Bohnee, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Nuvamsa, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vachon, FHWA
Mr. Dan Lance, ADOT
Ms. Amy Edwards, HDR

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Janet Napolitano
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Victor M. Mendez
Director

Shannon Wilhelmsen
Communications Director

April 15, 2005

Mr. Terrance Evans, Community Chairperson
District 6 Community Council
Gila River Indian Community
District 6 Service Center
PO Box 54
Laveen, AZ 85339

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Mr. Evans:

Thank you for the opportunity to visit your District on November 13, 2004, to share information about the South Mountain Freeway Project and to receive District members' input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received.

- Concerns regarding truck traffic on 51st Avenue and potential truck bypass.
- What happened with the toll roads study?
- Over 85% of land is allottee land in the area under consideration.
- Trucks affecting Community. Kids feeling threatened.
- Advantages to access to freeway for those going to Sacaton for work or business. Allows an opportunity for Community transit.
- Turning 51st Avenue and Riggs Road back to the Community if a freeway is constructed.
- Concern regarding access to the dialysis center.
- Community members must have vehicles tested for emissions even though the low population and clean air of the Community should make this unnecessary.
- I-10 Widening issues:
    - Only two ways out of Sacaton – issue if there is a problem and people need to leave.
    - Frontage roads on I-10 – who will pay for construction? Maintenance?
    - Coordinated public outreach is necessary – have not heard from I-10 Widening team in a while.
    - Community emergency response teams (fire, EMT, police) are first contacted for incidents on I-10. Is there a potential to share this cost with neighboring communities?
- Do not consider putting the freeway on Riggs Road.
- If freeway is on allotted lands, it should be 1-1 ½ miles south of Pecos Road.
- How does the potential relocation of Rawhide play into the discussion of the freeway?

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.

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We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

Given the lengthy history of this project, (almost 20 years), there have been other alternatives studied in the area, including a toll road. During the development of the toll road study, during the early 1990's, it became apparent that the project would not be economically feasible and was dropped from further study. At this time, the South Mountain Freeway Study is not considering a toll road option.

We also recognize that there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching the concerns you expressed regarding I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we had the opportunity to visit Districts 4 and 7 with this same presentation. Attached is a summary of Community input form those meetings for your information. All this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

Sincerely,

Mike Bruder, Project Manager
ADOT Valley Project Management

CC: Ms. Sandra Shade, GRIC DOT
Mr. Gary Bohnee, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Nuvamsa, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vachon, FHWA
Mr. Dan Lance, ADOT
Ms. Amy Edwards, HDR

ADOT

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Janet Napolitano
Governor

Victor M. Mendez
Director

Shannon Wilhelmsen
Communications Director

April 15, 2005

Mr. Keith Fohrenkam, District Chairperson
District 7 Community Council
Gila River Indian Community
District 7 Service Center
RR 4 Box 186
Laveen, AZ 85339

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Mr. Fohrenkam:

Thank you for the opportunity to visit your District on November 13, 2004, to share information about the South Mountain Freeway Study and to receive District members' input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received.

- District 7 is opposed to the study.
- ADOT should ask the people "do you want a freeway or not" – simple question to determine if the District supports it.
- GRIC resolution reflects the direction of **all** districts, not just District 6.
- Development is occurring all around the Community. This is the only land the Community has.
- Consider putting the question of a South Mountain Freeway on Community land to a GRIC vote.
- Is No Build really an option?
- What is the study schedule?
- How much traffic is on 51st Avenue? Baseline Road? There has been an obvious increase in traffic along Baseline Road in the last 5 years.
- Could the Community take certain roads back from the County?
- Original alternative in 1985 did not parallel so much of the Community.
- Businesses in Laveen – do they still want the original alternative?
- Compensate landowners for land but then they have no land.
- Could compensation be – yearly to landowners? Through toll road?
- Community also includes landowners. Will ADOT coordinate with the landowners?
- Freeway would also serve the Community. It would take traffic off roads. Could return roads to the Community from the County.
- Other issues to be considered – Tres Rios, I-10 Widening, crime rates, tourism, and the future for the kids. All issues are interconnected and need to be addressed as such.
- District 7 motion still stands opposing the freeway.

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.

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We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

Given the lengthy history of this project, almost 20 years, there have been other alternatives studied in the area, including a toll road. During the development of the toll road study during the early 1990's, it became apparent the project would not be economically feasible and was dropped from further study. At this time, there is no consideration of a toll road for the South Mountain Freeway.

We also recognize there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching concerns expressed regarding I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we had the opportunity to visit Districts 4 and 6 with this same presentation. Attached is a summary of Community input from those meetings for your information. All this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

Sincerely,

Mike Bruder, Project Manager
ADOT Valley Project Management

CC: Ms. Sandra Shade, GRIC DOT
Mr. Gary Bohnee, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Nuvamsa, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vachon, FHWA
Mr. Dan Lance, ADOT
Ms. Amy Edwards, HDR

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Janet Napolitano
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Victor M. Mendez
Director

David P. Jankofsky
Deputy Director

July 13, 2005

Mr. David Folts
Concerned Families Along South Mountain – Loop 202
3407 East Cederwood Lane
Phoenix, Arizona 85048

Re: South Mountain Freeway – Loop 202

Dear Mr. Folts:

Thank you for your letter dated, April 16, 2005, requesting that responses to 12 air quality questions, from the Concerned Families Along South Mountain Loop 202, be included in the Environmental Impact Statement (EIS) for the referenced project. Air Quality impacts are a very important component of the EIS; ADOT and FHWA will evaluate potential impacts in accordance with regulatory requirements. The Air Quality evaluation in the draft EIS will include a discussion of carbon monoxide, particulates, diesel fuel emissions, and various mobile source chemical emissions. We believe that the air quality evaluation in the draft EIS will address the issues raised by the Concerned Families in your letter. The Concerned Families will have an opportunity to ask for further clarification of air quality issues during the public comment period following issuance of the draft EIS. Responses will be included in the Response to Public Comments Section of the Final EIS.

It is important to note that mobile source control programs recently promulgated by the Environmental Protection Agency (EPA), such as, the reformulated gasoline program, national low emissions vehicle standards, Tier 2 motor vehicle emissions standards, gasoline sulfur control requirements, proposed heavy duty engine and vehicle standards, and on-highway diesel fuel sulfur control requirements are expected to dramatically reduce motor vehicle air pollutants. The EPA projects that between 1990 and 2020 these programs will reduce on-highway diesel particulate emissions by 90 percent and emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde by 67 to 76 percent.

ADOT appreciates Concerned Families' participation in the South Mountain – Loop 202 Environmental Impact Study. We will continue to seek input in public meetings that will be held throughout the study process. If you have questions or comments, please call me at 602-712-6161.

Sincerely,

Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

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Mr. David Folts
July 13, 2005
Page 2

c: Enrique Manzanilla, EPA
Lisa Hanf, EPA
Ken Davis, FHWA
Bill Vachon, FHWA
Steve Thomas, FHWA
Dan Lance, ADOT
Mike Bruder, ADOT
Shannon Wilhelmsen. ADOT
Amy Edwards, HDR
Project File

AS-5706

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206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

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Victor M. Mendez
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Shannon Wilhelmsen
Communications Director

July 22, 2005

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Thank you for allowing myself, Bill Hayden, Dan Lance and Ken Davis from the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to recently speak with the Community Council regarding transportation issues affecting the Community. It was an honor to discuss these issues with the Council and on behalf of ADOT and FHWA, we truly appreciated the opportunity to hear the Council's perspective on the many impacts our activities have on the quality of life of the Community members and the Community as a whole.

Please accept this letter as our commitment to continue to listen to Community concerns and issues and to work with you, the Community Council and the Community's Department of Transportation to address and work towards resolution of these issues. In an attempt to better address the concerns and issues we heard from the Community Council, we have attached a synopsis of the different points and our responses regarding explanation, resolution and follow-up on each item.

Once again, thank you very much for allowing us to speak with the Community Council and to hear the Council's perspective on the many activities ADOT is working on throughout the Community. We look forward to continuing our dialogue with the Council and working together on the issues addressed within the attachments to this letter and any additional issues that arise.

Very truly yours,

Shannon L. Wilhelmsen

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Lt. Governor Thomas, Gila River Indian Community
Gila River Indian Community Council Members
Gary Bohnee, Gila River Indian Community Chief of Staff
Sandra Shade, Gila River Indian Community Department of Transportation
Cecilia Martinez, Bureau of Indian Affairs, Pima Agency
Victor Mendez, Arizona Department of Transportation
Bob Hollis, Federal Highway Administration

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Summary of Discussion Items
Gila River Indian Community Council July 5, 2005 Meeting
ADOT / FHWA Transportation Presentation

ADOT Roadways Located Within the Gila River Indian Community

It is clear that an increase in communication, coordination and collaboration is necessary between ADOT and the Community regarding the many roadways that are within and traverse through the Community. To address these specific issues regarding possible signalization, turn lanes, facility access, litter pick-up and other maintenance issues, we will establish quarterly coordination sessions between ADOT (Director's Office, Phoenix District personnel, Tucson District personnel), the Community's Department of Transportation and FHWA to discuss the needs on each of these roadways and provide ongoing assessment of the conditions and necessary improvements. At this time, we are in the process of scheduling our first coordination meeting.

Specifically, to the issue of Community access to Loop 202 (Santan) at the McClintock interchange, please see the attached letter from Dan Lance addressing some of these issues.

In addition, ADOT will work with DPS (DPS stated they would send a letter to the Community, under separate cover expressing the Department's commitment to participate in this effort) to conduct ongoing coordination meetings with ADOT, DPS and the relevant departments within the Community to address the traffic routing and enforcement issues stated at the Community Council meeting. Also, ADOT will work with the Community's Department of Transportation and other relevant departments to redraft the ADOT Statewide Alternate Route Plan for the detour routes that involve roadways within the Community.

Regarding ADOT's current Pinal County Corridor Definition Study that is studying the necessity and impact of potential transportation corridors that impact the Community (i.e., "Hunt Highway"), we would like to make a presentation to the Natural Resources Standing Committee regarding the latest findings from the study. We will send a letter under separate cover to request this opportunity.

ADOT / FHWA I-10 Widening (Loop 202 to Jct. I-8) Design Concept Report and Environmental Assessment Study

Frontage Roads

As discussed at the Community Council meeting, the issue of I-10 frontage roads deserves a lot of attention and coordination between ADOT and the Community. Please see the following synopsis of the I-10 Study Team's (ADOT / FHWA) perspective on this very important issue:

> ADOT understands that the current Right of Way agreement permits the construction of Frontage Roads within the existing Right of Way of Interstate 10 as stated below:
>
> *"At such time as necessity for development of the adjacent land warrants such construction, the State Highway Department agrees to permit the construction of frontage roads within the right of way limits of Interstate Highway I-10 except where the State Highway Department establishes that such frontage road location interferes with the design, construction and maintenance of said Interstate #10 Highway. Said frontage roads shall be constructed to Arizona State highway Department standards for similar roads and upon their satisfactory completion the State shall accept the roads for permanent maintenance."*
>
> However, since this agreement was put in place in 1966 there have been many changes in the manner in which highways, and in particular high volume, high-speed highways and freeways, are designed and constructed. Most of these changes have been made to facilitate improved safety and more efficient traffic operation. The Frontage Road plan envisioned in the 1960's is no longer considered a safe or efficient roadway design, and both the Arizona Department of Transportation and the Federal Highway Administration would have serious reservations about approving or constructing such a plan.
>
> To modify the original Frontage Road design to more accurately reflect current design standards, the I-10 Widening Study Team has worked for the past two years with the Technical Advisory Committee (TAC) to suggest an access plan for the Gila River Indian Community that may meet the Community's objectives. The suggested access plan includes Parallel Roadways in the north portion of the Community (north of Riggs Road) that are offset from Interstate 10 by approximately 500 feet. This design would enhance the safety of those using the parallel roadways, would greatly improve traffic operations, particularly around the interchanges and would expand the potential for economic development since landowners on both sides of the parallel roadways would have access.
>
> The I-10 Widening Study Team requests permission to move forward with a Community Outreach Program that will present the Suggested Access Plan to Community Members, including the landowners along the freeway. The Community Council Resolution currently under consideration by the Community Council would offer the team direction from Council about the content of the plan before our team presents it to the Community at large.

Community Cultural Resources Management Program (CRMP)

ADOT clearly heard that the Community Council has concerns regarding the involvement of the Community's cultural resources staff in ADOT's highway studies (I-10 and South Mountain). In particular, the following concerns were expressed: 1) the possibility of a potential conflict of interest if Gila River Indian Community Cultural Resources Management staff participate as members of the study team; 2) the likelihood that such participation may lead to the inadvertent disclosure of sensitive Community information; and 3) the possibility that such participation may divert important CRMP resources from Community projects such as the completion of the Pima-Maricopa Irrigation Project (PMIP). Please see the following synopsis of the I-10 Study Team and the South Mountain Study Teams' perspectives regarding this issue:

> To complete a highway study, ADOT must follow a process defined by Federal Law known as the National Environmental Policy Act (NEPA), and this law requires ADOT

to complete cultural resource surveys. In order for ADOT to complete these surveys, cultural resource experts would obtain permission from the community to perform field surveys of the lands potentially affected by the plans suggested during the study. However, CRMP staff has already completed over 80% of these needed surveys.

ADOT understands the sensitivity the Community has for preserving its cultural heritage, and would like to avoid a situation where outside experts would be needed to survey community lands. It is our belief that there is a benefit to the Community to have CRMP staff involved in the study, and to remain the guardian of this sacred Community information. CRMP would only disclose information that is pertinent to complying with Federal Regulations, and ADOT commits to not disclose specific relic information to the general public, and only release information necessary for completing the NEPA process.

The type of surveys needed to comply with the Federal Regulations is not invasive, meaning no recovery of artifacts is required, and so the number of staff members needed to complete the surveys is limited. This is in contrast to PMIP where data recovery is needed, requiring trenching and laborious recovery of artifacts.

Community Cultural Resource Preservation

ADOT understands the Community's concerns regarding the impact ADOT activities have had on the preservation of the Community's cultural resources and sacred sites. Please see the following commitment expressed regarding this issue from the I-10 Study Team:

ADOT understands there is a concern over the impact to cultural resource sites from the original construction of I-10, the widening of I-10, and the re-routing of traffic from I-10 during freeway closures. Therefore, one of the key reasons for including CRMP is this concern for protection of sacred resource sites.

In order to lessen and avoid impacts to important cultural sites, ADOT will rely on the recommendations of CRMP on how best to facilitate these activities throughout the implementation of a mutually agreed upon access plan.

I-10 Alternative Routes

ADOT understands there is disruption to the Community when unfortunate incidents occur on Interstate 10 that require closure of this main thoroughfare as it runs through the Community. In addition to addressing these issues through the coordination sessions between ADOT, DPS and the relevant departments throughout the Community, and the redrafting of the ADOT Statewide Alternate Route Plan as it relates to roadways within the Community, please see the following perspective on this issue from the I-10 Study Team:

The Suggested Access Plan proposed by the I-10 Widening Study Team includes potential roadways that could be used as a parallel detour route for I-10. ADOT may also propose innovative ideas to provide signing that could be activated during an incident to better guide drivers that are unfamiliar with the Community through the approved detour routes.

The I-10 Widening Study Team requests permission to move forward with a Community Outreach Program that will present the Suggested Access Plan to Community Members, including the potential detour routes. The Community Council Resolution, currently under consideration by the Community Council, would offer the team direction from Council about the content of the plan before our team presents it to the Community at large.

ADOT / FHWA South Mountain Freeway Environmental Impact Statement Study

ADOT and FHWA clearly heard many of the concerns expressed by the Community Council regarding the South Mountain Freeway Study and the potential impacts of the current study on the Community. ADOT recognizes the importance of continuing to work with the Community members, the Community Council and the Community's Department of Transportation to openly communicate and address these potential impacts throughout every step of the study process. Please see the following South Mountain Study Team's perspective on the various issues stated by the Community Council during our recent presentation:

Preservation of Land and Quality of Life

As part of the study process, ADOT is required by federal law to analyze the potential affects of both building a freeway and not building a freeway on two very important environmental resources – Air and Noise.

As a first directive, the study team looks to eliminate all impacts. However, it is not possible to eliminate all impacts, so the next step is to minimize the impacts. Ultimately, if there are impacts to these environmental resources as a result of the project, ADOT will work with the Community on acceptable mitigation solutions. Some approaches used on past projects include:

- Construct noise barriers and apply rubberized asphalt to minimize the affect of noise.
- Develop an economic opportunities study independent of the environmental study that looks at potential development opportunities.
- Lead the process of acquiring lands currently not part of the Community to exchange for Community lands used if a Community alternative is selected for build.
- Provide signage along the freeway identifying the adjacent lands as being the Gila River Indian Community.

Community Freeway Access

ADOT will work with the Community to incorporate the Community preferences regarding access to freeway interchange locations and which freeway access points best accommodate the Community's plans for the future. As a regional facility, the Community would be allowed access to the freeway at any of the proposed interchange locations. Specifically, access would be immediate in areas where the Community has existing roadways and in areas where Community roads do not currently exist, access

would be available whenever the Community develops the roadways that connect to the interchange locations.

In an effort to fully understand the Community's interchange preferences, ADOT will issue a letter to the Community detailing potential interchange locations along the alternatives currently under study. Additionally, we will provide details of potential options for the 51st Avenue interchange. We would like your input on all the potential interchange locations and any comments you may have specific to the 51st Avenue options.

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

David P. Jankofsky
Deputy Director

July 25, 2005

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Thank you for allowing ADOT and FHWA representatives to discuss important transportation related issues with the Community Council on July 5, 2005. Please accept this letter as my response to important issues identified by the Council regarding the Santan Freeway.

There continues to be a misunderstanding of access to/from the Santan Freeway at McClintock Drive and Chandler Village Drive (Country Club Way). The attached Final Environmental Update, Santan Freeway (SR 202L), 56th Street to Price Freeway, dated April 1999, clearly illustrates that access to/from GRIC roadways at these locations was planned. Whenever the Community desires to connect roadways to the Santan Freeway at McClintock Drive and Chandler Village Drive, a no cost permit will be issued after ADOT and GRIC agree upon the engineering details of these roadway connections. ADOT would like to work with the Community to assure adequate control of access of approximately 300 feet is protected prior to the first driveway or side street connection to these crossroads. ADOT will purchase this control of access and participate in the construction costs within these limits when these connections are made.

Similarly, the Community would also have access to the South Mountain Freeway traffic interchanges intersecting local roads. If a freeway were constructed along Pecos Road, the Community would have access to the interchanges that were constructed. Or if a freeway were constructed on Community land then the Community would have access on both sides of the freeway. Either of these concepts assumes that a build alternative is selected. ADOT has the final say on freeway interchange locations that connect to locally owned roads. This is done in cooperation with affected local governments but it is ultimately an ADOT decision. ADOT is not in the leadership role for determining where roadways may cross over or under the freeway, but do not connect to the freeway. Those roadways across freeways need to be resolved between appropriate political jurisdictions, in cooperation with ADOT, to assure freeway operations and safety is maintained.

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The Honorable Richard Narcia
July 25, 2005
Page Two

Additionally, there seems to be a misunderstanding of ADOT's Noise Policy, particularly regarding where berms or sound walls are constructed as a noise mitigation feature along the Santan Freeway. ADOT's 2000 Noise Policy is in compliance with the FHWA laws and policy guidance manuals. Per federal guidelines, residential properties and public use areas receive the highest priority for protection/mitigation when the amount of noise exceeds specific thresholds. Undeveloped land is not normally considered for noise mitigation. Commercial property owners often waive their right for noise mitigation even if they qualify for mitigation because visibility is usually more important to them than noise mitigation. This is why there are chain link fences adjacent to undeveloped land and most commercial properties, while most residential neighborhoods, parks, schools etc. have sound walls or berms. We would be pleased to schedule a presentation concerning noise analysis and mitigation strategies, if desired. ADOT has also developed a 15-minute noise video to help explain the basics of the noise policies. The policy is also available on the ADOT web page @ www.azdot.gov or upon request.

We look forward to continue working with the your office, Community Council members, the Community Department of Transportation staff, District representatives, and landowners as the I-10 and South Mountain studies progress. Thank you for your ongoing cooperation and consideration of these issues.

Sincerely,

Dan Lance
Deputy State Engineer
Valley Transportation

cc: Lt. Governor Thomas
Gila River Indian Community Council Members
Gary Bohnee, Gila River Indian Community Chief of Staff
Sandra Shade, Gila River Indian Community Department of Transportation

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

August 18, 2005

Jim Andersen, Realty Specialist
Bureau of Land Management
21605 West 4th Avenue
Phoenix, Arizona 85027

RE: Recreation and Public Purposes Act Lease A-31292
Rio Salado Oeste Project

Dear Mr. Andersen:

This letter summarizes the agreements voiced at the meeting held on July 11, 2005 with representatives from the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT). The meeting pertained to the relationship of the above-referenced lease and the W55 Alternative being considered for the South Mountain Freeway in an Environmental Impact Statement (*South Mountain Transportation Corridor in Maricopa County, Arizona*) now under preparation. As currently aligned, the alternative would pass through the leased property.

At the meeting, it was agreed upon that the City of Phoenix (lessee) has been aware of, planned for, and has incorporated the alternative concept in the City of Phoenix General Plan and has designed the Rio Salado Oeste Project incorporating such concept, which at this time crosses the lease property. It was further agreed that although the current lease agreement does not include reference to the South Mountain Freeway, the Bureau of Land Management (lesser) would support working in concert with the City of Phoenix to take the steps necessary to amend the lease in a manner that would allow for the W55 Alternative to pass through the property if the W55 Alternative is identified as the selected alternative in the FHWA/ADOT approved EIS and record in the NEPA Record of Decision.

If this is an accurate summary of what was discussed at the meeting, please sign concurrence line below.

Thank you.

Sincerely,

Ralph Ellis, CPM
ADOT Environmental & Enhancement Group

8/30/05
Signature for Bureau of Land Management Concurrence
ACTING AFM/L&M

c: Steve Thomas, FHWA
Mike Bruder, ADOT Valley Project Management
Amy Edwards, HDR
Jack Allen, HDR

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

August 18, 2005

Karen L. Williams, Rio Salado Coordinator
City of Phoenix, Office of the City Manager
200 West Washington Street, 12th Floor
Phoenix, Arizona 85003

RE: Recreation and Public Purposes Act Lease A-31292
Rio Salado Oeste Project

Dear Ms. Williams:

This letter summarizes the agreements voiced at the meeting held on July 11, 2005 with representatives from the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT). The meeting pertained to the relationship of the above-referenced lease and the W55 Alternative being considered for the South Mountain Freeway in an Environmental Impact Statement (*South Mountain Transportation Corridor in Maricopa County, Arizona*) now under preparation. As currently aligned, the alternative would pass through the leased property.

At the meeting, it was agreed upon that the City of Phoenix (lessee) has been aware of, planned for, and has incorporated the alternative concept in the City of Phoenix General Plan and has designed the Rio Salado Oeste Project incorporating such concept, which at this time crosses the lease property. It was further agreed that although the current lease agreement does not include reference to the South Mountain Freeway, the Bureau of Land Management (lessor) would support working in concert with the City of Phoenix to take the steps necessary to amend the lease in a manner that would allow for the W55 Alternative to pass through the property if the W55 Alternative is identified as the selected alternative in the FHWA/ADOT approved EIS and record in the NEPA Record of Decision.

If this is an accurate summary of what was discussed at the meeting, please sign concurrence line below.

Thank you.

Sincerely,

Ralph Ellis

Ralph Ellis, CPM
ADOT Environmental & Enhancement Group

Karen L. Williams

Signature for Rio Salado Oeste Project Concurrence

c: Steve Thomas, FHWA
Mike Bruder, ADOT Valley Project Management
Amy Edwards, HDR
Jack Allen, HDR

Arizona Governor's Award for Quality
2001 Award Recipient

Arizona Department of Transportation
Communication and Community Partnerships
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Shannon Wilhelmsen
Communications Director

08/18/2005

Ms. Cecilia Martinez
Acting Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Report
ADOT Tracs No. H 5764 01L

Dear Ms. Martinez:

As you are aware, part of the on-going public involvement efforts by the Arizona Department of Transportation and HDR, Inc. (engineering consultant to ADOT), on the South Mountain Freeway project, we have periodically met with Community members through District update meetings and landowner meetings. As we move forward on the project we would like to reach out to more of the landowners within this area of the Community.

In December 2004, we requested assistance of the BIA, as the repository of landowner records, in providing the names and addresses of the parcel owners within the freeway study's affected area. Given the passage of time since the original request was made, the changes in Superintendent, and the on-going coordination with the Community, we would like to re-submit our request for contact data. This information will be used to notify landowners of upcoming meetings and to invite their input into the study process. Enclosed, we are providing the realty group of the Pima Agency with a map developed by HDR that delineates parcels within the Community that we believe may be affected by this study.

We are very aware of the sensitivity of the contact information and the high level of confidentiality that must be maintained upon receipt of this documentation. Therefore, any records we receive will ***only*** be used to generate a mailing list for its intended purpose of notifying landowners of upcoming meetings and inviting their input in the study process for this project.

If you honor this request, you may send the information in the form you deem most convenient (i.e., hard copy, electronic – spreadsheet, GIS, etc.) to the following address:

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Shannon L. Wilhelmsen
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 118A
Phoenix, AZ 85007
Swilhelmsen@dot.state.az.us

I look forward to continuing to work with you and your staff as this project moves forward. If you have any questions regarding this matter, or the study in general, please do not hesitate to contact me at (602) 712-7356.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Governor Richard Narcia, Gila River Indian Community
Lt. Governor Mary Thomas, Gila River Indian Community
Gary Bohnee, Gila River Indian Community Chief of Staff
Sandra Shade, Gila River Indian Community Department of Transportation
Victor Mendez, Arizona Department of Transportation
Mike Bruder, Arizona Department of Transportation
Bill Vachon, Federal Highway Administration
Amy Edwards, HDR

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

August 24, 2005

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia,

Please accept this letter as a follow-up to the Arizona Department of Transportation's (ADOT) recent letter to the Community Council and the July 5, 2005 Community Council meeting with ADOT and FHWA. As discussed at the Council meeting and in Shannon Wilhelmsen's follow-up letter of July 22, 2005, ADOT is continuing detailed analysis of alternatives for the South Mountain Freeway. A significant portion of this analysis pertains to potential interchange locations. Although the freeway alternatives under study are not located on the Gila River Indian Community, they are immediately adjacent to the northern boundary of the Community. Therefore, per our commitment to work with yourself and the Community Council on issues affecting the Community, we are requesting Community input on potential interchange locations and the three configuration options for the proposed 51st Avenue interchange.

Potential Interchanges
The South Mountain Freeway study has reached a point where interchange locations must be defined to allow the study to move forward. ADOT is requesting input from jurisdictions adjacent to the corridor regarding the appropriateness of the proposed locations. Following concurrence from the local jurisdictions these locations are included in the alternatives and studied in detail.

The attached Figure 1 illustrates interchange locations being considered along the northern border of the Community. Given our analysis of traffic demands and design, it is possible to construct interchanges in these locations and have them utilized by traffic and function properly. Potential interchange locations, from east to west, are:

- 40th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- 27th Avenue
- 51st Avenue
- Elliot Road
- Dobbins Road
- Baseline Road

ADOT is formally requesting input from the Community regarding these potential interchange locations.

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It should be noted freeway access will be permitted from the Community at all of the approved interchange locations. Existing roadways within the Community will have immediate access to the interchanges. At locations where no roadways exist, access will be permitted when Community roads are extended to the interchange location. Access control will be required at all TI locations per ADOT standard policy, see attached Figure 2.

51st Avenue TI

As part of the detailed study of alternatives, the project team has developed three options for the 51st Avenue interchange. The options being considered were developed to minimize impact to South Mountain, an area provided special protection by federal law. As such, the proposed options have resulted in shifting the 51st Avenue interchange west thereby minimizing the impact to South Mountain. A brief listing of the key components and a graphic depiction for each of these options is attached.

Spur Road Option

This option is shown in Figure 3.

- 51st Avenue remains within the existing right-of-way and follows the existing alignment.
- The South Mountain Freeway would go over 51st Avenue on bridges.
- A new road (Spur Road) would intersect with 51st Avenue north of the boundary and south of Estrella Drive.
- The Spur Road would provide access from 51st Avenue to the interchange with South Mountain Freeway, west of 51st Avenue and south of Estrella Drive.
- To access the freeway from 51st Avenue, vehicles would turn onto the spur road and access the interchange ramps.
- Vehicles traveling from the north into the Community would continue to do so as they are now, utilizing 51st Avenue without change.
- The Community would have access to this interchange if a Community road is built to connect with the Spur Road.

Realigned 51st Avenue Option

This option is shown in Figure 4.

- The interchange would be west of 51st Avenue and south of Estrella Drive.
- From the north, 51st Avenue would be realigned to provide access directly to the proposed South Mountain interchange. From the south, 51st Avenue would curve west to intersect with the realigned 51st Avenue.
- South Mountain Freeway would go over the realigned 51st Avenue on bridges.
- To access the freeway from 51st Avenue, vehicles from the north would utilize the realigned 51st Avenue and directly access the interchange ramps. Vehicles from the south would utilize the realigned 51st Avenue to an intersection with the realigned 51st Avenue from the north. From the intersection, vehicles would go southwest on realigned 51st Avenue to access the interchange ramps.
- Vehicles traveling from the north into the Community would utilize the two realigned portions of 51st Avenue and go through the intersection made by these two facilities.
- The Community would have access to this interchange if a Community road is built to connect with the portion of 51st Avenue realigned from the north.

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Estrella Drive Option

This option is shown in Figure 5.

- 51st Avenue follows its existing alignment.
- The South Mountain Freeway would go over 51st Avenue on bridges.
- The South Mountain Freeway interchange would be with Estrella Drive, west of 51st Avenue.
- To access the freeway from 51st Avenue, vehicles from both the north and south would utilize the intersection with Estrella Drive and continue west to access the interchange ramps.
- Vehicles traveling from the north into the Community would continue to do so as they are now, utilizing 51st Avenue without change.
- The Community would have access to this interchange from Estrella Drive.

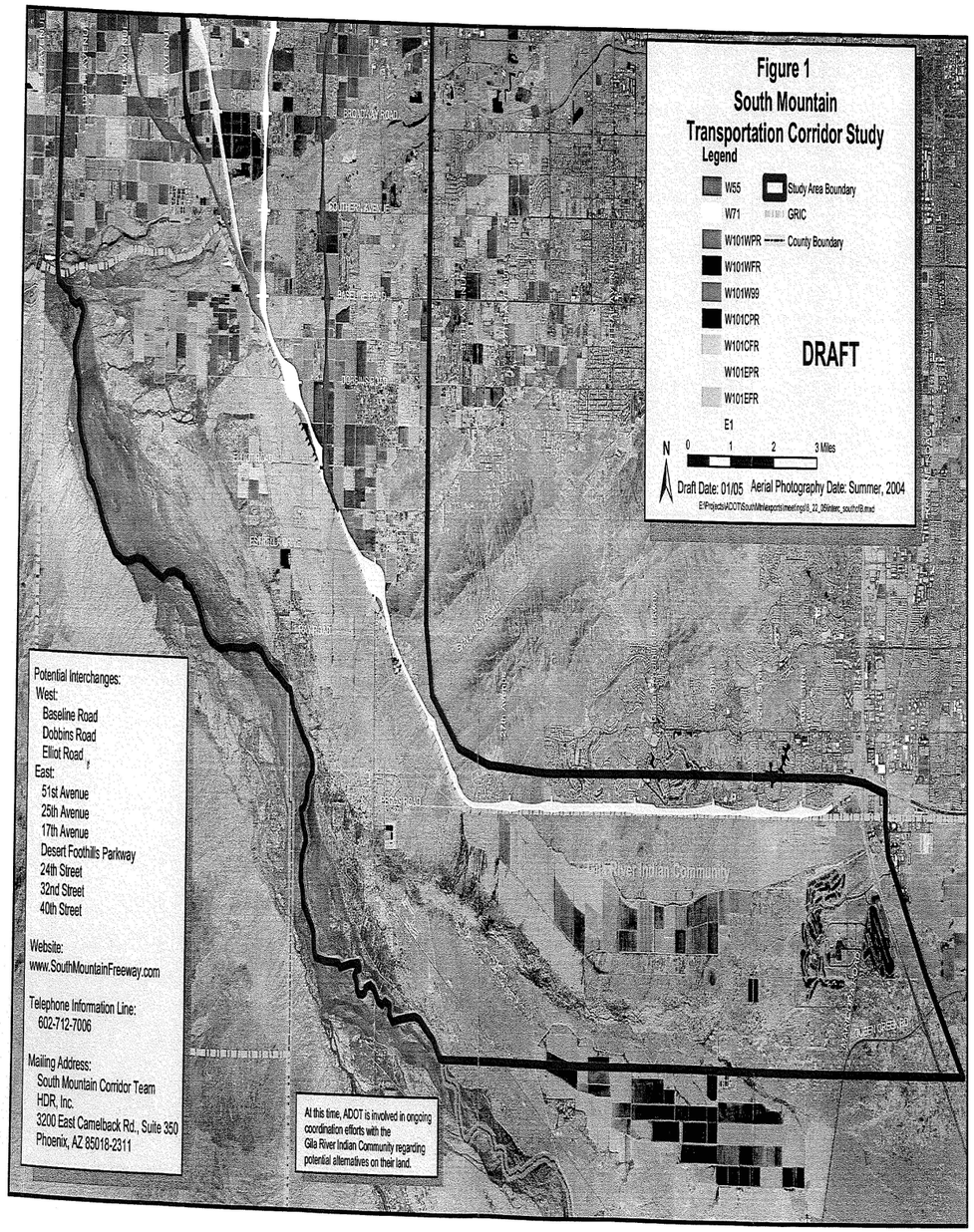
ADOT is requesting comment from the Community regarding their preference of these three options. If the Community feels there may be other options to consider, we welcome this input. Community input on these very important matters is requested by October 31, 2005.

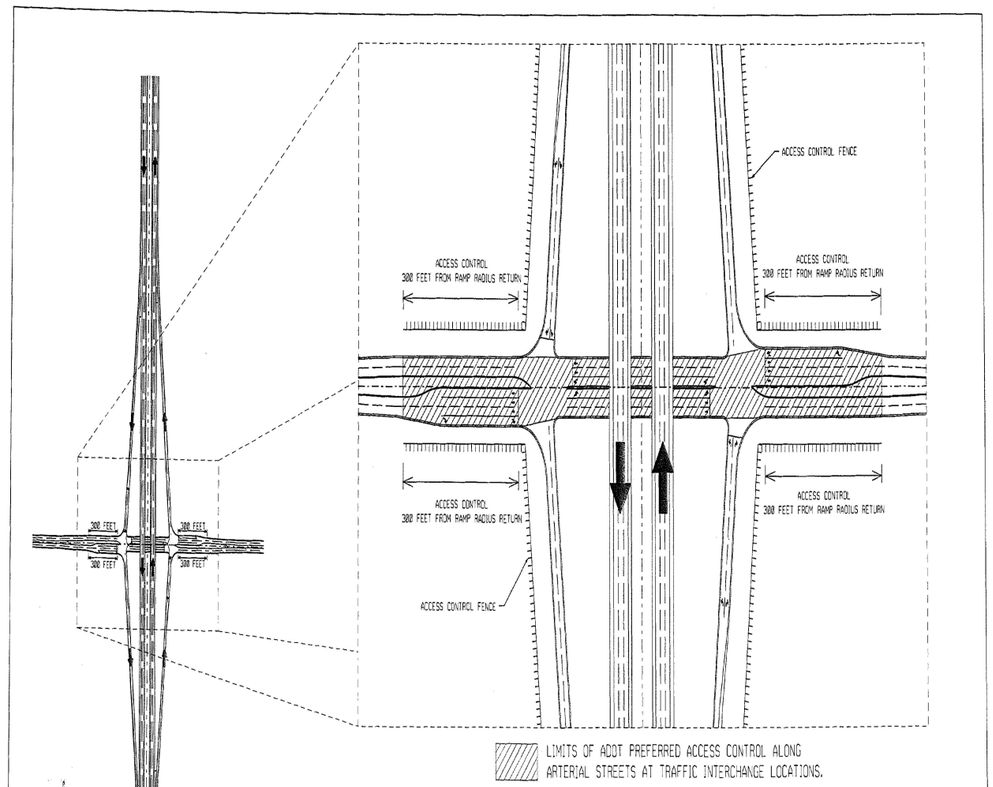
If you have any questions regarding this matter, please do not hesitate to contact me at 602-712-8274. We look forward to working with you, Sandra Shade and the GRIC Department of Transportation staff on these matters.

Sincerely,

Daniel S. Lance
Deputy State Engineer
Valley Transportation

Cc: Lieutenant Governor Mary Thomas, Gila River Indian Community
Gila River Indian Community Council Members
Gary Bohnee, Gila River Indian Community, Chief of Staff
Sandra Shade, Gila River Indian Community, Director Department of Transportation
Bill Vachon, Federal Highway Administration
Cecilia Martinez, Acting Superintendent, BIA Pima Agency
Shannon Wilhelmsen, ADOT, Director Communication and Community Partnerships
Michael Bruder, ADOT





ADOT ACCESS CONTROL POLICY

'SECTION 506 OF THE ROADWAY ENGINEERING GROUP 'ROADWAY DESIGN GUIDELINES' IS REVISED AS FOLLOWS:

THE ACCESS CONTROL LIMITS ALONG AN URBAN INTERCHANGE CROSSROAD OF A FULLY ACCESS CONTROLLED FREEWAY SHALL EXTEND A MINIMUM OF 300 FEET BEYOND THE RAMP RADIUS RETURNS ON THE CROSSROAD. THIS IS REVISED FROM THE 30M OR 100 FEET PREVIOUSLY REQUIRED IN URBAN AREAS. THIS CHANGE MAKES THE ACCESS CONTROL REQUIREMENTS ON INTERCHANGE CROSSROADS THE SAME FOR URBAN AND RURAL APPLICATIONS. WHEN THE CROSSROAD IS SKEWED, IT IS DESIRABLE TO SET THE ACCESS CONTROL LIMITS OPPOSITE AT THE SAME CROSSROAD STATION WITH THE LIMIT FURTHEREST FROM THE MAINLINE AS THE CONTROL. THE ACCESS CONTROL LIMITS SHALL BE SHOWN ON THE ROADWAY PLANS.'

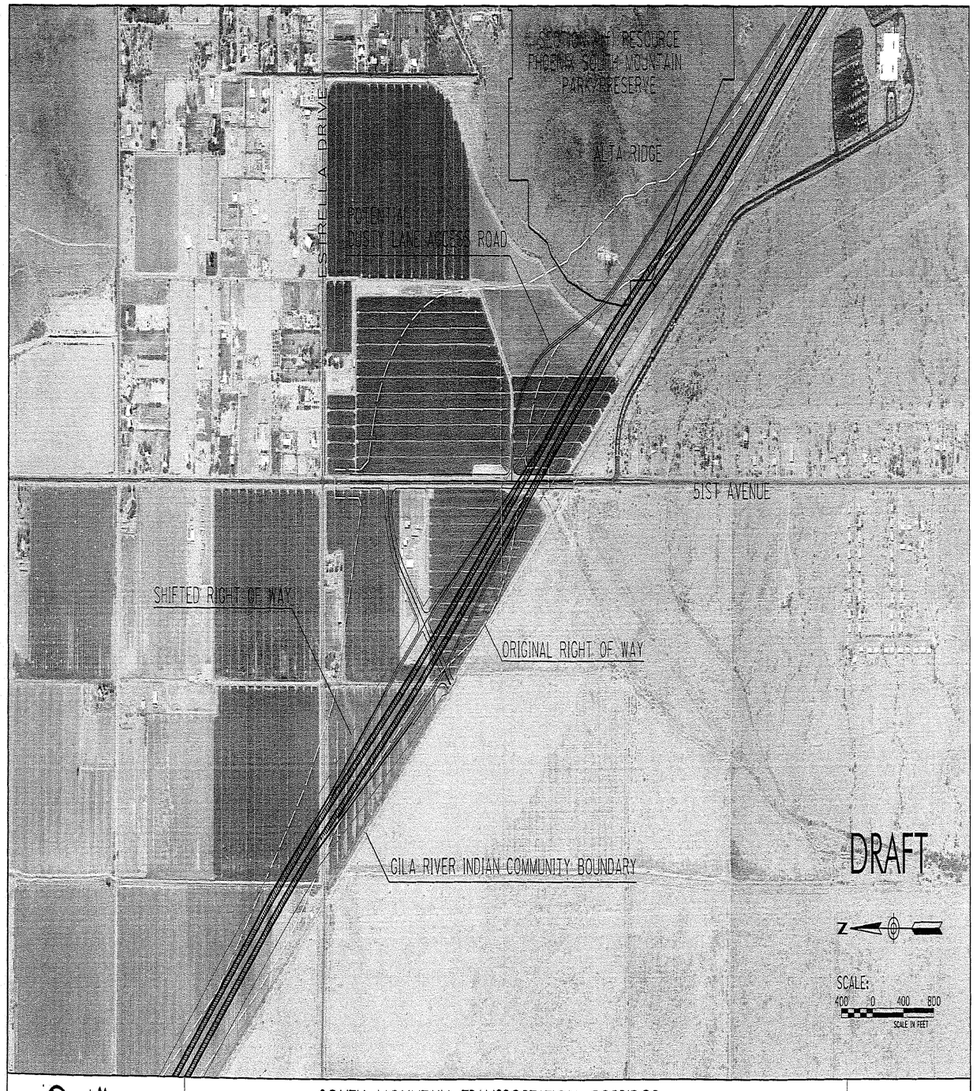
ASSISTANT STATE ENGINEER, ROADWAY ENGINEERING GROUP, JULY 30, 2001

ADOT | South Mountain corridor team

South Mountain Transportation Corridor
TRACS No. 202L MA 054 H5764 01L
FHWA Federal Project No. NH-202-D ()

SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ARTERIAL STREET ACCESS CONTROL AT TRAFFIC INTERCHANGES
PER ADOT POLICY

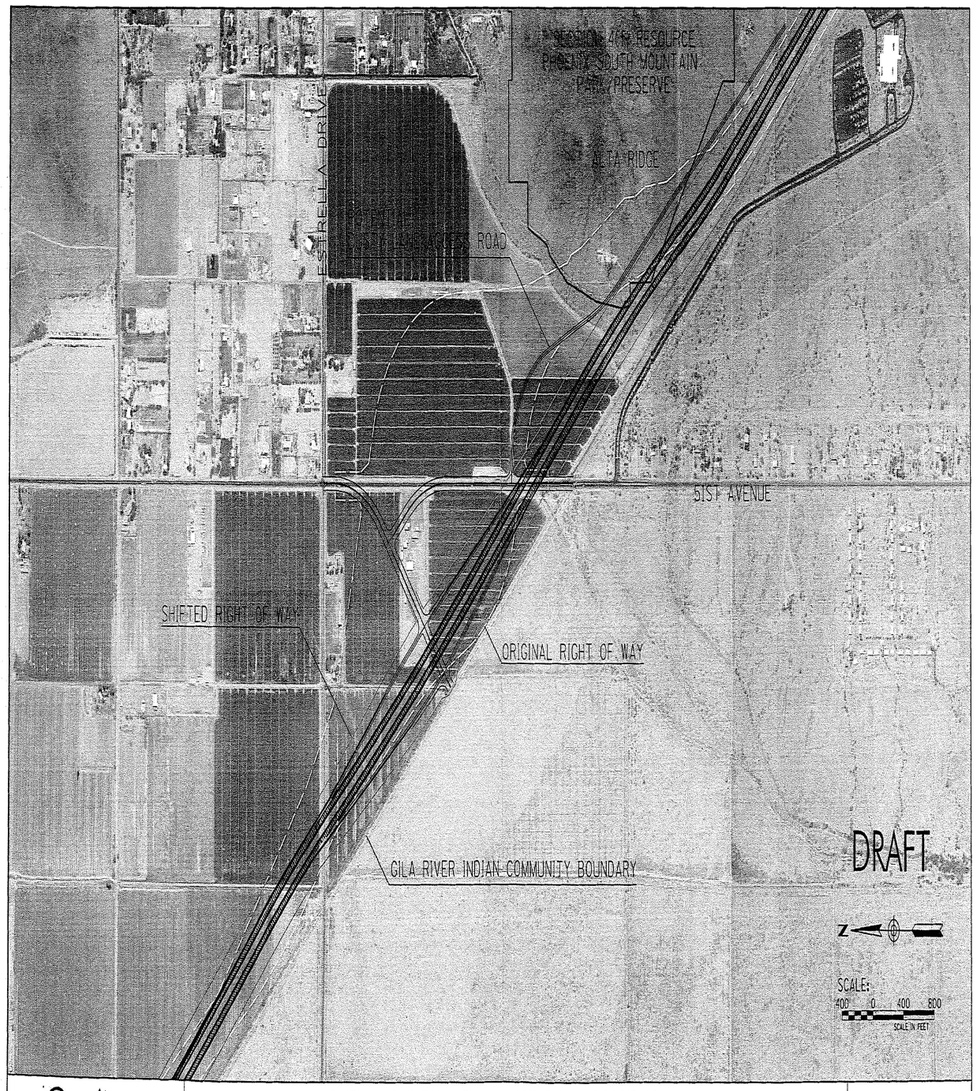
FIGURE 2



South Mountain Transportation Corridor
TRACS No. 202L MA 054 H5764 01L
FHWA Federal Project No. NH-202-D (I)

SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 4(f) RESOURCE
PHOENIX SOUTH MOUNTAIN PARK /PRESERVE
OPTION 1 – 51ST AVENUE SPUR

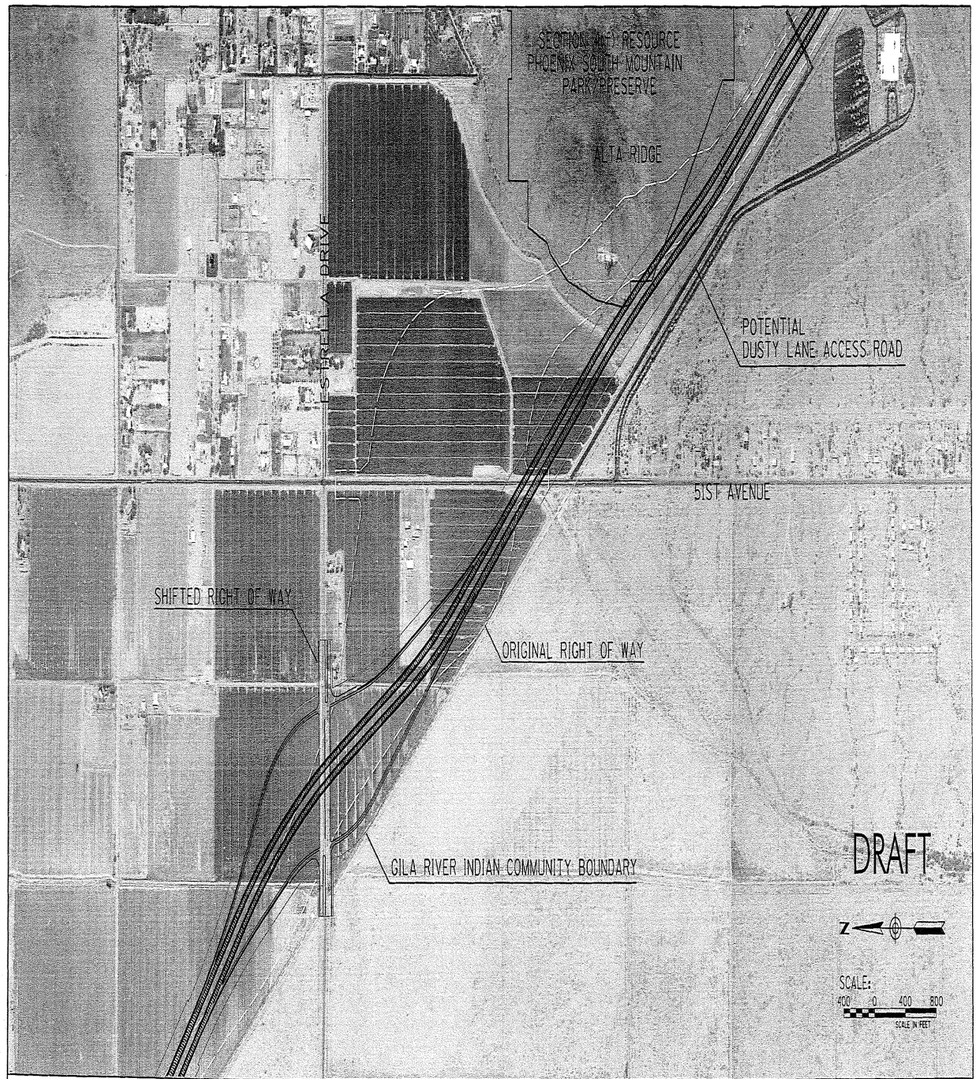
FIGURE 3



South Mountain Transportation Corridor
TRACS No. 202L MA 054 H5764 01L
FHWA Federal Project No. NH-202-D (I)

SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 4(f) RESOURCE
PHOENIX SOUTH MOUNTAIN PARK /PRESERVE
OPTION 2 – REALIGN 51ST AVENUE

FIGURE 4



South Mountain Transportation Corridor
TRACS No. 202L MA 054 H5764 01L
FHWA Federal Project No. NH-202-D (I)

SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 4(f) RESOURCE
PHOENIX SOUTH MOUNTAIN PARK /PRESERVE
OPTION 3 - ESTRELLA DRIVE INTERCHANGE

FIGURE 5

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

October 7, 2005

The Honorable Richard Narcia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Narcia,

On August 24, 2005, the Arizona Department of Transportation (ADOT) forwarded a letter to Gila River Community management and staff outlining potential interchange locations on the South Mountain Freeway and presenting three options for a 51st Avenue Traffic Interchange (TI). An error was noted in the text listing the potential interchange locations. The correct locations are, from east to west:

- 40th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- **25th Avenue**
- 51st Avenue
- Elliot Road
- Dobbins Road
- Baseline Road

The original letter indicated a potential interchange location at 27th Avenue. The actual proposed location is **25th Avenue** and is accurately listed on Figure 1 attached to the original letter. Please accept our apologies for any inconvenience this oversight may have caused.

Community input is requested by October 31, 2005 on these very important matters. If you have any questions regarding this matter, please do not hesitate to contact me at 602-712-8274.

We look forward to continuing to work with you, Sandra Shade and the Community on these matters.

Sincerely,

Daniel S. Lance
Deputy State Engineer
Valley Transportation

Arizona Governor's Award for Quality
2001 Award Recipient

The Honorable Richard Narcia
October 7, 2005
Page Two

c: GRIC Lt. Governor Thomas
GRIC Tribal Council
Shannon Wilhelmsen, ADOT
Michael Bruder, ADOT
Bill Vachon, FHWA
Project File

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ADOT

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

David P. Jankofsky
Deputy Director

November 7, 2005

The Honorable Richard Narcia
Governor Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Thank you for continuing to communicate your concerns with ADOT. In response, I offer the following information.

1. In regards to Resolution GR-119-05, ADOT is still in the process of evaluating and assessing the Gila River Indian Community's requests. In the meantime, ADOT remain committed to working with you and will be ready to initiate negotiations with the Gila River Indian Community in the near future.

2. In reference to communication protocol with the Gila River Indian Community, ADOT is reviewing the available options and a contact person will be designated in the near future.

3. Finally, in relation to SR 347, ADOT's understanding of needs and potential improvements are outlined below:

   - SR 347 at Casa Blanca Road:
     A draft Traffic Warrants Study has been completed by the Tucson District and a complete Accident History Report has been requested from the Gila River Indian Community to further analyze and update the Draft Study. ADOT is still awaiting the Accident Report Data, which could change the outcome of the Draft Study. Further discussion and coordination is expected to occur between the Tucson District and the Gila River Indian Community to finalize this issue.

   - SR 347 at Rinker Sand and Gravel Plant:
     The Tucson District has received and reviewed the Traffic Impact Analysis (TIA) and it indicates that a traffic signal is not warranted at this location based on current conditions. However, a traffic signal will be warranted if the Rinker Sand and Gravel Plant completes the proposed

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expansion of their operation. In that case, as with all new development impacts throughout the state, Rinker will be expected to pay for the traffic signal. In the meantime, ADOT will coordinate with Rinker under a cost sharing agreement to add an acceleration lane in the SB direction on SR 347 as an interim improvement and could possibly include it in an upcoming pavement preservation project in this area.

- SR 347 at Old Maricopa Road:
  It is not clear to ADOT what the specific traffic concerns are at this location. However, the Phoenix Maintenance District has identified some signing improvements that consist of upgrading the stop sign at Maricopa Road to a 60-inch and the warning signs to 48 x 48 inch signs. The District is also considering adding a right turn acceleration lane and taper from the Maricopa Road to the SR 347. We believe these improvements will enhance the functionality and efficiency of this intersection. Future development will have significant impact on the operation of this intersection. ADOT remains committed to working with you and will require the necessary Traffic Impact Analysis to ensure adequate improvements are identified and constructed by such future development.

Should you have any questions, please contact my office.

Sincerely,

Victor M. Mendez

cc: The Honorable Governor Janet Napolitano
Mary V. Thomas, Lt. Governor, GRIC
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
David Snider, Supervisor, Pinal County Board of Supervisors
GRIC Community Council
Robert Hollis, Division Administrator, FHWA
David Jankofsky, Deputy Director, ADOT
Sam Elters, State Engineer, ADOT
Dan Lance, Deputy State Engineer, Valley Transportation, ADOT
Dennis Alvarez, Tucson District Engineer, ADOT
John Hauskins, Phoenix Maintenance Engineer, ADOT
Shannon Wilhelmsen, Director, Communications and Community Partnerships, ADOT

Attachment

Richard P. Narcia
GOVERNOR

MARY V. THOMAS
LIEUTENANT GOVERNOR

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 12, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007

Dear Mr. Mendez:

A request from the Gila River Indian Community was sent to your office dated March 15, 2005 regarding traffic and safety concerns at the intersection of State Route 347 and Casa Blanca Road. At that time, a request was made to ADOT to undertake a traffic study to determine whether placing a signal at this intersection was warranted.

Correspondence dated April 4, 2005 from Mr. Dennis Alvarez, Tucson District Engineer, stated that Mr. Alvarez' staff would be in contact with our Department of Transportation staff on this matter. The correspondence also indicated that a study would be undertaken within 30 days and a full report would be completed within 90 days. It is my understanding that no follow-up occurred, and that the Community only learned of a "Draft Traffic Signal Evaluation" document, after the study had already been completed. This concern was transmitted to Mr. Alvarez, with a copy to your office, in yet another correspondence dated August 1, 2005. As a part of this transmittal, copies of traffic count comparisons and accident report data was included.

We find it unacceptable that ADOT has been unwilling to formally issue a response to our August correspondence. It was understood from our July 2005 Community Council meeting with your staff, that ADOT was committed to taking a more proactive approach in working with our Community and keeping us updated as to the transportation projects and activities within and surrounding our Community that fall within ADOT's jurisdiction.

On a similar matter, there was a separate study conducted for one of our tribal entities by Lee Engineering for a traffic signal on State Route 347 and the Rinker Sand and Gravel Plant for which a response has not been received.

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

We also have a traffic safety concern at the intersection of Queen Creek Road (SR 347) and "Old" Maricopa Road that we feel should also be studied by ADOT.

I am again requesting that an updated Traffic Signal Evaluation document be sent directly to my office with a courtesy copy to Ms. Sandra Shade, Director for our Community's Department of Transportation. Upon our review, we would like to meet with you regarding this matter. We would also appreciate a status update on the study conducted by Lee Engineering.

Please feel free to contact my office if you have any questions.

Sincerely,

Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
GRIC Community Council
Gary Bohnee, Chief of Staff
Sandra Shade, Director, GRIC DOT
Supervisor David Snider, Pinal County Board of Supervisors

Richard P. Narcia
GOVERNOR

MARY V. THOMAS
LIEUTENANT GOVERNOR

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 14, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007-3213

Dear Director Mendez:

On behalf of the Gila River Indian Community (the "Community"), I appreciate the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) for taking the time to meet to discuss important transportation issues that face our respective organizations.

As such, I believe the key to building a successful partnership is to develop a better communication process and protocol. Central to this effort is the need to identify a point of contact in our respective organizations that is both knowledgeable and capable of speaking in an official capacity. For the Community, Ms. Sandra Shade, Director, Gila River Department of Transportation will continue to serve as the primary contact.

Consistent with our discussion, the Community would like to have Mr. Bill Hayden serve as the ADOT's primary liaison to the Community. As a part of your current team, Mr. Hayden brings to the table the requisite experience in working with tribal governments. He has an established relationship with the Community Council, key staff, and the Bureau of Indian Affairs (BIA). Of equal importance are his experience, knowledge and respect for our tribal protocol. The Lieutenant Governor and I both feel strongly that Mr. Hayden has demonstrated the ability to work with our leadership in an effective manner and, therefore, remain unyielding in our request that he serve as the key point of contact from ADOT to work with our Community on this project. We believe Mr. Hayden will move this project forward in a positive manner in the spirit of communication and cooperation with all stakeholders.

Importantly, the Community recognizes the Interstate 10 (I-10) Widening Project is the number one statewide priority project for ADOT. As such, we feel strongly that ADOT

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

must bring an experienced and professional project management team who will work closely with our key staff in moving this project forward.

The Community Council adopted Resolution GR-119-05 on August 5, 2005 that identifies several priority areas regarding the alignment, improvement, operation and maintenance of, and access to Interstate 10 within the boundaries of our Community. A copy of this resolution has been provided to you and Mr. Robert Hollis of FHWA so that your respective organizations may begin the review process while we concurrently move forward with a Community outreach program and additional input and participation.

Again, it was a pleasure to have the opportunity to meet with you and Mr. Hollis and I look forward to a mutually beneficial working relationship. Your consideration of the Community's recommendations is greatly appreciated.

Sincerely,

Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Hollis, FHWA Division Administrator
The Honorable Governor Janet Napolitano

ADOT

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

David P. Jankofsky
Deputy Director

November 9, 2005

The Honorable Richard Narcia
Governor Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Narcia:

Please accept this communication as a formal follow-up to some communication items we understand Mr. Bill Hayden has relayed to the Community. Our understanding is that you have already been informed of the following items and this communication is intended to be a more formal summary from my office.

Currently, ADOT is in the midst of an extensive public involvement effort to brief local communities, elected officials and media organizations regarding the South Mountain Freeway project in preparation for an extensive round of public meetings to be held next week.

Public Meetings
Public meetings will be held from Noon - 8 p.m. on November 15 in Avondale, November 16 in Laveen and November 17 in Ahwatukee to discuss the South Mountain Freeway study. Large aerial photographs overlayed with the freeway alignments will be on display at the meeting to illustrate the potential right of way impacts to give the public their first look at a detailed depiction of the South Mountain Freeway alignments. These meetings will generate significant comments and discussion among the public, elected officials and the media.

Local Agency Briefing
My understanding is that Mr. Hayden invited the Community to attend an agency briefing ADOT will hold on November 9, 2005 at 3 p.m. to discuss the information that will be presented at the public meetings. At this time, I have not heard whether or not Community representatives are planning on attending the briefing and my hope is that you are in attendance.

Media Briefings
On November 8, 2005 ADOT held media briefings with the Arizona Republic and the Ahwatukee Foothills News to discuss the South Mountain Freeway study.

General Communication
ADOT has produced a newsletter to provide general information about the project as well as to advertise the public meetings. We have distributed nearly 100,000 newsletters in Ahwatukee and the West Valley to homes and businesses in the study

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area. We also have set aside several thousand brochures for distribution on the Gila River Indian Community.

My understanding is that Mr. Hayden asked representatives from the Community whether or not the brochures should be distributed to Community members and we have not yet heard whether or not the Gila River Indian Community will allow such distribution. Please let us know if you would like us to distribute the brochures.

Traffic Interchange and Drainage Issues
The location of future traffic interchanges along the South Mountain Freeway is another issue that we would like to have input from the Gila River Indian Community. We have written letters to the Community on August 24, 2005 and October 7, 2005 seeking input from the Community about the Community's preference for interchange locations along the South Mountain Freeway. Also, my understanding is that Mr. Hayden recently communicated to the Community the preferences stated by the City of Phoenix to eliminate the proposed South Mountain interchange at 32nd Street and to move the proposed interchange at 25th Avenue further west to match up with Chandler Boulevard at 27th Avenue. The interchange at 32nd Street has generated considerable concern among Ahwatukee residents given the number of homes that would need to be acquired if it is built and the potential increase in traffic passing by Desert Vista High School. It would be extremely helpful to know whether or not the Gila River Indian Community has a preference for an interchange at 32nd Street.

In the near future, we also will need to discuss the analysis of drainage impacts and methods to address drainage associated with the South Mountain Freeway study.

Since ADOT staff has informed me that they have not heard from Gila River Indian Community representatives on these subjects, I wanted to confirm that the information regarding developments on the South Mountain Freeway study and the project's public involvement efforts have been communicated so that the Gila River Indian Community may provide input to the study team.

I look forward to receiving information from the Community regarding the above items.

Sincerely,

Victor M. Mendez

cc: Mary V. Thomas, Lt. Governor, GRIC
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Hollis, Division Administrator, FHWA
David Jankofsky, Deputy Director, ADOT
Sam Elters, State Engineer, ADOT
Dan Lance, Deputy State Engineer, ADOT
Shannon Wilhelmsen, Director, Communications and Community Partnerships, ADOT
Bill Hayden, Life Cycle Coordinator, ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

January 19, 2006

Leslie Spencer-Snider
Phoenix Mountain Preservation Council
P.O. Box 26121
Phoenix, AZ 85068-6121

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Ms. Spencer-Snider

On November 7, 2005, a presentation was made to the Phoenix Mountain Preserve Council (PMPC) regarding the potential impacts on South Mountain Park/Preserve (SMPP) as a result of the proposed South Mountain Transportation Corridor (SMTC). The purpose of the meeting, in addition to updating the PMPC about the project, was to solicit input regarding measures to minimize harm to the park.

At the conclusion of the meeting, attendees were requested to complete and return a comment sheet. The following represents a summary of the comments received during the meeting and through the comment forms:

- The PMPC was in favor of the No Build Alternative
- Land in the SMPP is irreplaceable
- Another method should be found to move people
- There is a Parks Board resolution opposing use of the Park.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed the Eastern Section Alternative of the SMTC would be located as far south as possible to avoid the creation of remnant parcels.
- Sound barriers would be constructed as part of the Eastern Section Alternative on the approach to SMPP near the Foothills Reserve residential development, and just past SMPP near the Dusty Lane residential area. Although these barriers are not specifically for SMPP, they would provide partial noise mitigation to the park/preserve
- Impacts on visual character would result from the Eastern Section Alternative and associated cuts into South Mountain. The proposed freeway would be the dominant feature in the area and would introduce forms, lines, colors, and textures distinctly different from the existing ridgelines. The visual impacts of the section of freeway adjacent to SMPP could be reduced by blending the color, line, and form of the freeway with the surrounding environment.
- Vegetation buffers could be used to screen views of the freeway.
- Any retention basins and their landscape treatments could be blended into the surrounding area.

- Larger saguaros, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.
- Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help 'naturalize' the surrounding area.
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.
- Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
- The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.
- When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the PMPC does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments regarding the meeting summary should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by February 19, 2006 or sooner would be greatly appreciated.** Thank you in advance for your cooperation.

Sincerely,

Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map

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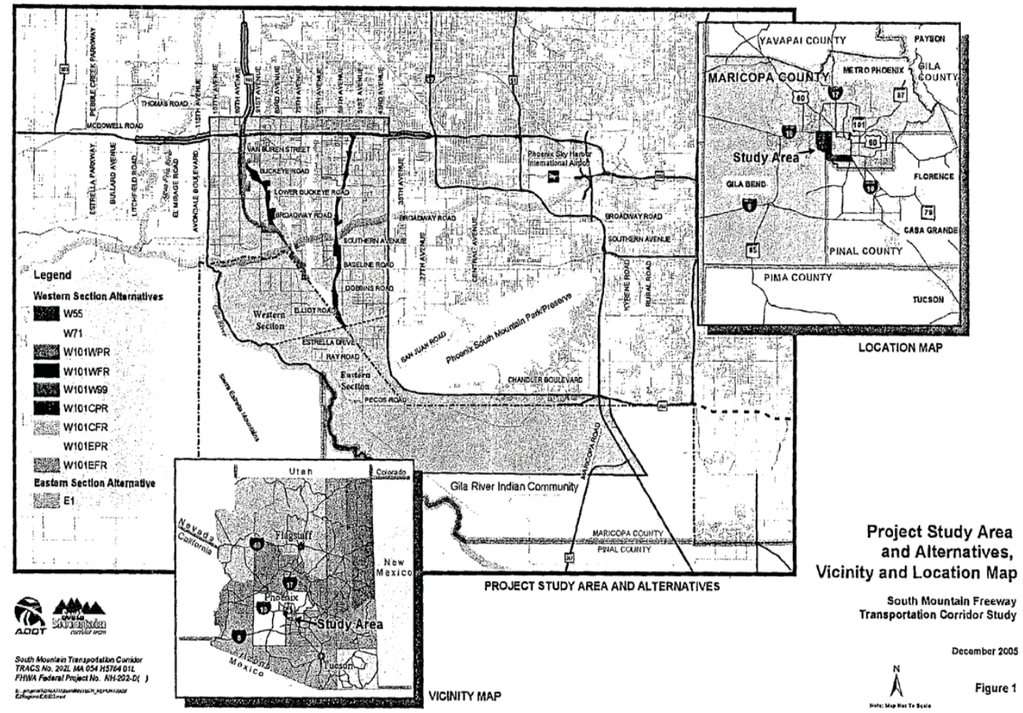

This graphic was included as an enclosure to the four letters that follow in this appendix (Coover, Burke, Nowicki, Spencer-Snider).

Arizona Department of Transportati
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

January 19, 2006

Jim Burke
Phoenix City Hall
City of Phoenix Parks and Recreation Department
200 W. Washington Street, 16th Floor
Phoenix, AZ 85003

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Mr. Burke

On September 22,2005, representatives from the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT), HDR Engineering, Inc.(HDR), the City Phoenix Parks and Recreation Board (Board), and the public met at the Phoenix Zoo to discuss the potential impacts on Phoenix South Mountain Park/Preserve (SMPP) as a result of the potential South Mountain Transportation Corridor (SMTC) and to solicit input from park stakeholders regarding measures to minimize harm to the park. This correspondence serves as a summary of that meeting along with a discussion of future related actions.

The meeting commenced with an update to the Parks and Recreation Board on the progress of the SMTC Environmental Impact Statement (EIS) with a focus on the SMPP. The project team gave a presentation highlighting the freeway alternatives, the environmental study process, and the potential impacts on SMPP. A two-sided handout was distributed to the Board that included the freeway alternatives on one side and the Regional Freeway System 2003/2030 Traffic Volumes on the other. A comment form was also distributed with the intention of receiving additional suggestions to minimize harm to SMPP.

The following comments were offered by Board members:

Gila River Indian Community (GRIC) Land

- What is the status of the GRIC coordination?
  - Response: GRIC Coordination, at the time of the meeting, was ongoing.
- City of Phoenix should join ADOT/FHWA at the negotiating table and take more time to coordinate with GRIC.
  - Response: ADOT/FHWA have had continuous coordination with GRIC since the start of the study in 2000. Although GRIC continues to communicate no desire for the project on their land, ADOT will continue to communicate with GRIC.
- ADOT should slow down and allow this process and coordination to occur, noting that the GRIC process takes a longer time.
  - Response: See above. Also, the SMTC is an integral part of the Regional Freeway System (RFS) and an important link in optimizing the RFS's operation. Planned since 1985, the project remains critical. ADOT, in turn, has an obligation to be responsive to the traveling public.

- The Board unanimously passed a resolution that "strongly opposes any alignment that goes through SMPP." They also feel that the City of Phoenix and ADOT should work with GRIC "as long as it takes" to allow for alignments to be studied.
  - Response: See above responses
- There is new development in GRIC other than casinos.
  - Response: noted

Potential Freeway Alternative Through SMPP

- Board does not want to see the cuts in SMPP.
  - Response: noted
- The land at the western edge of the SMPP (nose) was purchased by ADOT/City of Phoenix as joint condemnation land to be used by the SMPP.
  - Response: noted
- The project team should work to improve the treatment of habitat and learn from the good and bad experiences of State Route 51. Cuts should blend in to the surroundings and not look like a scar.
  - Response: ADOT will prepare a proposed plan to mitigate Park impacts. The plan will include measures relevant to habitat and slope treatment.
- Options for mitigation include adding trailheads that could be accessed from the freeway interchanges, land trade-offs, and a tunnel.
  - Response: Trailhead and land tradeoffs are still under discussion as possible mitigation. At this time, for design and operational reasons, a tunnel is no longer under consideration.
- How many lanes is the freeway going to accommodate? How will the freeway work with respect to the power lines and water line that currently go through SMPP?
  - Response: Interim 3-lanes in each direction; Ultimate 4-lanes plus an HOV lane for a total of 5-lanes in each direction
- Has the Board/City approved land for the freeway through SMPP?
  - Response: We are unaware of ADOT purchasing land within the Park; however, land adjacent to the Park has been purchased by ADOT. Additionally, the 1988 City of Phoenix General Plan shows the proposed SMTC, designated as the "planned southwestern loop", going through the Park.

No comments or questions were offered by the public.

In conclusion, the Board unanimously passed a resolution that "strongly opposes any alignment that goes through SMPP." They also feel that the City of Phoenix and ADOT should continue to work with GRIC to allow alignments to be studied on GRIC land.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the SMPP are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or in relocated trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed Eastern Section Alternative of the SMTC would be located as far south as possible to avoid the creation of remnant parcels.
- Sound barriers would be constructed as part of the Eastern Section Alternative on the approach to SMPP near the Foothills Reserve residential development, and just past SMPP near the Dusty Lane residential

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area. Although these barriers are not specifically for SMPP, they would provide partial noise mitigation to the park/preserve

- Impacts on visual character would result from the Eastern Section Alternative and associated cuts into South Mountain. The proposed freeway would be the dominant feature in the area and would introduce forms, lines, colors, and textures distinctly different from the existing ridgelines. The visual impacts of the section of freeway adjacent to SMPP could be reduced by blending the color, line, and form of the freeway with the surrounding environment.
- Vegetation buffers could be used to screen views of the freeway.
- Any retention basins and their landscape treatments could be blended into the surrounding area.
- Larger saguaros, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.
- Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help 'naturalize' the surrounding area.
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.
- Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
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- When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Park Board does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments regarding the meeting summary should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by February 19, 2006 or sooner would be greatly appreciated**. Thank you in advance for your cooperation.

Sincerely,
Ralph Ellis

Environmental Planner
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map

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Arizona Department of Transportati
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

ADOT

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

January 19, 2006

Mr. Scott Nowicki
Chairman
Mountain Bike Association of America (Arizona)
PO Box 41255
Mesa, AZ 85274-1255

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Mr. Nowicki:

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for the proposed South Mountain Transportation Corridor (SMTC). As you know, the Eastern Section Alternative of the proposed SMTC would go through the southwestern portion of South Mountain Park/Preserve (SMPP) and would use approximately 32 acres of parkland, approximately 8.5 acres less than the original 1988 plan for the SMTC. Our consultant, HDR Engineering, Inc., spoke with Ms. Jean Anderson, a past president and active member of the Arizona State Horsemen's Association, and we understand that your organization is not in favor of the freeway going through the Park. A letter from Ms. Sara Goodnick, the President of the Association also sent a letter (11-18-05) further reinforcing that your organization is not in favor of freeway construction through SMPP.

Currently, in the Eastern Section of the Study Area, the E1 Alternative is the build alternative (see attached map). Should the E1 Alternative be selected, ADOT would like to know what specific measures could be undertaken to lessen the impacts of the freeway on members of your organization using the park's amenities.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
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- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Mountain Bike Association of Arizona does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by February 10, 2006 or sooner would be greatly appreciated**. Thank you in advance for your cooperation.

Sincerely,

Ralph Ellis
Environmental Planner
Environmental & Enhancement Group

cc Tommy Collins, Recreational Director of MBAA

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map

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ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Sam Elters
State Engineer

January 26, 2006

Ms. Leslie Spencer-Snider
President Arizona State Horsemen's Association
P.O. Box 4690
Cave Creek, AZ 85327

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 H5764 01L
Project No.: RAM-202-C-200

Dear Ms. Spencer-Snider

In coordination with the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT) is preparing an Environmental Impact Statement (EIS) to evaluate alternatives for the proposed South Mountain Freeway alignment. As you know, the Eastern Alternative of the proposed South Mountain Freeway would go through the southwestern portion of South Mountain Park/Preserve (SMPP) and would use approximately 32 acres of park land, approximately 8.5 acres less than the original 1988 plan for the South Mountain Freeway. Our consultant, HDR Engineering, Inc. spoke with Ms. Jean Anderson, a past president and active member of the Arizona State Horsemen's Association, and we understand that your organization is not in favor of the freeway going through the Park. A letter from Ms. Sara Goodnick, the President of the Association also sent a letter (11-18-05) further reinforcing that your organization is not in favor of freeway construction through the SMPP.

Currently, in the Eastern Section of the freeway, the E1 Alternative (Figure 1) is the build option. Should the E1 Alternative be selected, what specific measures can ADOT undertake to lessen the impacts of the freeway to members of your organization using the Park's amenities?

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
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- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Arizona State Horsemen's Association does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Please convey these comments and any others you wish to make to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. **A response received by February 26, 2005 or sooner would be greatly appreciated**. Thank you in advance for your cooperation.

Sincerely,Ralph Ellis

Ralph R. Ellis

Environmental Planner
Environmental & Enhancement Group

cc. Sara Goodnick, Past President ASHA
cc. Jean Anderson, Past President ASHA

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map

Arizona Governor's Award for Quality
2001 Award Recipient

ADOT

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

David P. Jankofsky
Deputy Director

March 1, 2006

The Honorable William R. Rhodes
Governor
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

Dear Governor Rhodes:

Thank you for the opportunity to present the Pinal County Corridor Definition studies at the Gila River Indian Community Council meeting on February 15, 2006. As I stated at the meeting, I would like to have more regular interaction with the Community Council to improve coordination and communication with ADOT. My recommendation is that I appear before the Community Council once every two months to provide a status update on the ADOT projects that effect the Community. Please let me know if this is acceptable and I will have my staff work with Janice Stewart, the Community Council Secretary, to make the arrangements.

As I mentioned at the Community Council meeting, we would like to establish an appropriate communication protocol to work with the Community. I have assigned Matt Burdick, our Community Relations Director, to serve as the designated point of contact within ADOT for all communications with the Gila River Indian Community.

Matt Burdick has direct access to myself, as well as our senior leadership team, to monitor and address issues that impact the Gila River Indian Community. I would ask the Community to direct communications through him to improve coordination between ADOT and the Community. I have enclosed several copies of his business card and I encourage the Community's staff to contact Mr. Burdick directly regarding ADOT related issues.

Former Governor Richard Narcia provided me with a copy of the Community Council Resolution GR-119-05. The Resolution enumerates the Community's desires for certain collaborative strategies and improvements to be considered as part of the Interstate 10 widening project.

Over the past few months, I have worked with senior members of my staff to review and discuss each item in GR-119-05. This has been an exhaustive and time-consuming analysis, but we recognize the importance of the Resolution and felt it was imperative that we fully assess each item. We have also met with the Federal Highway Administration and the Department of Public Safety to review and discuss points made in the Resolution.

Arizona Governor's Award for Quality
2001 Award Recipient

Governor William R. Rhodes
March 1, 2006
Page Two

I would like to meet with you and your designated representatives to initiate discussions to fulfill the intent of the Community Council to take "...all actions reasonably necessary ... to negotiate, agree to, arrange for and effectuate ..." the items as listed in GR-119-05. Given that the Federal Highway Administration has a direct interest in the outcome of the negotiations, I would suggest that our federal partners be an integral part of the discussions.

Please advise me regarding the appropriate venue for these discussions in order to move forward with our collective efforts to improve Interstate 10 as soon as possible.

With regard to SR 347, we are making progress on the traffic signal project on Casa Blanca Road and will be working with Ms. Sandra Shade to establish a project kick-off with the Community's staff. We are also working to process the permit for the traffic signal project on SR 347 at the Rinker Sand and Gravel Plant.

As you know, we will continue to refine the corridor information with respect to the Pinal County studies. Your Community's input is critical and we will work with you on these studies. At this point in time, we do not know exactly how right-of-way issues will be impacted on State Routes 87, 187, 387 and 587. However, as the studies progress that information will become available.

I also have contacted the Maricopa County Department of Transportation and the Maricopa County Sheriff's Office about trucks failing to comply with the "No Parking" signs along Hunt Highway and the need to check the condition of the signs and for increased enforcement to cite those drivers that disregard the signs.

Again, thank you for the opportunity to meet with you and the Council.

Sincerely,

Victor M. Mendez

cc: Jennifer Allison-Ray, Lieutenant, GRIC
Gila River Indian Community Council
Greg Mendoza, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Errol Blackwater, Director, GRIC Land Use Planning & Zoning
David Jankofsky, Deputy Director, ADOT
Sam Elters, State Engineer, ADOT
Shannon Wilhelmsen, Communication Director, ADOT

ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Floyd Roehrich Jr.
Acting State Engineer

August 13, 2008

Mr. Barnaby V. Lewis, Cultural Resource Specialist
Dr. J. Andrew Darling, Coordinator
Cultural Resource Management Program
Gila River Indian Community
P.O. Box 2140
Sacaton, Arizona 85247

RE: TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
CAT Meeting August 28, 2008

Dear Mr. Lewis and Dr. Darling:

The South Mountain Freeway Citizens Advisory Team (CAT) will be meeting on August 28, 2008. The topics to be presented and discussed at this CAT meeting include cultural resources and Section 4(f) of the U.S. Department of Transportation Act of 1966 (as amended). These subjects, as they relate to the proposed South Mountain Freeway, are ones that we recognize are of considerable sensitivity and importance to your office and your Community. Therefore, on behalf of the Arizona Department of Transportation South Mountain Corridor Team, I would like to invite you to attend this meeting, as guests or as presenters. If you are interested in presenting at the meeting, please let me know before 10:00 on Monday, August 18, so that I can get you added to the agenda.

The meeting is scheduled from 6:00 to 8:30 p.m. Dinner is provided, and will be available starting at 5:30. The meeting will be held at the South Mountain Community College Student Union, located at 7050 S. 24th Street in Phoenix. I am enclosing a map that shows the location of the Student Union on the campus.

The project team has prepared a draft technical report summary that presents an overview of cultural resources, both in general and within the project area. This report summary will be sent to the CAT members in advance of the meeting. I am enclosing a copy of the draft report summary to afford you an opportunity to review it and provide comments prior to its distribution to the CAT. If you have comments that you would like taken into consideration, please let me know by Tuesday, August 19.

If you have any questions, please feel free to contact me at 602-712-6266 or by e-mail at rgreenspan@azdot.gov.

Lewis and Darling
TRACS No. 202L MA 054 H5764 01L
August 13, 2008
Page 2 of 2

Sincerely,

Ruth L. Greenspan
Historic Preservation Specialist
Environmental Planning Group
1611 W. Jackson Street, MD EM02
Phoenix, Arizona 85007-3213

cc:
Doug Torres, Director, Department of Transportation, Gila River Indian Community
David White, Community Manager, Gila River Indian Community

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

CULTURAL RESOURCE MANAGEMENT PROGRAM

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(520) 562-6821
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August 18, 2008

Ruth L. Greenspan
Historic Preservation Specialist
Environmental Planning Group
1611 W. Jackson Street, MD EM02
Phoenix, Arizona 85007-3213

AZ Dept. of Transportation
Office of Environmental Services

AUG 28 2008

RE: TRACS No. 202L MA 054 H5764 01L
South Mountain Transportation Corridor
CAT Meeting August 28, 2008

Dear Dr. Greenspan:

Thank you for providing us the opportunity to review the draft technical report summary prepared for the Citizens Advisory Team (CAT) and for your invitation to Barnaby V. Lewis and me to participate in the upcoming CAT Meeting on August 28, 2008.

I am attaching my comments to the draft technical report summary, which in general looks good to me. Because of the short time available, if Mr. Lewis has any additional comments he will contact you by phone. My main concerns are that the report singles out Native American groups as the only groups that would be affected by impacts to cultural resources. This may draw unnecessary attention to Tribes as the only group concerned about cultural resources, particularly since not all cultural resources are tribal. It is true that Tribes are the primary constituency, particularly in regard to TCPs; however from a public standpoint all other groups invested in the cultural and natural landscape should be acknowledged. Also I think it should be emphasized that mitigation as an action, recognizes the adverse effects of freeway construction, however, mitigation is not preservation but salvage. ADOT is making attempts to avoid (preserve) and mitigate (minimize effects or salvage) sites and landscapes in connection with freeway construction and design. The general public may assume that site avoidance is primarily a financial concern to ADOT, not preservation. However, I think it is reasonable to mention that ADOT (in conjunction with the GRIC CRMP and the City of Phoenix) is considering possible measures for avoiding sites or minimizing impacts to sites particularly on South Mountain as part of long-term planning.

Finally, you will see in my comments in the report text that while this is a technical report summary, I note that this is an opportunity for ADOT to assert its commitment to coordinated transportation planning and heritage preservation, recognizing that freeways

like the South Mountain Transportation Corridor are of a different order of construction with far reaching cultural impacts as compared to smaller connector routes or surface streets.

In regard to the CAT meeting, Mr. Lewis and I will consider attending on August 28th pending availability in our schedules, but we will not prepare a formal presentation or ask to be placed on the agenda. We appreciate your invitation and look forward to a future opportunity to speak to the CAT.

If you have any questions please call me at (520) 562-6824 or (480) 784-7221 [cell].

Sincerely,

J. Andrew Darling
Coordinator

cc:
Jennifer Allison-Ray, Lt. Governor, Gila River Indian Community
Doug Torres, Director, Department of Transportation, Gila River Indian Community
David White, Community Manager, Gila River Indian Community
Alia Maisonette, Director, Public Information Office, Gila River Indian Community

AZ Dept. of Transportation
Office of Environmental Services

AUG 22 2008

South Mountain Transportation Corridor Study
Citizens Advisory Team
Technical Report Summary

ADOT South Mountain corridor team

Draft Cultural Resources

What are Cultural Resources?

Cultural resources are the prehistoric and historic sites, structures, places, landscapes, and objects that are important to a culture or community for historic, scientific, traditional, religious, or other reasons. They are a non-renewable resource that links us with our past and defines our heritage and social identity at the local, state, and national levels. Examples of cultural resources identified in the South Mountain Transportation Corridor include prehistoric archaeological sites, historic houses and farms, railroads, and irrigation canals.

Cultural resources also include traditional cultural properties (TCP). TCPs are places considered important for their association with cultural practices or beliefs of a living community that are rooted in that community's history, and are important in maintaining the continuing cultural identity of the community. Often, TCPs are places on the landscape that are important culturally, but may not be distinguished by physical manifestations resulting from human activity. For example, TCPs could include a location associated with the traditional beliefs of a Native American group about its origins or its cultural history, or a location where Native American communities have historically gone, and are known to go today, to perform traditional cultural practices.

Why study cultural resources in the Environmental Impact Statement (EIS)?

Cultural resources hold an intrinsic value in that they provide us with a direct link to the past, and help people define and understand their own heritage, as well as the heritage of others. Cultural resources can afford opportunities to study and learn how and why our cultures and societies have developed over time. Both the federal government and the State of Arizona acknowledge the importance of Arizona's cultural heritage to its citizens and recognize that physical links to our past should be preserved for future generations. Where preservation is not possible, the mitigation of effects to these resources is warranted.

The South Mountain Transportation Corridor study is a federal undertaking requiring regulatory compliance with the National Historic Preservation Act (NHPA). Section 106 of the NHPA requires federal agencies to take into account the effects of their activities and programs on cultural resources eligible for the National Register of Historic Places (NRHP). Regulations for Protection of Historic Properties, which primarily implement Section 106, were most recently amended in 2004 (36 CFR 800). These regulations define a process for responsible federal agencies to consult with the State or Tribal

Historic Preservation Officers (S/THPO), Native American groups, other interested parties, and, when necessary, the Advisory Council on Historic Preservation in Washington D.C. to ensure cultural resources are duly considered as federal projects are planned and implemented.

To be determined eligible for the NRHP, properties must be important in American history, architecture, archaeology, engineering, or culture. They also must possess integrity of location, design, settings, materials, workmanship, feeling, and association, and must meet at least one of the following four criteria:

a. Are Associated with events that have made a significant contribution to the broad patterns of our history;
b. Are associated with the lives of persons significant in our past;
c. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction;
d. Have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).

Properties may be of local, state, or national importance. Typically, historic properties are at least 50 years old, but younger properties may be considered for listing if they are of exceptional importance.

What kind of impacts would occur from construction?

Direct impacts on cultural resources from construction could result in their partial or total destruction. Cultural resources such as archaeological sites and historic buildings are non-renewable resources that once destroyed are lost forever. By law, adverse impacts on cultural resources that are determined eligible to the NRHP must be mitigated.

Direct impacts from construction on cultural resources deemed of religious or traditional cultural importance by Native American groups or others could result in desecration of a sacred place. A potential indirect impact might be the loss of access by Native American groups to culturally important places as a result of construction restrictions.

How do the alternative alignments differ in construction-related impacts?

All action alternatives would impact prehistoric and historic cultural resources as shown in the tables. All but one of the prehistoric sites are considered eligible to the NRHP and would require mitigation if affected by construction. Although the E1 Alternative has the highest numbers of prehistoric sites, they are typically small sites representing a limited set of activities, such as rock art and resource collecting areas. In contrast, while the Western Section Alternatives would affect fewer sites, they include the remains of large prehistoric villages with extensive archaeological deposits, some measuring over 0.5 mile in diameter. Similarly, all the alternatives would affect historic sites. Most of the historic sites are not eligible for the NRHP. All the alternatives would cross the

Archaeological Resources Affected, Action Alternatives

Action Alternatives	Number of Sites Affected	Site Type	NRHP Eligibility Criterion	Mitigation Required
Western Section				
W55	6	1 village site; 5 habitation sites	D	Yes
W71	4	2 village sites; 2 habitation sites		
W101 Western Option	3	2 village sites; 1 habitation site		
W101 Central Option	2	2 village sites		
W101 Eastern Option	2	2 village sites		
Eastern Section				
E1	8	1 artifact scatter (limited activity site); 2 lithic quarries; 1 petroglyph site; 4 trail sites	D	Yes

NRHP-Eligible Historic Properties (non-TCP) Affected, Action Alternatives

Action Alternatives	Site Affected	NRHP Eligibility Criterion	
Western Section			
W55	Roosevelt Canal	Criterion A Associated with events that have made a significant contribution to the broad patterns of our history	Yes
	Historic Southern Pacific Railroad		No
W71	Roosevelt Canal		Yes
	Historic Southern Pacific Railroad		No
W101 Western Option	Historic Southern Pacific Railroad		No
W101 Central Option			
W101 Eastern Option			
Eastern Section			
E1	No historic structures present		

historic South Pacific Railroad which is NRHP-eligible. Similarly, all the alternatives would intersect the Roosevelt Canal. The segments of the Roosevelt Canal that would be crossed by the W55 and W71 Alternatives represent the original construction of the canal, and do contribute to the canal's eligibility, whereas the segments that would intersect the W101 Alternatives do not contribute to the canal's eligibility because they are modern realignments.

What kind of freeway operational impacts (post-construction) could occur?

The continued operation of the freeway could interfere with traditional cultural practices of some Native American groups.

Effects to the surrounding cultural and natural landscapes will impact more than just Native American groups. It will impact anyone who values and engages with the historical and cultural landscapes in and around the project area.

How do the alternatives differ in operational-related impacts?

Once constructed, the Western Section action alternatives should not result in operational impacts on cultural resources. Operational impacts from the Eastern Section action alternative could affect traditional activities of Native American groups.

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I'm not sure I fully understand the term "operational-related impacts." If by operational impacts you mean any or all post-construction impacts, then I don't think you can say that the freeway won't contribute indirectly to further loss of cultural resources due to the development it will stimulate in the Western Section or along its length. Look at the growth along the eastern portion of the 202 that has already been constructed. The fact is that cultural resources will be adversely affected by freeway construction directly and indirectly both in the construction corridor and outside due to its far-reaching impacts of a facility of this magnitude. Coordinated planning for heritage preservation is a necessary part of this undertaking, which includes the construction corridor and the surrounding communities.

What if the project were not constructed?

Due to the urban growth of the Phoenix metropolitan area as it is currently planned, it is likely that cultural resources in areas zoned for development, such as in agricultural fields, would eventually be disturbed. Furthermore, if these lands are developed by the private sector, there is no federal protection afforded in the form of mitigation, although some local governments have ordinances that offer some protection to cultural resources. Cultural resources in protected areas, such as the South Mountain Park/Preserve, would be preserved.

I understand your point but this statement may be misleading to the Public. Freeway construction will adversely affect cultural resources. If the project is not constructed then the undertaking would not affect cultural resources. I don't think it is reasonable or accurate to state that it is better for cultural resources to build a freeway than a residential subdivision. Because one is federal (with protections) and the other is not.

Perhaps this can be rephrased to state that while freeway construction will have negative impacts to cultural resources, choosing freeway construction will not eliminate the continued loss of cultural properties due to urban development. Unlike certain private sector developers, the FHWA / ADOT is committed by law to minimizing cultural resource impacts through the development of coordinated transportation infrastructure that improves the quality of life while sustaining core cultural and historical values of local communities and constituencies.

Even though this is a technical report, wouldn't it be useful to emphasize that transportation is about people and for FHWA / ADOT to renew its commitment as a public agency to support communities and culture? Just a thought.

Are there any specific and/or unique impacts from the build alternatives?

Archaeological sites and places considered culturally important by Native American groups would be affected by any of the build alternatives. The Gila River Indian Community and the Salt River Pima-Maricopa Indian Community have both passed Tribal Resolutions designating the South Mountains as a TCP. FHWA and ADOT recognize the South Mountains as a TCP, and Section 106 consultations regarding the South Mountains TCP are on-going.

Further, the South Mountain Park/Preserve is NRHP-eligible as an historic property for its National Park Service master plan design that set historical precedent in planning natural parks and its associations with Civilian Conservation Corps New Deal programs in Phoenix during the Depression era.

Are there things that could be done to reduce or avoid impacts?

Much has already been undertaken to avoid direct impacts on cultural resource sites throughout the Study Area. For example, adjustments to the W55, W71, and W101 alternatives have been made to avoid such resources. However, it appears that not all cultural sites could be avoided by the action alternatives. There are a range of activities ADOT could undertake to reduce impacts during construction and operation of the freeway. Below are some measures ADOT could undertake. Measures will be presented in the Draft EIS and finalized during the final design process after the EIS process is completed.

The degree of impact on cultural resources could be reduced by minimizing the construction footprint to the greatest extent possible. Impacts on historic buildings could be reduced through relocation of the structures. Impacts on cultural resources in the construction footprint that could not be relocated could be reduced through mitigation, such as archaeological excavations and architectural/engineering documentation prior to construction.

If cultural resources cannot be avoided, what is the process for mitigating the adverse impacts?

Specific mitigation strategies will vary depending on the type cultural resource being treated. For prehistoric sites, work plans and research designs are developed that describe research questions, methods, and excavation strategy that will be used for site excavation. In addition, a burial agreement with Arizona State Museum and concerned Native American tribes is developed that outlines the procedures for proper and respectful removal, treatment, and reburial of any human remains and associated funerary objects that might be encountered.

The mitigation field work is typically performed in two phases. The first phase involves conducting test excavations of a sample of a site to assess the type, condition, and distribution of features present below the ground surface, and in turn, to determine if there is a need for a more extensive program of data recovery excavations. This is typically accomplished in the Phoenix area by excavating a series of backhoe trenches sometimes coupled with some limited excavation units dug by hand (see Photo 1). If warranted, a second phase involves data recovery excavations where large excavation units are opened up over targeted features (see Photo 2). Sediments overlaying features are sometimes stripped away mechanically. The features are then excavated by hand in horizontal levels.

Mitigation strategies for historic cultural resources can be varied. For historic artifact deposits, such as an historic trash dump, where the cultural material is below ground, a phased mitigation strategy is used similar to that of prehistoric sites. Mitigation for buildings typically involves a combination of architectural assessments, historical research, and archival quality photographic documentation. Mitigation for historic structures, such as canals and bridges, involve a similar approach, usually with the preparation of an Historic American Engineering Record (HAER) which follows the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation.



Photo 1: Phase I archaeological testing.
Photo courtesy of Archaeological Consulting Services Ltd.

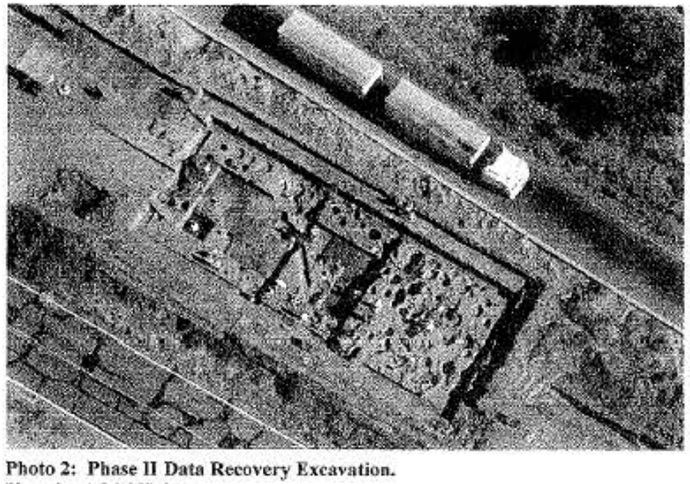

Photo 2: Phase II Data Recovery Excavation.
Photo by Adriel Heisey

Are the conclusions presented in this summary final?

The conclusions in this summary are not final. Consultation with Native American communities and the State Historic Preservation Office regarding the evaluation of TCPs within the project area is ongoing. In addition, many of the agricultural fields in the alternative footprints have been in production with crops such alfalfa, and have therefore prevented the inspection of the ground surface for cultural resources. Future cultural resources surveys of these parcels could result in the identification of additional sites.

In situations such as this, where the effects of a project to cultural resources cannot be fully determined prior to the approval of the undertaking, a Programmatic Agreement (PA) is prepared that specifies the steps and procedures that will be taken to address the effects as they become known. A PA for the South Mountain Freeway project has been developed and executed. To date, this document has been signed by the Federal Highway Administration, the Arizona State Historic Preservation Office, the Arizona Department of Transportation, the Salt River Project, the Maricopa Department of Transportation, the Flood Control District of Maricopa County, the City of Phoenix, the Arizona State Museum, the Fort McDowell Yavapai Nation, the Tonto Apache Tribe, and the Yavapai-Apache Nation.

As a member of the Citizens Advisory Team, how can you review the entire technical report?

The cultural resources technical reports are confidential due to the cultural importance and sensitivity of their content. In accordance with state and federal law, these reports are not available for public review.

Arizona Department of Transportation
Office of the Director
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janice K. Brewer
Governor

John S. Halikowski
Director

John A. Bogert
Chief of Operations

John McGee
Executive Director for Planning & Policy

November 9, 2009

Representative John McComish
House of Representatives
Arizona State Legislature
1700 W. Washington Street, Room 217
Phoenix, AZ 85007

Re: Proposed South Mountain Freeway

Dear Representative McComish,

On behalf of the Arizona Department of Transportation (ADOT), I would like to provide you with a brief overview of the ongoing study for the proposed Loop 202 South Mountain Freeway:

Study Process

As part of the proposed South Mountain Freeway Study, ADOT is following the federal process, as defined in the National Environmental Policy Act (NEPA), by completing an Environmental Impact Statement (EIS) on behalf of the Federal Highway Administration (FHWA). The Draft EIS will present information about the study's purpose and need; alternatives developed and studied in detail; potential impacts to the social, economic and natural environment, including measures to avoid, reduce or otherwise mitigate impacts; Section 4(f) evaluation[1]; and public and agency outreach.

ADOT is currently revising the Administrative Draft EIS; to include analysis of the Maricopa Association of Government's (MAG) proposed changes to the *Regional Transportation Plan*. These changes include reducing the overall "footprint" of the freeway to eight lanes (three general-purpose lanes and one High Occupancy Vehicle [HOV] lane in each direction) and evaluating a proposed modification to the I-10 connection in the West Valley at 59th Avenue.

Upon completion of the Administrative Draft EIS, the document will be reviewed by FHWA and other governmental agencies. ADOT's timeline for release of the Draft EIS and the associated public hearing is largely based on this review process. At this time, ADOT anticipates publication of the Draft EIS and the public hearing will occur in summer 2010, with an associated 90-day public comment period (twice the federal requirement). The Final EIS will be available for public review during a 60-day comment period. After considering any comments received on the Final EIS, FHWA will issue a Record of Decision (ROD). The ROD will identify the selected alternative for the proposed action. If a build alternative is selected, MAG will allocate funding.

While potential impacts associated with the proposed freeway, such as The Foothills' well, are disclosed in the Draft and Final EIS, mitigation measures presented would become formal ADOT commitments (if a build alternative is selected) when published as part of the ROD.

1 Section 4(f) of the U.S. Department of Transportation Act protects the use of public recreational land, historic resources and traditional cultural properties (TCPs). This includes an evaluation of Section 4(f) resources, a determination of impacts and an evaluation of measures available to minimize impacts, when warranted.

THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
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October 31, 2001

Mary Viparina, P.E.
Project Manager
HDR Engineering
2141E. Highland Ave., Suite 250
Phoenix, AZ 85016

Re: Scoping for South Mountain Corridor Location/Design Concept Report and Environmental Impact Statement

Dear Ms. Viparina,

Thank you for inviting us to the Agency Scoping and Field Review Workshop held on October 30 and 31. We are providing our initial comments herein.

Arizona Revised Statutes Title 17 gives the Arizona Game and Fish Department the authority for wildlife management in Arizona, except on Indian Reservations. We also have authorities under the federal Fish and Wildlife Coordination Act 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. This Act comes into play in this project due to the necessity of the highway to cross washes and the Salt River. Although the Endangered Species Act mandates certain considerations for federally protected species which are also managed by the state, the Fish and Wildlife Coordination Act mandates that consideration be given to all other fish and wildlife species.

The following information on special status species that may be present in the project vicinity is from our Heritage Information System Database. Please consider these species, as well as all state wildlife in planning your project. Keep in mind that this information is based on past occurrence records in the general vicinity of the proposed project. Some of these species may not be affected by the proposed project. However, other special status species not listed here may be present. To better assess whether your project would impact special status wildlife or other species, more current and thorough surveys at the proper time of year need to be conducted in the project area.

Special Status Species in the area of Proposed I-10 Loop

NAME	COMMON NAME	ESA	USFS	BLM	WSCA	NPL
ATHENE CUNICULARIA HYPUGAEA	WESTERN BURROWING OWL	SC		S		
COCCYZUS AMERICANUS	YELLOW-BILLED CUCKOO	C	S		WC	
DENDROCYGNA AUTUMNALIS	BLACK-BELLIED WHISTLING-DUCK				WC	
IXOBRYCHUS EXILIS HESPERIS	WESTERN LEAST BITTERN	SC			WC	
RALLUS LONGIROSTRIS YUMANENSIS	YUMA CLAPPER RAIL	LE			WC	

No Critical Habitats within Project Area

Arizona Game and Fish Department, Heritage Data Management System, November 6, 2001.

The most significant wildlife and habitat resources that exist within the study area are in the riparian and wetland zones along the Salt River. As the Salt flows west the amount of water in the river, and thus the amount of wetland and riparian habitat, increases. The Salt River on the western end of the study area supports some highly developed riparian habitat that is habitat for many species of fish and wildlife. The broadleaf riparian and mesquite bosque communities along the Salt River support a diverse community of migratory songbirds. The Yuma clapper rail is a federally listed Endangered species that occurs in the emergent vegetation habitats along the Salt River. Other high priority species in the area include the yellow-billed cuckoo (federal candidate species), the black-crowned night heron, and the osprey. Xeririparian habitats (desert washes) also have high value to many species of wildlife not only due to the vegetation, but as movement corridors. Burrowing owls may be present in open upland areas along proposed highway alignments. If these areas are to be disturbed, the Department recommends that the owls be captured and relocated by experienced personnel. The following is a summary of the issues of concern to the Department:

Riparian and other Habitat: The Department would support an alternative that minimizes impacts to the riparian habitats along the Salt River. Crossing locations over the Salt River on the eastern end of the project study area would minimize disturbance to these key riparian areas. The Department would prefer an alignment that utilizes previously disturbed areas, existing highway corridors or farmland. The Department wishes that the NEPA analysis quantifies and compares the relative impact of the alternatives under consideration to riparian habitats. This would be best presented with a matrix showing the relative quantity and quality of habitat that would be disturbed by the alternatives under consideration.

Habitat Loss Replacement: The Department wishes to ensure that all habitat losses are replaced per the Department policy I2.3 (enclosed). Through the 404 permitting process the Corps of Engineers usually requires replacement of habitat within the waters of the United States. Our compensation policy, as well as that of the U.S. Fish and Wildlife Service, seek replacement of upland habitat as well. The Department would prefer that

habitat losses be replaced either through improvement of existing habitat through fencing or other projects, or by acquisition and preservation of lands that are destined for development.

Wildlife Movement Corridors: The proposed project has the potential to cut off wildlife's access to water and interrupt wildlife movement corridors. The Department would like to meet with the project planners to identify key movement areas and ensure that drainage crossing are adequately sized to accommodate wildlife movement where necessary. Further, we would like to identify areas where the highway may cut off access to water. In such situations if water is provided on both sides of the road, this would eliminate wildlife crossings and vehicle/wildlife collisions.

Wildlife Fencing Specifications: The Department's wildlife fencing specification are enclosed. These specifications are designed to prevent livestock from crossing the fence, while ensuring that deer and other wildlife can cross without becoming entangled in the fence.

Access: The Department wishes that access to roads onto public lands and State trust lands be maintained for hunters, wildlife enthusiasts, off-highway vehicle users and other users of these lands. If access is cut off, it is likely that historical users will cut fences to access these roads, and this will result in livestock getting on the highway creating severe safety hazards. We would like to meet with the project planners to specifically identify key access points to maintain and develop safe and sensible designs to provide access from the new highway or other points.

Non-interruption of Flows: The Department wishes to ensure that highway construction does not cut off or divert flows that currently support native wash vegetation downstream.

Thank you for the opportunity to provide input into the planning of this highway. Please contact me at (480)981-9400 X 222 to set a time to discuss in more detail issues we have identified. We are looking forward to working with you and the agencies involved in the development of this highway.

Sincerely,

Russell A. Haughey

Russell A. Haughey
Habitat Program Manager, Region VI

RH:rh

cc: Rod Lucas, Region VI Supervisor
Bob Broscheid, Habitat Branch
Josh Hurst, Wildlife Manager

I2.1 Races, Rallies, Enduros *Effective: 01-01-91*

Department Policy: The Game and Fish Department will closely scrutinize and assist in regulation and control, where possible, of those activities involving all-terrain motor powered vehicles that may affect wildlife or create conflicts among competing users of the land resource.

Procedures: While recognizing a segment of the population accrues enjoyment from involvement in road/trail races, rallies, enduros, and similar events, organized or otherwise, the Department's primary concern is protection of wildlife resources and habitat.

Department employees are requested to be alert to such activities and inform management.

Where these activities involve public lands, the Department requests that the agency or group involved limit such activities primarily to washes and established roads and that the use of trails be minimal and confined to trails where no habitat damage will result. Further, the Department requests that it be notified of the planned activities and offered an opportunity to review the route, comment and advise on any effects that the activity may have on wildlife and its habitat with reference to the Wildlife and Wildlife Habitat Compensation Policy and Procedure, and recommend alternate routes if considered necessary.

I2.2 National Environmental Act Compliance *Effective: 01-01-91*

Department Policy: The Arizona Game and Fish Department will comply with the National Environmental Policy Act of 1969. This requires that every proposed Federal Aid (Pittman-Robertson and Dingell-Johnson) project be examined objectively to determine the effects it will have on the environment in accordance with NEPA in Federal Aid NEPA Guidelines. Further, the Department will comply with the objectives of NEPA on any other project or program that may have an effect on the environment. (Contact the Habitat Branch for procedures and guidelines for NEPA compliance.)

I2.3 Wildlife and Wildlife Habitat Compensation *Effective: 06-04-94*

Department Policy: It shall be the policy of the Department to develop adequate compensation plans for actual or potential habitat losses resulting from land and water projects in accordance with State and Federal laws. Habitat compensation plans will seek compensation at a 100% level, where feasible, and will be developed using habitat resource category designations. See Commission Policy A2.16.

Authority: The Director of the Arizona Game and Fish Department is authorized under A.R.S. Title 17-211, Subsection D, to perform the necessary administrative tasks required to manage the wildlife resources of the State of Arizona. Pursuant to those duties and in accordance with federal environmental laws and resource management acts, such as the National Environmental Policy Act, Fish and Wildlife Coordination Act, and Endangered Species Act, the Director is further charged with cooperating in the determination of potential impacts to Arizona's wildlife resources resulting from federally funded land and water projects. In addition, a Commission M.O.U. assigns similar responsibilities for evaluating proposed projects on lands administered by the State Land Department. An integral part of this process is the development of adequate compensation measures aimed at eliminating or reducing project-associated impacts.

Procedure: Criteria used to identify general compensation goals are as follows:

A. **Resource Category I.**
   1. **Designation Criteria.** Habitat in this category are of the highest value to Arizona wildlife species, and are unique and/or irreplaceable on a statewide or ecoregion basis.
   2. **Compensation Goal.** No loss of existing in-kind habitat value.
   3. **Guideline.** The Department will recommend that all potential losses of existing habitat values be prevented. Insignificant changes that would not result in adverse impacts to habitat values may be acceptable provided they will have no significant cumulative impact.
   4. **Habitat Types.** Habitat types associated with Resource Category I shall include, but not limited to the following examples:
      a. Perennial Stream Habitats.
      b. Westlands and Riparian habitats of at least one acre in size which are associated with perennial waters. Biotic communities included in this classification follow descriptions provided in Brown (1982) and Henderson and Minckley (1984).
      c. Key utilization areas for species listed or proposed for listing under the Endangered Species Act of 1973 as Threatened or Endangered and Endangered State Threatened Native Wildlife species.

B. **Resource Category II.**
   1. **Designation Criteria.** Habitats in this category are of high value for Arizona wildlife species and are relatively scarce or becoming scarce on a statewide or ecoregion basis.
   2. **Compensation Goal.** No net loss of existing habitat value, while minimizing loss of in-kind value.
   3. **Guideline.** The Department will recommend that all potential losses of Resource Category II habitat values be avoided or minimized. If significant losses are likely to occur, the Department will recommend alternatives to immediately rectify, reduce, or eliminate these losses over time.
   4. **Habitat Types.** Habitat types associated with Resource Category II shall include, but not limited to, the following examples:
      a. Key utilization areas for antelope and bighorn sheep.
      b. Key utilization areas for Threatened and Candidate State Threatened Native Wildlife species, candidate species for federal listing as Threatened or Endangered (Categories I and 2).
      c. Actual or potential reintroduction sites for species that are listed as Extirpated or Endangered on the State Threatened Native Wildlife list.
      d. Blue ribbon fishing areas (i.e., Lee's Ferry and Becker Lake).
      e. Isolated mountain ranges providing Subalpine-coniferous forest habitats (i.e., Pinaleno Mountains).
      f. State and federally operated game preserves, refuges or wildlife areas.
      g. Montane meadows.

C. **Resource Category III.**
   1. **Designation Criteria.** Habitats in this category are of high to medium value for Arizona wildlife species, and are relatively abundant on a statewide basis.
   2. **Mitigation Goal.** No net loss of habitat value.
   3. **Guidelines.** The Department will recommend ways to minimize or avoid habitat losses. Anticipated losses will be compensated by replacement of habitat values in-kind, or by substitution of high value habitat types, or by increased management of replacement habitats, so that no net loss occurs.
   4. **Habitat Types Involved.** Habitats in this category are of a natural, undisturbed condition or they involve bodies of water of economic importance and shall include, but not be limited to, the following examples:
      a. Chihuahua, Great Basin, Mohave, and Sonoran Desert habitat types.
      b. Desert-grasslands and Chaparral zones.
      c. Oak and coniferous woodlands and coniferous forests.
      d. Reservoir habitats.

D. **Resource Category IV.**
   1. **Designation Criteria.** Habitats in this category are of medium to low value for Arizona wildlife species, due to proximity to urban developments or low productivity associated with these lands.
   2. **Mitigation Goal.** Minimize loss of habitat value.
   3. **Guideline.** The Department will recommend ways to avoid or minimize habitat losses. Should losses be unavoidable, the Department may make a recommendation for compensation, based on the significance of the loss.
   4. **Habitat Types Involved.** Habitat types associated with Resource Category IV shall include, but not be limited to, the following examples:
      a. Agricultural Lands.
      b. Undeveloped urban areas (i.e., land proximal to waste water treatment facilities, municipal mountain preserves, and undeveloped lands in proximity to municipal and industrial areas).
      c. Habitats exhibiting low wildlife productivity as a result of man's influence.

I2.4 Land Protection Evaluation Process *Effective: 11-01-93*

Stage List:

A. **Proposal Submittal.** Conservation Supervisor (Habitat Branch) receives all lands protection proposals on an open and continuous basis, whether they are generated internally or externally.

Responsibilities: Date stamp proposals on receipt; retain original proposals in files; send letters to proponents acknowledging receipt; and distribute proposals and relevant information from the lands files (e.g. previous protection proposals for the same general area) to the Proposal Screening Committee.

Time: 5 days from receipt for acknowledgement to proponent.

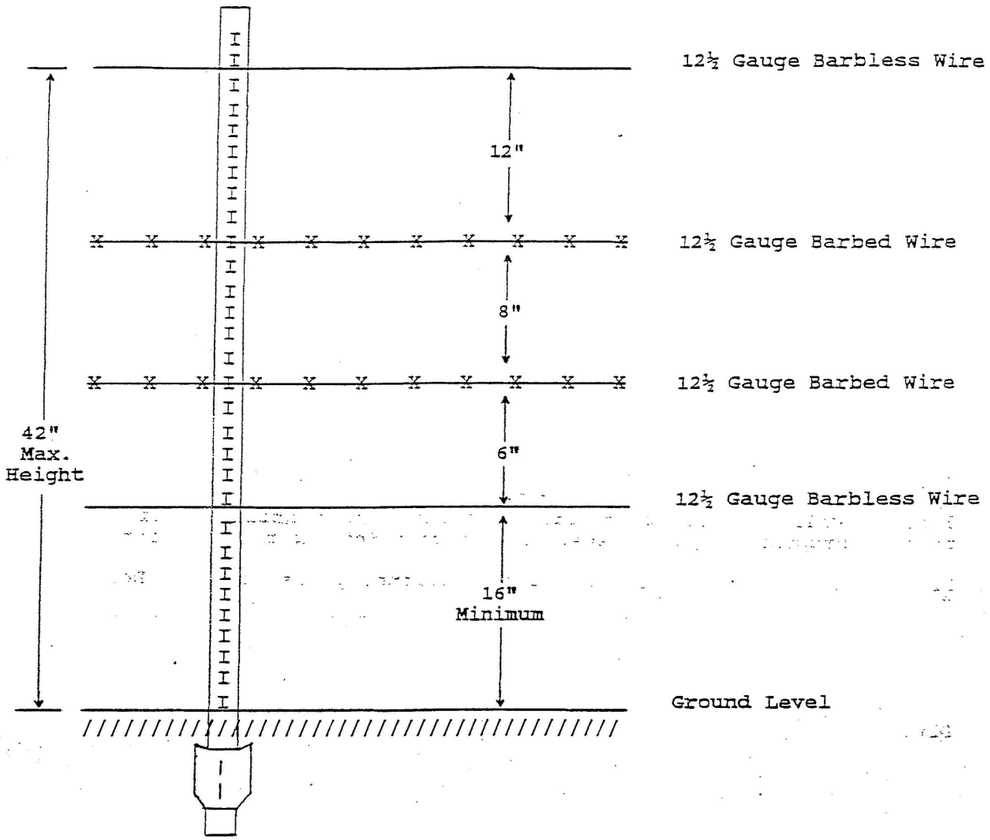
B. **Proposal Screening Committee.** Conservation Supervisor, chair; Development Branch Chief, Nongame Branch Chief, and Field Operations Coordinator.

Responsibilities: Screen proposals on a monthly basis to determine adequacy and appropriateness; return inadequate proposals to proponents for remedy; Conservation Supervisor prepares State 3 briefing and routes adequate proposal(s) to Assistant Director, Wildlife Management Division (WMD).

Time: Director's Office briefing presentation occurs the Tuesday immediately following the monthly meeting; return to proponent (RTP) or forwarding to Assistant Director, WMD, to occur within 5 days of monthly meeting.

C. **Director's Office Briefing Presentation.** Conservation Supervisor presents summary of which proposals were returned to proponents (and why they were returned) and which were routed for biological review.

ARIZONA GAME AND FISH DEPARTMENT
STANDARD GAME FENCE SPECIFICATIONS



Additional Specifications:

- 20 - 25 feet between T-posts.
- At least 3 equally spaced stays between each post.
- Modifications to this design may be requested for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn.

Revised 11/93
Habitat Branch
DLW:RAC:rr

ARIZONA GAME AND FISH DEPARTMENT
STANDARD GAME FENCE SPECIFICATIONS

The following are fence specifications on cattle allotments intended to facilitate safe movements by wildlife.

Standard AGFD Recommended Fence Specifications.

Wire	Type	Position
1st	smooth	16" above ground
2nd	barbed	6" above bottom wire
3rd	barbed	8" above second wire
4th	smooth	12" above third wire

Total Fence Height - 42"

Additional Specifications: 20-25 feet between T-posts, with at least three equally spaced stays in between each post.

Most Important Specifications:
- total fence height
- height of bottom wire
- space between 3rd and 4th wire
- fence stays and spacing between posts
- smooth bottom wire

Negotiable Points:
- smooth top wire
- space between 2nd and 3rd wire
- space between 1st and 2nd wire
- total height up to 44"

Fence Specifications in Bighorn Sheep Range

Wire	Type	Position
1st	smooth	20" above ground
2nd	barbed	15" above bottom wire
3rd	smooth or barbed	4" above second wire

Total Fence Height - 39"

Burro Exclusion Fence Specifications in Bighorn Sheep Range

Wire	Type	Position
1st	rail	20" above ground
2nd	rail	16" above bottom rail
3rd	barbed	8" above second rail
4th	barbed	4" above third wire

- OR -

1st	rail	20" above ground
2nd	rail	16" above bottom rail
3rd	rail	6" above second rail

Total Fence Height - 42 - 48"

Fence Specifications for Pronghorn Habitat

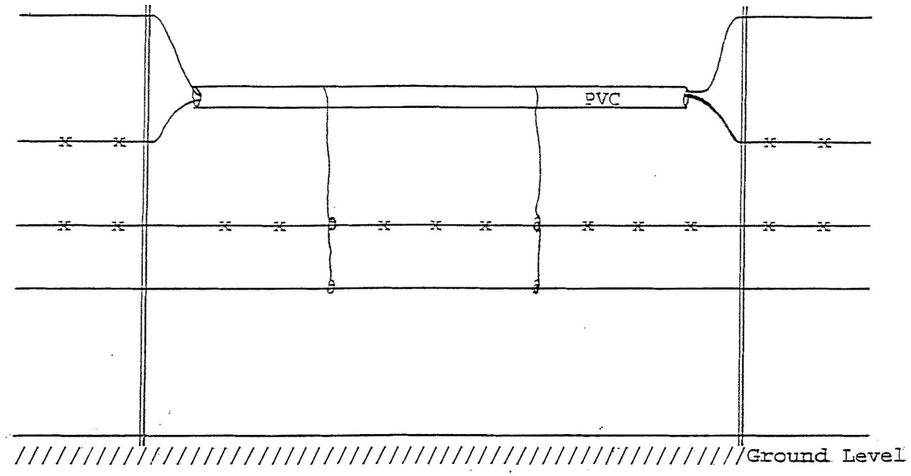
Wire	Type	Position
1st	smooth	16" above ground
2nd	barbed	14" above bottom wire
3rd	barbed	12" above second wire

Total Fence Height - 42"

Additional Specification: Sixteen to thirty feet between posts; no fence stays between posts that are less than 20 feet apart, only one stay between posts greater than 20 feet apart.

Note: The AGFD standard recommended fence is an adequate alternative. However, stays should be omitted, or reduced in number if deer are generally absent from the area.

ARIZONA GAME AND FISH DEPARTMENT
PVC FENCE CROSSING FOR ELK
April 11, 1994



Materials: 10' Length 1¼" or 1½" PVC
Boundary Fence
Wire Cutters
Leather Gloves

Instructions:

1. Remove fence stays between two primary fence posts.
2. Cut the top two wires approximately 18-24 inches from one of the primary posts.
3. Run both wires through the PVC. Then re-stretch and re-tie both wires.
4. Use smooth wire to form wire stays that hold down the PVC to the bottom two wires.

Notes: Time to install ≈ 10-15 minutes.
Cost ≈ $2.50-$5.00 for PVC.

Revised 4/11/94
Habitat Branch
BV:no

THE STATE OF ARIZONA
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DEPUTY DIRECTOR
STEVE K. FERRELL

January 18, 2002

Ms. Fiona Goodson
HDR
2141 E. Highland Ave.
Suite 250
Phoenix, AZ 85016-4736

Re: Special Status Species Information for **Township 2 North, Range 1 East, Sections 33-36; Township 2 North, Range 2 East Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East Sections 3-10, 15-22, 27-34; Township 1 South, Range 1 East Sections 1, 12; Township 1 South, Range 2 East Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East Sections 31-33, ADOT South Mountain Corridor Study.**

Dear Ms. Goodson:

The Arizona Game and Fish Department (Department) has reviewed your request, dated January 10, 2002, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project area. In addition, this project does not occur in the vicinity of any proposed or designated Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation.

The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

If you have any questions regarding the attached species list, please contact me at (602) 789-3618. General status information and county distribution lists for special status species are also available on our web site at: http://www.azgfd.com/frames/fishwild/hdms_site/Home.htm.

Sincerely,

Sabra S. Schwartz
Heritage Data Management System, Coordinator

SSS:ss

Attachment

cc: Bob Broscheid, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD #1-11-02(03)

STATUS DEFINITIONS

ARIZONA GAME AND FISH DEPARTMENT (AGFD)
HERITAGE DATA MANAGEMENT SYSTEM (HDMS)

FEDERAL US STATUS

ESA **Endangered Species Act** (1973 as amended)
US Department of Interior, Fish and Wildlife Service (http://arizonaes.fws.gov)

Listed
- **LE** Listed Endangered: imminent jeopardy of extinction.
- **LT** Listed Threatened: imminent jeopardy of becoming Endangered.
- **XN** Experimental Nonessential population.

Proposed for Listing
- **PE** Proposed Endangered.
- **PT** Proposed Threatened.

Candidate (Notice of Review: 1999)
- **C** Candidate. Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.
- **SC** Species of Concern. The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).

Critical Habitat (check with state or regional USFWS office for location details)
- **Y** Yes: Critical Habitat has been designated.
- **P** Proposed: Critical Habitat has been proposed.

[\N No Status: certain populations of this taxon do not have designated status (check with state or regional USFWS office for details about which populations have designated status)**]**.

USFS **US Forest Service** (1999 Animals, 1999 Plants: corrected 2000)
US Department of Agriculture, Forest Service, Region 3 (http://www.fs.fed.us/r3/)

- **S** Sensitive: those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.

BLM **US Bureau of Land Management** (2000 Animals, 2000 Plants)
US Department of Interior, Bureau of Land Management, Arizona State Office (http://azwww.az.blm.gov)

- **S** Sensitive: those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
- **P** Population: only those populations of Banded Gila monster (*Heloderma suspectum cinctum*) that occur north and west of the Colorado River, are considered sensitive by the Arizona State Office.

STATE STATUS

NPL **Arizona Native Plant Law** (1999)
Arizona Department of Agriculture (http://agriculture.state.az.us/PSD/nativeplants.htm)

- **HS** Highly Safeguarded: no collection allowed.
- **SR** Salvage Restricted: collection only with permit.
- **ER** Export Restricted: transport out of State prohibited.
- **SA** Salvage Assessed: permits required to remove live trees.
- **HR** Harvest Restricted: permits required to remove plant by-products.

WSCA **Wildlife of Special Concern in Arizona** (1996 in prep)
Arizona Game and Fish Department (http://www.azgfd.com)

- **WC** Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department's listing of Wildlife of Special Concern in Arizona (WSCA, in prep). Species indicated on printouts as WC are currently the same as those in **Threatened Native Wildlife in Arizona** (1988).

Revised 10/3/01, AGFD HDMS
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Revised 10/3/01, AGFD HDMS
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Special Status Species within .5 Miles of T2N,R1E Sec 33-36; T2N,R2E Sec 31-34; T1N,R1E Sec 1-36; T1N,R2E Sec 3-10, 15-22, 27-34; T1S,R1E Sec 1, 12; T1S,R2E Sec 17, 18, 20, 27, 28, 34, 35; T1S,R3E Sec 31-36; T1S,R4E Sec 31-33

Arizona Game and Fish Department, Heritage Data Management System
January 18, 2002

Scientific Name	Common Name	ESA	USFS	BLM	WSCA	NPL
ATHENE CUNICULARIA HYPUGAEA	WESTERN BURROWING OWL	SC		S		
COCCYZUS AMERICANUS	YELLOW-BILLED CUCKOO	C	S		WC	
DENDROCYGNA AUTUMNALIS	BLACK-BELLIED WHISTLING-DUCK				WC	
GOPHERUS AGASSIZII (SONORAN POPULATION)	SONORAN DESERT TORTOISE	SC			WC	

No Critical Habitats in project area. AGFD #01-11-02(03), ADOT South Mountain Corridor Study.

THE STATE OF ARIZONA
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May 6, 2002

Ms. Sirena Brownlee
HDR
Park One
2141 E. Highland Ave.
Suite 250
Phoenix, AZ 85016-4736

Re: Special Status Species Shapefiles for South Mountain Area

Dear Ms. Brownlee:

Enclosed is the information requested in your April 19, 2002, email for species shapefiles for the South Mountain area (shapefile provided by HDR Engineering). The data is provided in ArcView shapefiles in NAD 27, Zone 12 projection. It is my understanding that the information is to be used to identify areas of high biodiversity for project components.

Per your request, enclosed is a diskette with a shapefile for species tracked by the Heritage Data Management System (HDMS). The HDMS focuses its efforts on special status or otherwise rare species. The data set are not intended to include potential locations, but are actual point observation or collections. The locations are one-mile radius polygons, but no names of the species are included. The areas are where special status species have been documented. The status information is included (i.e. listed endangered, BLM sensitive), but no other identifier is included, such as name or taxonomic group.

These data are still considered to contain sensitive information that if used inappropriately could worsen the situation of already sensitive species. For this reason, please consider these data as property of the Arizona Game and Fish Department (Department), and as such, are confidential. Consequently, the Department is providing the requested data with confirmation of your understanding and acceptance of the following conditions:

- HDMS data provided by the Department will be used solely for the purpose of analyzing areas of high biodiversity, **and no other project**, and will be used solely by your office to conduct analysis.

- HDMS data provided by the Department will not be distributed to other organizations, to individuals, or the public, or put on the Internet.

AN EQUAL OPPORTUNITY REASONABLE ACCOMMODATIONS AGENCY

Ms. Sirena Brownlee
May 6, 2002
2

- No HDMS data provided by the Department will be retained after the completion of your analysis as hard or soft copy. HDMS data provided by the Department will be deleted from any and all computers used in this project and returned to the Department upon completion of the analysis.

- Site locality data will not be included in or as part of any product released to the public. The site data maps are to be used solely for internal planning efforts. Only correlation or statistics and interpretations will be made public. No maps or tables of point locations will be included in any product for external use. Any maps used for this project will be at such a scale as to cover a minimum of more than one square mile.

- All 3rd party requests for access to this data will be referred to the HDMS at the Department.

- The information being provided by the Department is for general planning purposes only, and is not to replace any future correspondence requesting special status species information for a specific project.

Previous conduct of applicants is considered in processing requests for information. Because general release of site-specific data will negatively impact sensitive species, the Department will only release this information if it can assure adequate protection to the species. If the above agreed upon terms are violated, it will be considered a breach of agreement and you will be denied site specific level information in the future.

Please feel free to contact me at (602) 789-3618 if you have any questions with the data being provided. A hard copy field definition list is also provided with the data. .

Sincerely,

Sabra S. Schwartz
HDMS Coordinator

SSS:ss

Enclosure

THE STATE OF ARIZONA
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DEPUTY DIRECTOR
STEVE K. FERRELL

October 12, 2004

Ms. Andrea Love
HDR Engineering, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, AZ 85018-2311

Re: South Mountain Transportation Corridor in Maricopa County, Draft Biological Technical Report, dated October 2003

Dear Ms. Love:

The Arizona Game and Fish Department (Department) has reviewed the Draft Biological Technical Report for the South Mountain Transportation Corridor (Report). The Department appreciates the opportunity to provide comments for the technical study and looks forward to reviewing the Draft Environmental Impact Statement (DEIS) when it becomes available. The following specific comments are provided for your consideration:

Affected Environment and Environmental Consequences

Wildlife Resources:
Page 3-6; The species list associated with the South Mountain Park/Preserve should include other nocturnal species such as owls and various species of bats.

Paragraph 3; the statement that the agricultural fields "have little value for native plants or wildlife", should be modified. Burrowing owls (state species of concern) are frequently located on the perimeter of agricultural fields utilizing fields for hunting and irrigation dikes for nesting. A brochure is enclosed for further information on burrowing owls.

Last sentence; this pertains to the sand and gravel pits along the Salt River riverbed and their potential use as wildlife habitats. The Report states, "....unlike natural ecosystems, the steep sides of the pits create less important zonal habitat that natural aquatic systems like rivers or lakes." If the gravel pits are non-active they could have their slopes modified to create shallow water habitats which would provide more suitable habitat to wildlife.

Last paragraph; this section only addresses those washes that have been or will be directly impacted by the project. A description of intact washes, including their functionality and ability to support wildlife should be included in the Report.

Environmental Consequences: Impacts Associated with All Action Alternatives:
Page 3-6 (last line on page); impacts are referenced as being largely restricted to a limited number of roadkills and disturbances caused by traffic noise (USDOT 2000). Roadkill and noise disturbances can result in major impacts to wildlife species. We recommend that any sections pertaining to road disturbances and how roads may be made more permeable for wildlife be expanded. Much research is being done nationwide (California, Florida, Colorado) regarding road design and their ability to support wildlife movement and the Department recommends that these studies be considered.

Wildlife movement corridors between the South Mountain Park area and the Sierra Estrella Mountains should be elevated in importance within the document. The establishment of wildlife crossings should be incorporated into the document in more detail and with a greater level of emphasis. This would allow for the potential dispersal of species between the two ranges despite the current level of degradation of the native habitats to prevent the establishment or further development of a "population sink" effect in habitats adjacent to the park. Potential locations and designs for movement corridors should be provided in the DEIS and should be included in the *Measures to Minimize Harm* section of the Report.

Measures to Minimize Harm:
Paragraph 2; the Report states that the Arizona Department of Transportation (ADOT) will landscape disturbed areas with native plants but does not indicate if there will be any monitoring to measure the success of the planting effort. Please indicate what steps will be taken to keep exotic species out of the revegetated areas and if there are any plans to replant if the revegetation is unsuccessful.

Paragraph 3; plans should be included on how the equipment wash water will be disposed of to avoid dispersing nonnative seeds to another location.

Paragraph 5; raised roadbeds (overpasses) allow for the maintenance of more natural vegetation, require less fill and have been demonstrated to have a higher rate of usage for more species than the standard drainage or box culvert crossing. This recommendation relates back to the above section regarding wildlife movement corridors.

Threatened and Endangered Species:
The Report should include a complete evaluation of all wildlife species, including special status species that are represented in the study area and within the 5-mile boundary. The DEIS should contain a thorough review, including potential impacts and mitigation of impacts for all species located within the 5-mile boundary. The Department utilizes boundaries that extend beyond the study area to account for wildlife movement. An evaluation should be made regarding potential impacts to each species considering their range, habitat use, breeding periods, etc.

All wildlife species identified are either diurnal or crepuscular in nature. Obligate nocturnal species should also be identified, such as bats, owls, etc.

For any species where you are indicating that there are no current records, "current" should be defined. In addition, the state acronym for Wildlife Species of Concern is WSC, rather than WC.

P. 3-13, paragraph 1; please indicate the WSC species that the Report refers to as being "documented in the vicinity of alternative T02 and options T02A and T02B.

Environmental Consequences: Impacts Associated with All Build Alternatives:
Page 3-13; states that, "Tres Rios is in the vicinity, less than 1 mile to the west, and it is likely that the birds would relocate to that area." An explanation of how Tres Rios can support the influx of displaced wildlife whether birds, or other species, should be provided.

Cumulative Impacts

The increase in non-native plants is identified, as well as the additional impacts associated with the species such as increases in non-native wildlife which are known to displace native species, e.g. European starling vs. Gila woodpecker. The document should provide potential alternatives for mitigating these foreseeable impacts to the environment. As non-native species become established in close proximity to relatively native habitat such as that in south Mountain Park, these native areas become increasingly stressed and therefore more susceptible to invasion by non-native species.

This section should also address the cumulative impacts that may occur to Tres Rios in relation to all project activities. This description should include the influx of wildlife as previously discussed and the impacts of noise and disturbance to wildlife at Tres Rios.

The Department appreciates the opportunity to provide comments for this project and we would be interested in working with your team to address the comments provided herein as part of your range of alternatives and your preferred alternative. The Department is committed to partnering with agencies and managers to maintain wildlife permeability across the state of Arizona as habitat fragmentation is a serious issue that can cause species decline when important habitat components such as breeding sites or food sources can no longer be accessed. Populations can decline in the long term from lack of genetic variability that can eventually lead to species being federally listed as endangered or threatened.

Ms. Andrea Love
October 12, 2004
4

The Department looks forward to coordinating with your planning team as needed, when identifying the locations of alternative wildlife crossings. Please coordinate with Rebecca Davidson, Project Evaluation Program Supervisor at (602) 789-3602, if you have any questions regarding these comments.

Sincerely,

for

Bob Broscheid
Habitat Branch Chief

BB:ea

Enclosure

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD# 03-30-04 (01)

AGFD# 03-30-04 (01)

THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
(602) 942-3000 • AZGFD.COM

GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
CHAIRMAN, SUSAN E. CHILTON, ARIVACA
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JOE MELTON, YUMA
MICHAEL M. GOLIGHTLY, FLAGSTAFF
WILLIAM H. MCLEAN, GOLD CANYON
DIRECTOR
DUANE L. SHROUFE
DEPUTY DIRECTOR
STEVE K. FERRELL

October 25, 2004

Ms. Andrea Love
HDR Engineering, Inc.
3200 E. Camelback Rd.
Suite 350
Phoenix, AZ 85018

Re: Special Status Species Information for **Township 2 North, Range 1 East, Section 33-36; Township 2 North, Range 2 East, Section 31-34; Township 1 North, Range 1 East, Section 1-36; Township 1 North, Range 2 East, Section 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Section 1 and 12; Township 1 South, Range 2 East, Section 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Section 31-36; Township 1 South, Range 4 East, Section 31-33: Proposed Freeway Connection.**

Dear Ms. Love:

The Arizona Game and Fish Department (Department) has reviewed your request, dated October 6, 2004, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project vicinity (2-mile buffer). In addition this project does not occur in the vicinity of any Designated or Proposed Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation. The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

Ms. Andrea Love
October 25, 2004
2

If you have any questions regarding this letter, please contact me at (602) 789-3619. General status information, county and watershed distribution lists and abstracts for some special status species are also available on our web site at http://www.azgfd.com/hdms.

Sincerely,

Ginger Ritter

Ginger L. Ritter
Heritage Data Management System, Data Specialist

SSS:glr

Attachment

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD #10-21-04 (01)

Special Status Species within 2 Miles of T2N, R1E Sec. 33-36; T2N, R2E Sec. 31-34; T1N, R1E Sec. 1-36; T1N, R2E Sec. 3-10, 15-22, & 27-34; T1S, R1E Sec. 1 & 12; T1S, R2E Sec. 17, 18, 20, 27, 28, 34, & 35; T1S, R3E, Sec. 31-36; T1S, R4E Sec. 31-33

NAME	COMMON NAME	ESA	BLM	USFS	STATE
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S		
Coccyzus americanus occidentalis	Western Yellow-billed Cuckoo	C		S	WSC
Dendrocygna autumnalis	Black-bellied Whistling-duck				WSC
Gopherus agassizii (Sonoran Population)	Sonoran Desert Tortoise	SC			WSC
Ixobrychus exilis	Least Bittern				WSC
Lasiurus blossevillii	Western Red Bat				WSC
Rallus longirostris yumanensis	Yuma Clapper Rail	LE			WSC

No Critical Habitats in project area. AGFD # 10-21-04(01). Proposed Freeway Connection.

Arizona Game and Fish Department, Heritage Data Management System, October 25, 2004.

STATUS DEFINITIONS

ARIZONA GAME AND FISH DEPARTMENT (AGFD)
HERITAGE DATA MANAGEMENT SYSTEM (HDMS)

FEDERAL US STATUS

ESA **Endangered Species Act** (1973 as amended)
US Department of Interior, Fish and Wildlife Service (http://arizonaes.fws.gov)

Listed

- **LE** Listed Endangered: imminent jeopardy of extinction.
- **LT** Listed Threatened: imminent jeopardy of becoming Endangered.
- **XN** Experimental Nonessential population.

Proposed for Listing

- **PE** Proposed Endangered.
- **PT** Proposed Threatened.

Candidate (Notice of Review: 1999)

- **C** Candidate. Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.
- **SC** Species of Concern. The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).

Critical Habitat (check with state or regional USFWS office for location details)

- **Y** Yes: Critical Habitat has been designated.
- **P** Proposed: Critical Habitat has been proposed.

[**\N** No Status: certain populations of this taxon do not have designated status (check with state or regional USFWS office for details about which populations have designated status)**]**.

USFS **US Forest Service** (1999 Animals, 1999 Plants: corrected 2000)
US Department of Agriculture, Forest Service, Region 3 (http://www.fs.fed.us/r3/)

- **S** Sensitive: those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.

BLM **US Bureau of Land Management** (2000 Animals, 2000 Plants)
US Department of Interior, Bureau of Land Management, Arizona State Office (http://azwww.az.blm.gov)

- **S** Sensitive: those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
- **P** Population: only those populations of Banded Gila monster (*Heloderma suspectum cinctum*) that occur north and west of the Colorado River, are considered sensitive by the Arizona State Office.

STATE STATUS

STATE:

Plants - NPL **Arizona Native Plant Law** (1999)
Arizona Department of Agriculture (http://agriculture.state.az.us/PSD/nativeplants.htm)

- **HS** Highly Safeguarded: no collection allowed.
- **SR** Salvage Restricted: collection only with permit.
- **ER** Export Restricted: transport out of State prohibited.
- **SA** Salvage Assessed: permits required to remove live trees.
- **HR** Harvest Restricted: permits required to remove plant by-products.

Wildlife - WSCA **Wildlife of Special Concern in Arizona** (in prep)
Arizona Game and Fish Department (http://www.azgfd.com)

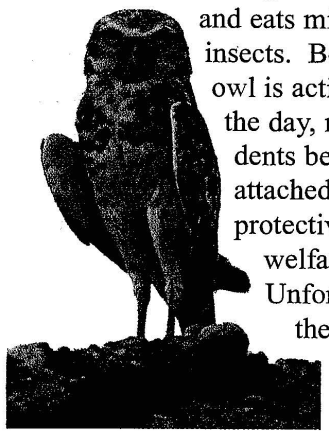
- **WSC** Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department's listing of Wildlife of Special Concern in Arizona (WSCA, in prep). Species indicated on printouts as WSC are currently the same as those in **Threatened Native Wildlife in Arizona** (1988).

Revised 8/24/04, AGFD HDMS
J:\HDMS\DOCUMENT\NBOOKS\TEMPLATE\EORDEFS\STATDEF

Revised 8/24/04, AGFD HDMS
J:\HDMS\DOCUMENT\NBOOKS\TEMPLATE\EORDEFS\STATDEF

The Burrowing Owl Project

The Burrowing Owl is a beneficial raptor that lives in underground burrows and eats mice and insects. Because the owl is active during the day, nearby residents become very attached to them and protective of their welfare.



Unfortunately, in the past, heavy equipment has been used to prepare a site while the owls were still living there, in many cases killing the adult owls and burying baby owls in the nest. No one would deliberately chop down a tree with an eagle on a nest, yet that is what is happening to the Burrowing Owl. Because this bird lives underground, it is not immediately apparent that there are protected birds in danger. Moving the birds out of the way is very inexpensive compared to a project delay. A licensed specialist, such as Wild At Heart in Cave Creek, Arizona, can remove the owls and relocate them to an area that won't be developed.

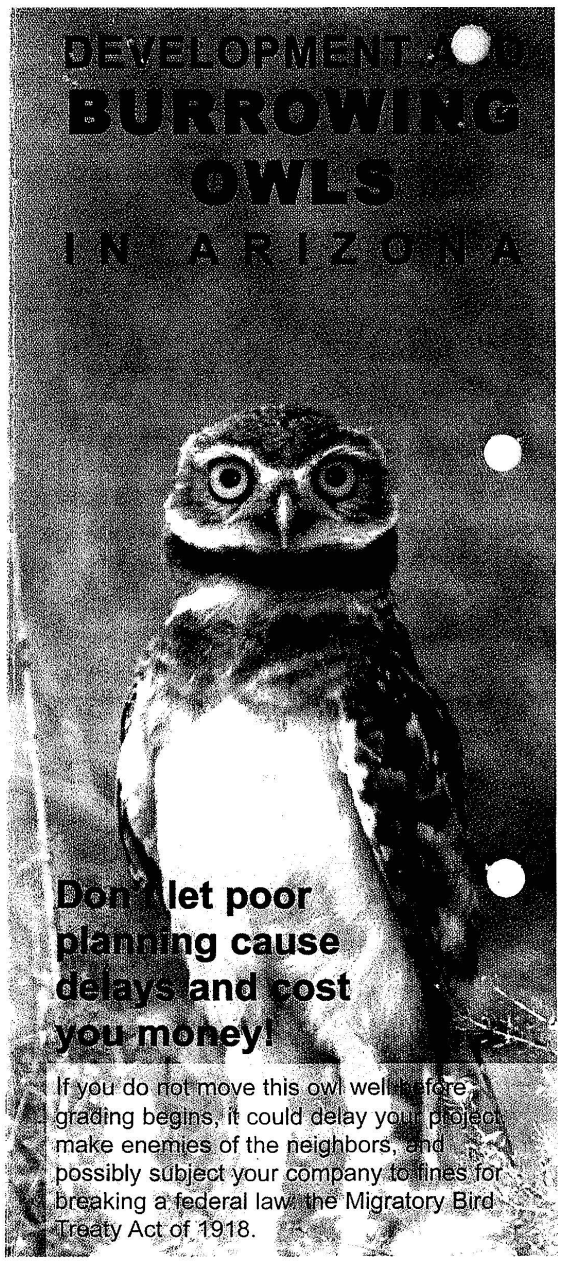
For More Information

- To report the location of a Burrowing Owl burrow that lies in the path of development, or to request help in removing an owl, contact:
  Bob Fox
  Wild At Heart
  31840 North 45th Street
  Cave Creek, Arizona 85331
  (480) 595-5047

- To request help in finding or evaluating a site for artificial burrows, contact:
  Greg Clark
  Burrowing Owl Project
  650 South 79th Street
  Chandler, Arizona 85226
  (480) 961-4047

- Visit the Burrowing Owl Project web site at http://mirror-pole.com for details about owl removal, relocation and burrow installation locations.

- For more information about Arizona Partners in Flight contact:
  Jennifer Martin
  Arizona Partners in Flight
  Arizona Game and Fish Dept.
  2221 W. Greenway Road
  Phoenix, Arizona 85023-4399
  (602) 789-3576
  jmartin@gf.state.az.us



Where Are the Owls Found?

It is possible to find Burrowing Owls anywhere in Arizona where the land is flat and open. The most likely locations are near agricultural fields where the burrows are found in dirt canal banks



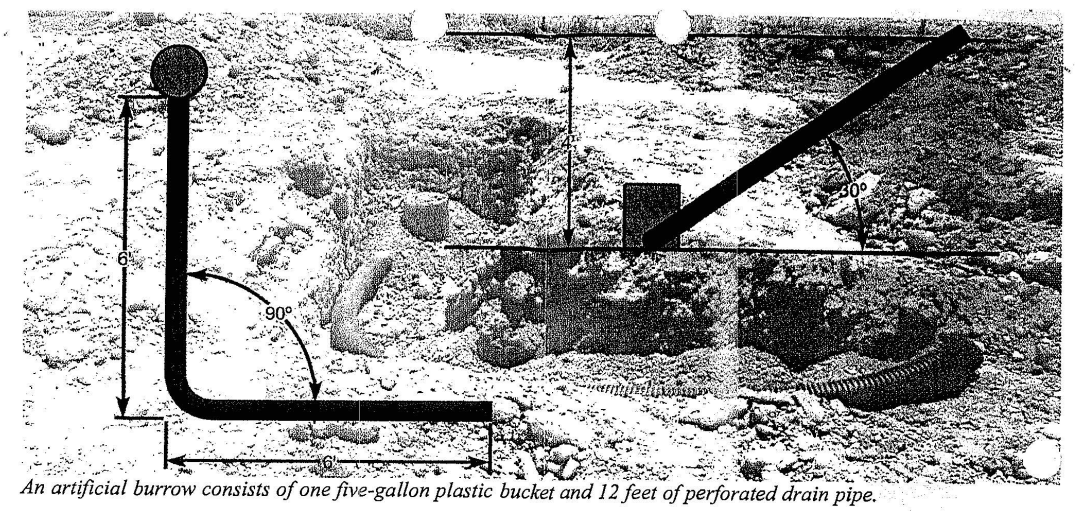
and culvert pipes. Burrowing Owls are also found in undisturbed desert and grassland areas where the vegetation is sparse and there are very few big trees.

What is Relocation?

Burrowing Owls can be safely captured by an expert and held for later release. Typically, the site for the release is designated within or near the development, and artificial burrows are installed in advance of capture.



The cost of materials for a burrow is only $10, and digging the hole for installation is quick and easy with a backhoe.



An artificial burrow consists of one five-gallon plastic bucket and 12 feet of perforated drain pipe.

Be Part of the Solution

Burrowing Owls are a valuable addition to a development. Wholly beneficial, they catch insects, such as scorpions, and rodents that most people would rather not have around. In addition, the owls can be an important educational resource for schools and children.

The builder provided a backhoe and operator to excavate the hole for an artificial burrow.





ASU students digging a hole for an artificial burrow.

Partners in Flight

Partners in Flight
is an international cooperative program of agencies, organizations, and individuals committed to conserving our neotropical migratory and native land birds.
Arizona Partners in Flight
(APIF) is a subgroup of this international program. Its goal is to maintain healthy populations of Arizona's birds and their habitats.

This brochure was created as part of the Partners in Flight Conservation Initiative. Through improved habitat management and environmental awareness, Partners in Flight strives to reverse the declining numbers of many North American bird species and to work toward keeping common birds common.

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES
ENCOUNTERED ON DEVELOPMENT PROJECTS
Arizona Game and Fish Department
Revised January 17, 1997

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

Desert tortoises of the Sonoran population are those occurring south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position at all times and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 105 degrees Fahrenheit unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to two miles, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 105 degrees Fahrenheit, the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. *Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises.* Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mohave population of desert tortoises (north and west of the Colorado River). Mohave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.

- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.

- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

RAC:NLO:rc

-----Original Message-----
From: Alicia Jontz [mailto:AJontz@gf.state.az.us]
Sent: Friday, March 31, 2006 11:19 AM
To: Moroge, Michael E.
Cc: Russ Haughey; Pat Crouch; Ray Schweinsburg; Kelly Wolff
Subject: South Mountain Parkway

Michael,

On February 17, 2006, Arizona Game and Fish Department biologists met with Phoenix Parks and Recreation Department at South Mountain to evaluate the proposed route for the continuation of Loop 202, the alternative routes and the proposed wildlife crossings. The Department is strongly committed to maintaining connectivity between wildlife habitats within Arizona. Connectivity should be maintained between South Mountain Park and the Estrella Mountains if possible. In the review of the proposed freeway construction and site visit several challenges to maintaining connectivity between the mountain ranges were noted.

In order for any wildlife crossings to be successful, it is essential that undeveloped wildlife corridors be established and maintained between South Mountain Park and the Estrella Mountains. The majority of the land falling between the two mountain ranges belongs to the Gila River Indian Community. This land is currently sparsely developed; however, while on site, we observed areas that appear to be prepared for development. GRIC would need to be involved in this process and agree to establish corridors across their land. Since reservations are essentially a sovereign nation and many tribes face economic challenges, it may be extremely difficult to develop a relationship with the GRIC at this late juncture and have them set aside lands that they may otherwise develop to the benefit of their economy and tribal members. Surface streets, such as 51st Avenue, may also prove to be barriers to successful wildlife movement as traffic increases. If wildlife corridors are established it may be necessary to place crossings on surface streets lying between the two mountain ranges.

While reviewing the proposed freeway design, we noted that at final buildout, the new freeway is scheduled to be a solid roadway including both lanes of travel and HOV lanes, without a break in the median. A freeway of this size would require lengthy wildlife underpasses or tunnels. Research has shown that many species will not use these large crossings, due to reduced visibility inside the crossing and the inability to see the other side of the crossing. A preferred alternative would be to separate the two lanes of travel, at crossings, allowing for a break in the median and natural light to penetrate the wildlife crossing. The wildlife crossings would then be built at two shorter crossings, which wildlife will more readily use. If this is not possible, the use of artificial lighting inside the crossing may be sufficient.

Currently, the new freeway is proposed to be a ground level freeway with several small wildlife crossings such as box culverts and a few larger crossings. Coyotes, javelina, bobcats, foxes desert tortoises, snakes, gila monsters, chuckwalls are known to occur within South Mountain Park. Both historically and recently, there have been several credible, but unconfirmed sightings of Mountain Lions within South Mountain Park. Mule deer have not be documented in South Mountain Park for some time and are believed to be extirpated from the area; however, it is possible they still occur in small numbers. The smaller box culvert type crossings will work for many of the smaller wildlife species; however, larger crossings such a raised bridge, provide a more effective crossing for all wildlife species. Natural stream beds or washes may be appropriate places to locate the bridges. With either type of crossing it is essential that the bottom of the crossing be a natural substrate, not the bottom of a concrete box or metal tube, and that fencing is used to encourage use of the crossing.

In the plans for the proposed wildlife crossings, a multiple use crossing was outlined that would allow for both wildlife crossing and human recreation such as hiking and horseback riding. We would strongly discourage this type of design for a wildlife crossing. While some human traffic is unavoidable, managing for high use human recreation would discourage wildlife from using the area, making the crossing ineffective for wildlife movements.

Several routes are proposed to connect the 202 to I-10 in the west valley. In order to maintain the quality and integrity of our riparian systems, the 75th Avenue alternative would be preferable to the 91st Avenue alternative.

The Department appreciates the effort and consideration put into this project by ADOT and other participating parties. Wildlife crossings on roadways in Arizona are relatively new and previously concessions were not made for wildlife. In this instance all involved parties may need to consider that due to expanding development in the Phoenix metropolitan area and the lack of long term sustainable corridors between South Mountain and the Estrella Mountains across GRIC land, this project may not be the highest priority for wildlife crossings in the state. While some wildlife crossings may be appropriate, large expenditures of state funds may not be appropriate in this case. Any wildlife that migrates from the Estrella Mountains into South Mountain park will find themselves landlocked by development and may end up in the urban area causing conflicts with human populations. If all barriers to movement can be overcome, a comprehensive study of species occurrence and density within South Mountain Park would be useful to determine the types of crossings that should be build, species use of crossings once built, and long term population dynamics pre and post freeway construction.

Alicia Jontz
Wildlife Manager Central Phoenix
623-556-1158

STATE OF ARIZONA
Office of Homeland Security
1700 W. Washington Street Phoenix, AZ 85007
(602) 542-7030 Facsimile: (602) 364-1521

JANET NAPOLITANO
GOVERNOR

FRANK F. NAVARRETE
DIRECTOR

June 15, 2006

Victor M. Mendez
Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135 A
Phoenix, Arizona 85007

Dear Director Mendez:

The intent of this letter is to document the Arizona Office of Homeland Security's position concerning the proximity of the South Mountain Freeway to the tank farm at 55th Avenue and Van Buren Street.

The security of the tank farm will not be compromised by the alignment and design of the freeway as long as the changes outlined by City Manager Fred Fairbanks in a June 2, 2006 letter are made.

These changes include:

- Shift freeway alignment as far west as possible, while remaining in the vicinity of the 55th Avenue corridor;
- Minimize the take of land from the tank farm site;
- Build a screen wall or barrier that will block the line of sight from trucks on the freeway mainline and northbound off-ramp into the tank farm. The ramp barrier should be designed to prevent a heavy vehicle form penetrating into the tank farm; and
- Collaborate with representatives from the Arizona Counter-Terrorism Information Center in developing appropriate protection solutions for the tank farm in relation to potential effects from the freeway right-of-way.

Sincerely,

Frank F. Navarrete, Director
Office of Homeland Security

GILA RIVER INDIAN COMMUNITY

SACATON, AZ. 85247

ADMINISTRATIVE OFFICES
P.O. Box 97—(602) 562-3311

December 2, 1986

Mr. Charles Miller
Director, Arizona Department of Transportation
206 South 17th Avenue
Phoenix, Arizona 85007

Dear Mr. Miller,

As the design stage of the Southwest and Southeast Loops nears, it is important to restate the Tribe's concern that adequate north-south access will serve Gila River Indian Community lands. Although it is still the Tribe's position that a Queen Creek alignment would better serve all parties than the Pecos Road alignment recommended by the Maricopa Association of Governments, we have been actively and beneficially involved in route reconnaisance stage activities with ADOT's consultant teams, HDR, Inc. and Dames and Moore, and with ADOT liaison person Steve Miller. Through them, we have indicated that we will require access at the following points:

A full T.I. at 59th Avenue;
A grade separation at 51st Avenue;
A T.I. at 35th Avenue;
A T.I. at 19th Avenue;
A T.I at 7th Street;
A T.I. at 32nd Street;
A T.I. at 40th Street;
A grade separation at 48th Street;
A grade separation at 56th Street;
A grade separation at Kyrene Road;
A T.I. at McClintock Road.

These locations were developed in conjunction with the City of Phoenix Department of Transportation to assure compatibility with South Mountain developments while serving Tribal needs in a meeting held June 17, 1985, and have been discussed with City of Chandler staff on a number of occasions.

In addition to the above access points, the Tribe must maintain full access to Reservation lands at the freeway-to-freeway interchanges at I-10 and at Price Road. We believe that the complexity of the interchange at I-10 as presented in the concept stages has negative impacts on access to Pima-Chandler Industrial Park, one of the Tribe's most important economic resources. Similarly, the interchange at Price Road, as presented in concept, did not provide direct access to the south to Tribal lands. These concerns have been stated to both consultants and ADOT representatives.

Because of the proposed freeway location approximately one-quarter mile north of the Reservation boundary, there is a gap between the freeway and Reservation lands that must be acquired as right of way to provide access from the freeway to the Reservation boundary. It is of utmost concern to the Tribe that this access be guaranteed as part of the right of way reservation activities presently being undertaken by ADOT. Further, it is equally important that commitment to the type and location of access points be made at this time so that the Tribe can begin the necessary steps to plan and reserve right of way, drainage, and other facilities on the Reservation.

Before consultants and ADOT staff begin final design recommendations, it is imperative that the Tribe have a commitment from ADOT designating the type and location of access points, and a commitment that ADOT will acquire right of way and fund construction of roads from those access points across the gap between the Reservation lands and the freeway.

Please feel free to contact me if you have any questions.

Sincerely,

DONALD R. ANTONE, SR. - GOVERNOR
GILA RIVER INDIAN COMMUNITY

DRA/dh

cc: Mr. James Stevens, Director, Bureau of Indian Affairs, Phoenix Area Office
Mr. Vernon Palmer, Acting Superintendent, Pima Agency
Mr. Steven Martin, ADOT
Mr. Eric Keen, Dames and Moore
Mr. Bill Korf, HDR Infrastructure, Inc.

John Louis

GILA RIVER INDIAN COMMUNITY

SACATON, AZ. 85247

ADMINISTRATIVE OFFICES
P. O. Box 97
(602) 562-3311 or 963-4323

July 12, 1989

Mr. Larry Landry
Landry Associates
2 N. Central #1950
Phoenix, Arizona 85004

Dear Mr. Landry,

During our recent meeting discussing roads development plans on the reservation, you requested clarification of the Gila River Indian Community's north-south access points to the Southwest Loop freeway. We indicated that the tribe's master plan for the northern border area identifies 7th Street as critical and necessary to service existing and planned development. However, 7th Avenue is not needed for access to Community lands, as staff has made clear on a number of occasions during Technical Advisory Committee sessions with ADOT and its consultant, HDR, Inc.

I hope this clarifies the tribe's position on 7th Street, rather than 7th Avenue, being the requested point of access. If you have any further questions, please do not hesitate to contact me.

Sincerely,

THOMAS R. WHITE - Governor
GILA RIVER INDIAN COMMUNITY

cc: CAntone, Land Use Planning
DHallock, OP&E

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

ROSE MOFFORD
Governor
CHARLES L. MILLER
Director

THOMAS A. BRYANT, II
State Engineer

July 3, 1989

Dorothy Hallock
Comprehensive Planner
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

RE: South Mountain Freeway

Dear Dorothy:

Recent statements made by Gila River Indian Community (GRIC) staff at various meetings indicate that there is some confusion regarding location of the South Mountain Freeway and access afforded the GRIC to the freeway.

For your information, I have attached one of our handouts depicting the alignment, design features and approximate right-of-way for the South Mountain Freeway.

I should point out that sheet 5 of 11 fails to show the proposed Estrella Drive grade separation which is part of the design concept. Otherwise, these handouts are consistent with the Design Concept Report, Design Concept Report Plans Set, and Final Environmental Assessment transmitted to GRIC July 27, 1988.

If you have any questions or need further clarification, please do not hesitate to contact me.

Sincerely,

JOHN L. LOUIS
Assistant Urban Highway Engineer
Urban Highway Section

JLL:SAM:vlb

Attachment

cc: Ed Wueste, FHWA

Mary V

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

Executive Office of the
Governor and Lt. Governor
315 West Casa Blanca Road
Post Office Box 97

(520) 562-6000
Fax: (520) 562-6010

July 12, 1999

The Honorable Mayor Skip Rimsza
City of Phoenix
200 West Washington Street
Phoenix, AZ 85003

Dear Mayor Rimsza:

The Gila River Indian Community (the "Community") has received a draft copy of the **South Mountain Parkway Specific Plan** which was prepared by the City of Phoenix's Planning Department. Members of my staff have completed a preliminary review of this draft plan that proposes an alternative alignment through our Community.

While this proposed plan would obviously benefit the City of Phoenix's limited access to the west valley, the Community does not see any benefits to having this alignment on our lands. We do not desire to see the proposed state highway proceed through any portion of South Mountain due to cultural and religious significance. However, there are several disadvantages to Alternative "B".

- There is no guaranteed access which would be provided to the Community through the development of this proposed highway. We would require access.
- The alignment, as proposed, is not eligible for the $85 million in parkway funds unless the Maricopa Association of Governments (MAG) approves the new alignment. Which entity would pursue parkway funds and the change of alignment?
- ADOT would be required to complete environmental studies in this area according to regulations.
- ADOT's State Transportation Board would have to approve this alignment as a new state highway, and according to ADOT, this would be a limited access highway.
- The plan discusses proposed noise and visual mitigation elements which would only benefit the residents of the Ahwatukee Foothills area. There appears to be no positive aesthetic enhancements for the Community. Therefore, the Community would be subject to negative noise and visual impacts from the proposed highway. This is not acceptable.
- The proposed alignment creates the potential for incompatible development opportunities for the Community's landowners in the area. Therefore, the proposed highway alignment may not meet mutual objectives. Our future development in this area would be limited.

Since the toll road concept has been abandoned, the Community has not pursued further discussions as to any alternative alignment(s) on our land. However, ADOT has recently requested the Community's consideration on an alignment south of South Mountain. The Community's Gila Borderlands Plan conveyed a conceptual plan for an alternative alignment if the toll road concept had proved feasible and advantageous to our Community.

We remain very concerned that your office did not communicate its intent to circulate a plan of this nature, prior to distribution, given the key role the Community would have in the proposed project. If a project of this magnitude were to occur, it would be on a government to government relationship. However, a planner within the City of Phoenix's Planning Department distributed it to two staff members of mine who are not directly involved in transportation planning issues. In the future, I strongly suggest that documents of this nature be provided directly to my office with copies to Ms. Sandra Shade, Director of our Community's Department of Transportation via the Mayor's office.

In closing, our Community has roadways within our respective areas which we consider to be a priority. The dilemma currently confronted by the City of Phoenix is not a priority our Community desires to undertake at this time. Should the Community desire to entertain this matter further, we will contact your office.

Sincerely,

Mary V. Thomas 7-12-99

Mary V. Thomas
Governor

MVT:ss

cc: Cecil F. Antone, Lt. Governor, GRIC
Community Council, GRIC
I-10 & Pecos Landowners Association, GRIC
Districts 6 & 7 Communities, GRIC
Sandra Shade, Director, GRIC DOT
Mary Peters, Director, ADOT
Sal DiCiccio, Councilman, City of Phoenix

GILA RIVER INDIAN COMMUNITY

DISTRICT 7 SERVICE CENTER
RURAL ROUTE 4, BOX 186
LAVEEN, ARIZONA 85339

(520) 430-4780
FAX (520) 430-3224

Memorandum

To: Mr. John D. Godec
South Mountain Corridor Team Leader

Fr: Keith R. Fohrenkam, Chairperson
GRIC District Seven

Date: December 11, 2001

Re: South Mountain Freeway

Upon the District review of your presentation on the proposed routes for the South Mountain Freeway, it is the majority ruling of the District Seven Community members to write this letter in opposition of the Freeway coming through the District Seven Community.

If you should have any further questions, please call the telephone numbers listed above. Thank-you.

xc: file

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor

Richard P. Narcia
Lieutenant Governor

January 10, 2002

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, AZ 85007

Re: Reduced Corridor Study for the South Mountain EIS

Dear Mr. Mendez:

The Gila River Indian Community (the "Community") appreciates being included as a key stakeholder for the South Mountain Corridor EIS. As you know, this corridor has been the subject of several studies during the past fifteen years. Several of these studies considered freeway alignments on our Community's lands and these studies all concluded that freeway alignments more than a few miles south of Pecos Road are not feasible.

The Community is not interested in revisiting alignments South of the Ocotillo Road section line, as referenced with the accompanying map to the Right of Entry Permit No. RE-02-01 that was granted by our Community Council on September 5, 2001.

As recently as 1996, studies showed such alignments to be infeasible. In light of the above considerations, the Community Council has indicated that the study area on Community land be limited to the area North of the Ocotillo Road section line and North of the Gila River. We do not wish to preclude options, however, we do not believe there is value in studying alignments outside this area.

We looked forward to a continued working relationship with the South Mountain EIS project team.

Sincerely,

Donald R. Antone, Sr.
Governor

315 W. Casa Blanca Road • Post Office Box 97 • Sacaton, Arizona 85247 • Telephone: (520) 562-6000 • Fax: (520) 562-6010

cc: Richard P. Narcia, Lt. Governor
Sandra Shade, Director, GRIC DOT
Fred Ringlero, Director, GRIC LUP&Z
Bill Hayden, Special Assistant to Director, ADOT
Mary Viparini, Project Manager, ADOT
Steve Martin, Project Manager, HDR
Bill Vachon, Engineer, FHWA
Davis Pecusa, Superintendent, BIA Pima Agency

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor

Richard P. Narcia
Lieutenant Governor

April 25, 2002

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
234 N. Central Avenue, Suite 330
Phoenix, AZ 85004

Re: Development of Alternative Alignments for a South Mountain Transportation Corridor on Gila River Indian Community Lands

Dear Mr. Hollis:

As you are aware, staff from our Community have partnered with members of your staff, Arizona Department of Transportation, and the consultant team regarding the Environmental Impact Statement and Design Concept Report for the South Mountain Transportation Corridor Study. In addition, we have initiated a Gila Borderlands Task Force that is currently working on updating development plans along our northern boundary which is adjacent to the proposed transportation corridor.

Our Community Council adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Therefore, until such time that our Council revisits this resolution and modifies or rescinds it, the Community can not offer any alignments for inclusion into the above study.

The Gila Borderlands Task Force has had preliminary internal discussions regarding potential alignments which may be advantageous to the Community and allotted landowners. The Task Force, as a recommending body, will continue to discuss the matter at future meetings. Should the resolution issue be resolved and the alignments forwarded to our Natural Resources Standing Committee, the Committee will determine whether the proposed alignments have merit which warrant their support for a favorable recommendation to our Community Council. In the meantime, the Community appreciates your understanding that only the Community government has the right to designate alignment alternatives within its boundaries.

315 W. Casa Blanca Road • Post Office Box 97 • Sacaton, Arizona 85247 • Telephone: (520) 562-6000 • Fax: (520) 562-6010

Members of my staff will continue to work with your staff during this study process. We look forward to a continued mutually beneficial working relationship.

Sincerely,

Donald R. Antone, Sr.
Governor

cc: Richard P. Narcia, Lt. Governor
Victor Mendez, Director, Arizona Department of Transportation
Davis Pecusa, Superintendent, BIA, Pima Agency
Sandra Shade, Director, GRIC DOT

Richard P. Narcia
GOVERNOR

Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

April 11, 2003

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004-2285

Re: HDA-AZ File #: NH-202-D(ADY)

Dear Mr. Hollis:

This correspondence is in response to your March 6, 2003 letter in which you have requested the Community to identify a corridor for study for the Environmental Impact Statement Study for the South Mountain Corridor Study.

As you will note from the attached letter to ADOT dated January 10, 2002 and accompanying map to the Right of Entry Permit, a reduced corridor study was outlined as the area North of the Ocotillo Road section line and North of the Gila River.

For the Community to offer an "alignment(s)" for study, we would have to undertake a similar process that ADOT's consultant, HDR, is currently undergoing with regarding to the Environmental Impact Statement Study. If the Community were to "dictate" an alignment for study, this might defeat the purpose of the study.

As also conveyed in a letter to FHWA dated April 25, 2002 our Community Council has adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Until such time that our Council revisits this resolution, the Community staff, as a part of the monthly EIS meetings, cannot offer any alignments for consideration.

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

Robert E. Hollis
April 11, 2003
Page 2

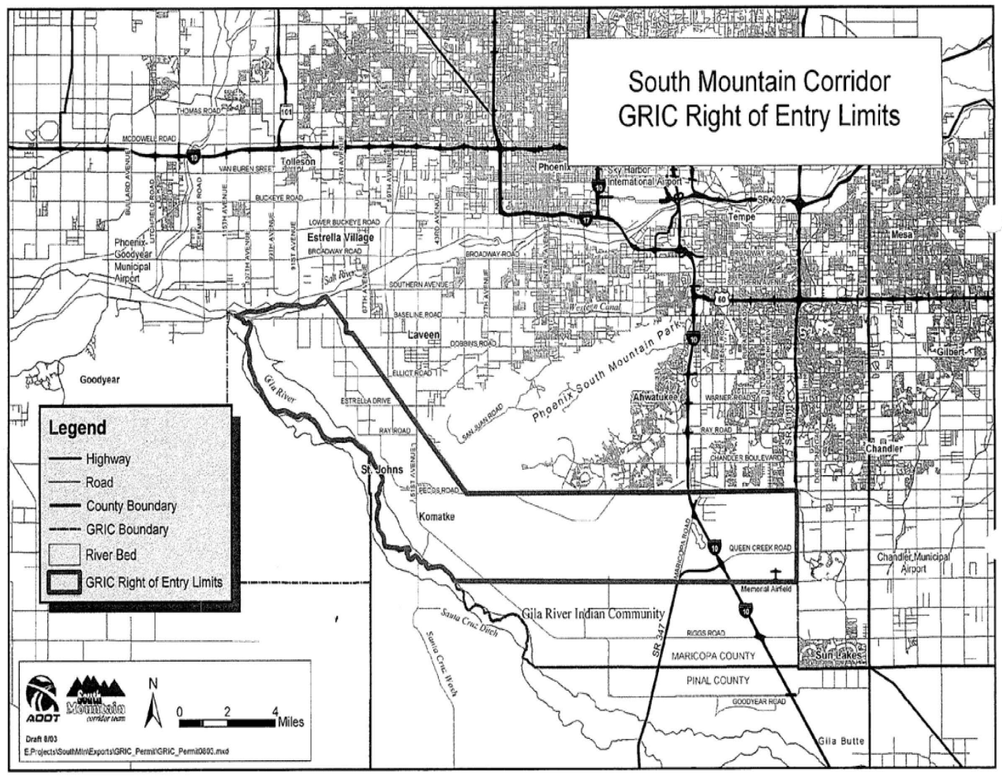
At this time, we feel that you have a corridor to study alignments. Any alignments for consideration must be ultimately approved by our Community Council.

Sincerely,

Richard P. Narcia
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council , GRIC
Victor Mendez, Director, ADOT

attachments: Correspondence dated January 10, 2002 to ADOT Director
Correspondence dated April 25, 2002 to FHWA Division Administrator



GILA RIVER INDIAN COMMUNITY

DISTRICT NO. 6 SERVICE CENTER

Post Office Box 54
Laveen, Arizona 85339
(520) 550-3805
(520) 550-3806
FAX: (520) 550-2900

April 23, 2003

Governor Richard P. Narcia
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85427

Re: South Mountain Freeway

Dear Governor Narcia:

During this past year the Federal Highway Administration and the Arizona Department of Transportation began an Environmental Impact Study for the Future South Mountain Freeway. Meetings were held in the Districts to discuss the study with their residents and several articles appeared in the Gila River Indian newspaper. As a result of these activities, our District Six residents began to inquire as to where the future freeway might be and if it would impact their property.

As you are aware, our District Six Community and the Community Council had adopted a resolution in August 2000 which did not support construction of new highways within our District boundaries.

Based upon increased interest and requests from District Six residents, a meeting was Scheduled in December 2002 to provide an opportunity to update the District Six Community and respond to questions from landowners, community residents, and District Community Council members. ADOT and HDR staff and answering many questions from our residents, the District Six Community voted to permit ADOT to proceed with their study. The Community emphasized that approval did not replace the 2000 resolution.

This is a letter of support , on behalf of the District Six Community, for ADOT to proceed with the Environmental Impact Study for the future South Mountain Freeway and to abide by the resolution enacted in the year 2000.

Sincerely,

Albert Pablo
Chairman, District Six Community

Cc: District Six Councilmen (3)
File

Richard P. Narcia
GOVERNOR

Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

May 5 , 2003

Honorable Mayor Skip Rimsza
City of Phoenix
200 West Washington
Phoenix, AZ 85001

Re: Extension of 48th Street South to the Boundary of the Gila River Indian Community

Honorable Mayor Rimsza:

This is to apprise you of the concerns of the Gila River Indian Community (the "Community") regarding the extension of 48th Street South to the Community's boundary. In June 1998, Mr. Frank Fairbanks, Phoenix City (the "City") Manager, along with other City staff met with then Governor Mary Thomas and members of her staff. The purpose of the meeting was to discuss 48th Street and how vital the connection to the Community will be for our development plans in our North Central area which encompasses over 2,000 acres. A copy of our Gila Borderlands Study was provided which depicts development along 48th Street. During that meeting assurances that 48th Street would be constructed to our common boundary were conveyed by Mr Fairbanks to the Community. Based upon this discussion, we proceeded with the development of this area. This included making investments in excess of $200,000,000 for our Wild Horse Pass Resort and Casino and rezoning the area South of Ahwatukee for commercial use. This was done on the premise and understanding that 48th Street would be our "signature" entrance into our development area. The appraisals and rental contracts for these developments are based on access to 48th Street that is connected through the City of Phoenix.

The February 24, 2001, Arizona Republic article on "Battle of 48th Street" indicates that *"after the meeting with the City of Phoenix and the Community, the Pecos connection to I-10 was redesigned, elevating one ramp and depressing the other below street level so that 48th Street could be extended to the Gila River Community border."*

Since the meeting in 1998, we have relied on the commitments made by City officials. As you will note from the attached correspondence, over the past few years we have continued to communicate our intent to the City. We have never been officially informed to the contrary of any changes. We are also aware that the City requested an amendment to the General Plan allowing it to make 48th Street into a four-lane arterial road and take the street from where it ends now just South of Chandler Boulevard through Pecos Park, and into our Community. We understand that the City often extends arterial streets into other jurisdictions and requires developments to be planned around those streets.

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

As recently as April 3, 2003 members of my staff met with staff from the City along with a representative from the Arizona Department of Transportation (the "ADOT") to again discuss common access points within the City. In that meeting a Park plan, approved in 1999, was provided to our staff which showed 48th Street as a dead end road North of the boundary. During this meeting, City staff indicated that if the Community wanted to pay an estimated $3,000,000, which would include widening the bridge and providing a grade separation, then perhaps Ahwatukee residents may agree that the roadway be extended. The future roadway is on a section line and constitutes a major arterial for both the Community and the City.

ADOT also has been aware of our plans and they too have ignored the Community's plans to extend this roadway to four lanes, given their construction of a two lane bridge over the freeway. A four- lane structure will be required for our plans to come to fruition. In addition, neither the City nor ADOT has indicated a willingness to share in the above referenced costs.

The Community never received official notice that a retention basin would become a park and that this factor would preclude the construction of 48th Street to our boundary. This is contrary to our written request of June, 1998, in which we requested that we be advised of any actions that may impact our Community.

We need to know if the City is still committed to the extension of 48th Street South to our boundary as a major arterial. I therefore request an opportunity to meet with you and the City Manager to discuss this matter. Please have a member of your staff contact Mr. Jose Solarez, Economic Development Planner, at (520) 562-6131 to schedule this meeting.

Sincerely,

GILA RIVER INDIAN COMMUNITY

Richard P. Narcia
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council, GRIC
Wild Horse Pass Development Authority
✓Victor Mendez, Director, ADOT

attachments: Correspondence dated June 18, 1998 to Phoenix City Manager
Correspondence dated August 18, 2000 to Phoenix City Manager

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

Executive Office of the
Governor and Lt. Governor
315 West Casa Blanca Road
Post Office Box 97

(520) 562-6000
Fax: (520) 562-6010

June 18, 1998

Mr. Frank Fairbanks
City Manager
City of Phoenix
200 W. Washington
Phoenix, AZ

Dear Mr. Fairbanks,

I appreciate the visit by you and your staff members to discuss our mutual planning and transportation issues.

As you are aware the Community has development plans our lands south of Pecos Road, that we consider essential to our long term economic prosperity. Enclosed is a copy of the Gila Borderlands Study, recently adopted by the Community Council, that reflects our current planning for our lands that border your City.

The City's agreement to extend the 48th Street right-of-way to the Community boundary, and to work with the Community in determining the mutual agreed upon alignment was very encouraging. We are currently constructing 48th Street about ½ mile south of Pecos Road, and will be locating some utilities in the corridor to the north. I would like to have our staff work with your staff as soon as possible to determine the exact location. Sandra Shade, our Department of Transportation Director, will be coordinating our 48th Street alignment.

I hope the City of Phoenix and the Gila River Indian Community can work cooperatively in planning and developing our mutual boundary. Please keep us informed of any actions that may impact our Community.

Cecil F. Antone

Mary V. Thomas, Governor
Gila River Indian Community

cc: Cecil F. Antone, Lt. Governor
Sandra Shade, Transportation Director

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor

Richard P. Narcia
Lieutenant Governor

August 18, 2000

Mr. Frank Fairbanks
City Manager
City of Phoenix
200 W. Washington
Phoenix, AZ 85001

Dear Mr. Fairbanks:

In June of 1998 representatives from the Gila River Indian Community and the City of Phoenix met to discuss mutual planning and transportation issues regarding the extension of 48th Street south to our Community's boundary. It is my understanding that the City agreed to extend 48th Street and to work with our staff in determining the mutual agreed upon alignment of the roadway.

We are still interested in pursuing this important project because as the Community conveyed during the earlier meetings, our long range plans include a variety of economic and commercial developments on over 2,000 acres that will surround our Wild Horse Pass Casino.

We would like to request a meeting with you and representatives of the City's transportation staff to discuss the 48th Street extension. Please have a member of your staff contact Ms. Carol Buckles, Executive Assistant, at (520) 562-6040 to schedule a date and time. Should your staff have any questions or desire additional information they may contact Ms. Sandra Shade, Director for our Community's Department of Transportation at (520) 562-6110.

Sincerely,

Richard P. Narcia

Richard P. Narcia
Lt. Governor

cc: Donald R. Antone, Sr., Governor
Sandra Shade, Director, GRIC DOT
Dale Gutenson, Consultant, GRIC

Richard P. Narcia
GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

September 10, 2003

Honorable Mayor Neil Giuliano, Chair
Transportation Policy Committee
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, AZ 85003

Dear Chairman Giuliano:

Recently, representatives from the Maricopa Association of Governments (MAG), a member of the Transportation Policy Committee (TPC), and a City of Phoenix representative met with members of my staff to discuss the possibility of our Community supporting a motion at an upcoming TPC meeting regarding the South Mountain Freeway.

During the past two years, the Gila River Indian Community has participated, as a key stakeholder, in the Environmental Impact Statement (EIS) Study for the South Mountain Freeway Corridor. Meetings have been held with the administrators for the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to inform them of the Community's position regarding the proposed freeway. In addition, our Community Council adopted a Resolution in August 2000, which in essence, does not support any freeway alignment on Tribal lands within the proposed study area. Therefore, until such time that our Council revisits this Resolution, the Community will not support or endorse any proposed alignments within our boundary.

We feel strongly that it is premature for any freeway alignment to take precedence over another given that the EIS study is still two years away from a Record of Decision. Further, we feel that any alignments identified outside the Community's boundary should not be precluded from the study and must also include the original Pecos Road alignment that was identified in MAG's Long Range Transportation Plan in 1985.

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

Members of my staff will continue to work with the study team for the EIS; however, any alignments for consideration or approval must be ultimately approved by our Community Council.

Sincerely,

Richard P. Narcia
Governor

cc: Mary V. Thomas, Lt. Governor
Gila River Community Council Members
Urban Giff, Community Manager
Gary Bohnee, Executive Assistant, GRIC
Sandra Shade, Director, GRIC DOT
Davis Pecusa, Superintendent, BIA Pima Agency
Victor Mendez, Director, ADOT
Bill Hayden, Special Assistant to Director, ADOT
Robert Hollis, Division Administrator, FHWA
Dennis Smith, Executive Director, MAG

Richard P. Narcia
GOVERNOR

MARY V. T.
LIEUTENANT G

Gila River Indian Community

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 14, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007-3213

Dear Director Mendez:

On behalf of the Gila River Indian Community (the "Community"), I appreciate the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) for taking the time to meet to discuss important transportation issues that face our respective organizations.

As such, I believe the key to building a successful partnership is to develop a better communication process and protocol. Central to this effort is the need to identify a point of contact in our respective organizations that is both knowledgeable and capable of speaking in an official capacity. For the Community, Ms. Sandra Shade, Director, Gila River Department of Transportation will continue to serve as the primary contact.

Consistent with our discussion, the Community would like to have Mr. Bill Hayden serve as the ADOT's primary liaison to the Community. As a part of your current team, Mr. Hayden brings to the table the requisite experience in working with tribal governments. He has an established relationship with the Community Council, key staff, and the Bureau of Indian Affairs (BIA). Of equal importance are his experience, knowledge and respect for our tribal protocol. The Lieutenant Governor and I both feel strongly that Mr. Hayden has demonstrated the ability to work with our leadership in an effective manner and, therefore, remain unyielding in our request that he serve as the key point of contact from ADOT to work with our Community on this project. We believe Mr. Hayden will move this project forward in a positive manner in the spirit of communication and cooperation with all stakeholders.

Importantly, the Community recognizes the Interstate 10 (I-10) Widening Project is the number one statewide priority project for ADOT. As such, we feel strongly that ADOT must bring an experienced and professional project management team who will work closely with our key staff in moving this project forward.

The Community Council adopted Resolution GR-119-05 on August 5, 2005 that identifies several priority areas regarding the alignment, improvement, operation and maintenance of, and access to Interstate 10 within the boundaries of our Community. A copy of this resolution has been provided to you and Mr. Robert Hollis of FHWA so that your respective organizations may begin the review process while we concurrently move forward with a Community outreach program and additional input and participation.

Again, it was a pleasure to have the opportunity to meet with you and Mr. Hollis and I look forward to a mutually beneficial working relationship. Your consideration of the Community's recommendations is greatly appreciated.

Sincerely,

Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
Gary Bohnee, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Hollis, FHWA Division Administrator
The Honorable Governor Janet Napolitano

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

Richard P. Narcia
GOVERNOR

Mary V. Thomas
LIEUTENANT GOVERNOR

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

December 20, 2005

Mr. Victor Mendez
Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, AZ 85007

Dear Director Mendez:

As you are aware, there has recently been considerable public debate on the future of the proposed South Mountain Loop 202. In an effort to clarify the position of the Gila River Indian Community ("the Community") on this issue please accept this letter to reaffirm that the Community does not support any freeway alignment on tribal lands.

Consistent with a Community Council resolution (GR-126-00) adopted in August 2000 and, more recently, a motion that was adopted by the Council on December 8, 2005 to reaffirm the August 2000 resolution, the Community remains steadfast in its position on the proposed South Mountain Loop 202. Importantly, it is the authority of the Community Council to determine the transportation policy of the Community. Therefore, until such time that the Community Council revisits the actions; the Community will not support or endorse any proposed alignment within the boundaries of the reservation.

While the Community appreciates being a key stakeholder in the Environmental Impact Statement ("EIS") process to date, with the heightened level of public debate on this issue it is important for the Community to convey its position as clearly as possible. In any public forum it is our hope the Community's position is enunciated accurately. Indeed, on behalf of the Community we look forward to working with you on other significant transportation projects that are of common interest.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Richard P. Narcia
Governor

cc: Community Council, GRIC
Robert Hollis, Division Administrator, FHWA
Sandra Shade, Director, GRICDOT
Cecilia Martinez, Acting Superintendent, BIA, Pima Agency

315 WEST CASA BLANCA ROAD • POST OFFICE BOX 97 • SACATON, ARIZONA 85247
TELEPHONE: (520) 562-6000 • FAX: (520) 562-6010 • EMAIL: executivemail@gric.nsn.us

May 23, 2006

FOR MORE INFORMATION CONTACT: Jeri Thomas
Community Public Information Officer
Gila River Indian Community
(520) 562-6000
(520) 562-6030

Executive Office of the Governor and Lieutenant Governor
-- Media Advisory --

Governor William R. Rhodes States The People of Gila River Indian Community Are Entitled to Vote on Loop 202 Issue

Sacaton, Arizona – William R. Rhodes, Governor of the Gila River Indian Community, who in the past several weeks has raised speculation among off-reservation residents, politicians, and highway transportation officials that building the South Mountain Freeway on reservation land may still be a possibility, despite past rejection of such a proposal by the Community Council, says his suggestion that the freeway issue should be decided by tribal members in a voter referendum is out of concern that all affected landowners and community residents be heard on the matter.

Rhodes said he acknowledges that the community's District Six council passed district legislation opposing building the freeway on district land, and that the Gila River Community Council reaffirmed that opposition last year. "District Six, they have a legal resolution, and the Community Council resolution reaffirming the District Six resolution is legal," he said, but he noted that during his campaign for governor land owner groups approached him with concerns about not having a voice when opposition was raised.

"The landowners are saying, 'We didn't get a chance to vote.' That's true, if you're not from that District (Six), you didn't get to vote," Rhodes said. He explained that tribal members who have land interest in the affected area of the proposed South Mountain Freeway aren't necessarily members of District Six;

they may be enrolled members in any of the other six districts of the Gila River Indian Community.

This oversight can be remedied, he said, "Their right to vote can come through a voter referendum. This issue has been going on for the past three to four administrations, we will get an answer, and the way get an answer is by a referendum vote. I'm doing this to protect the peoples' rights. They have a right to a referendum."

Rhodes said the bylaws and constitution of the Gila River Indian Community outlines two ways that such a referendum can be held—one, it can be called by a resolution of the Community Council; two, it can called if at least 10 percent of the registered voters in the community sign a petition.

Article 13-Referendum, of the Community's Constitution reads, *"A referendum on any enacted or proposed ordinance or resolution or other action of the Council shall be called by a petition of 10 percent or more of the qualified voters of the Community or by resolution of the Council. Such referendum may be held at a special election called for that purpose or may be held at the same time as and concurrent with any other election. The result of such referendum shall be immediately noted in the Council minutes by the Secretary and shall be conclusive and binding upon the Council."*

Rhodes said in pursuit of such a referendum, "We can go through the Community Council, ask them for a referendum vote to get an answer from the voters. If the Council feels it doesn't want to do a special election, then we'll have to go get signatures. The people have a right to a referendum, it's in the Constitution. The landowners have a right to express yes or no."

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

LAND USE PLANNING & ZONING
Fred Ringlero, Director
Planning & Zoning Commission
Ordinance Enforcement Office
Tribal Homesite Office
Livestock Office
Survey & Engineering

POST OFFICE BOX E
(520) 562-3301
(480) 899-0092
(520) 836-7291
FAX (520) 562-4008

NATURAL RESOURCES STANDING COMMITTEE
RIGHT- OF- ENTRY
PERMIT NO. RE-02-01

THIS RIGHT- OF- ENTRY is hereby granted to:

HDR Engineering, Inc.
2141 East Highland Avenue
Suite 250
Phoenix, Arizona 85016-4736
Telephone (602) 508-6600
*Contact Person: Stephen A. Martin, P.E., Project Manager

THIS RIGHT-OF-ENTRY, has been granted for the following purpose: To perform the following general types of work:

1. To perform land surveying and temporary aerial target construction.

2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

THIS RIGHT-OF-ENTRY, will encompass the general alignment studies already approved for consideration through prior Tribal Council Resolution. The study area is a three-mile wide corridor starting with the eastern boundary line being the Interstate Highway I-10, northern boundary is the GRIC northern boundary line or commonly known as Pecos Road alignment to a point known as the 35th Ave alignment and turns northwest to the Salt River, the western boundary line is the Gila River and runs north to the Salt River. Please see the attached map of the approved study area.

THIS RIGHT-OF-WAY, will commence **September 6, 2001** and end **September 5, 2003**

THIS RIGHT-OF-WAY, was approved at a duly held meeting of the Gila River Tribal Council meeting on September 5, 2001 in which Gila River Tribal Council approved granting a blanket right-of-entry for a three (3) year period beginning September 6, 2001 and ending September 5, 2004.

THIS RIGHT-OF-ENTRY, is granted with the following conditions:

1. Individuals granted entry into the Gila River Indian Community (the "Community"), but found in other areas outside of their job sites may be cited for civil trespassing by tribal Rangers and/or tribal law enforcement officers. In addition, individuals cited for civil trespass could be fined and have their vehicles and/or equipment confiscated.
2. Activities which are not related directly for the purpose stated above is a violation of the granting for this Right-of- Entry permit and may be cause for the permit to be revoked.
3. Individuals granted access into the Community are prohibited from carrying firearms onto tribal lands. (Tribal Law prohibits hunting and fishing activities).
4. Individuals granted access into the Community must be aware that there are ordinances protecting archaeological and historical sites, as well as the protection of native plants. In the event any ground disturbance is conducted contact with the Land Use Ordinance Office has to be made prior to the activity. Individuals granted access into the Community should make an earnest effort to become knowledgeable of these ordinances, or make inquiries to the GRIC/Land and Water Resources Department when in doubt about situations relating to them.
5. The individuals identified in this permit will notify the Land Use Ordinance Office 24 hours in advance when visits will be made into the Community.
6. Individuals granted access into the Gila River Indian Community must keep this Right-of-Entry in their possession at all times (copies of this permit may be made). Further, it will be understood that the participants of this activity will abide by the laws and ordinances of the Gila River Indian Community.

THIS RIGHT-OF-ENTRY, in no way holds the Gila River Indian Community liable for any thefts, damages or injuries while on the Gila River Indian Community Reservation.

Vehicles: See attached vehicle information.

Personnel: See attached personnel information

Notes:
1. Current Business License is required for all consultants doing work within the Gila River Indian Community, including sub consultants.
2. Any additions to field personnel and field vehicles will need to be reported/faxed to the Land Use Ordinance Office.
3. Maps attached identifying areas where work will be conducted.

****

Earl Lara, Chairman
Natural Resources Standing Committee

11/9/01
Date

cc: Donald Antone, Sr., Governor
Richard Narica, Lt. Governor
Davis Pecusa, Pima Agency Superintendent
GRIC Rangers
Elaine Blackwater, Land Use Ordinance Officer

5/1996

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

RESOLUTION GR-64-96

A RESOLUTION DESIGNATING POSSIBLE ROUTES ON COMMUNITY LANDS FOR THE PROPOSED SOUTH MOUNTAIN FREEWAY (LOOP 202)

WHEREAS, the Gila River Indian Community (the "Community") desires to enhance and further economic development within the northern borderlands area of the Community, specifically including land in District #6; and

WHEREAS, the Gila River Indian Community Council (the "Community Council") approved the Borderlands Master Plan on May 17, 1990 which includes a major east-west regional transportation corridor connecting Interstate-10 (I-10) east to 51st Avenue; and

WHEREAS, the Arizona Department of Transportation ("ADOT") is currently seeking proposals from private entities to construct and operate a toll road for a portion of State Route 202, known as the South Mountain corridor; and

WHEREAS, the ADOT proposal describes alternative alignments which may be considered up to approximately one mile south of Pecos Road between I-10 east and 59th Avenue, and specifically within the Community; and

WHEREAS, the previously designated alignment along Pecos Road outside the exterior boundaries of the Community, presents negative impacts for the Community, as well as residents along the City of Phoenix' southern boundary; and

WHEREAS, District #6 of the Community has agreed that Community values preclude degradation of any portion of South Mountain by cutting, blasting or changing South Mountain, due to its religious significance to the Community; and

WHEREAS, routing the proposed South Mountain Freeway through the Community can also help mitigate the high volume of truck traffic and other through traffic in the 51st Avenue residential corridor; and

WHEREAS, District #6 Community concurred with exploring the opportunity for developing the South Mountain Freeway on Community lands, and continues to convene its Toll Road Advisory Committee on a continuing basis, thus participating in the ongoing process; and

WHEREAS, the Community Council recognized this initiative by adopting Community Resolution GR-05-96 on the 3rd day of January 1996, in support of the concept for development of the South Mountain Freeway on Community lands, whether by private toll or public construction; and

WHEREAS, the Toll Road Advisory Committee and District #6 Community have reviewed two Community lands designated routes (attachments A&B); and are willing to cooperate with and be involved in negotiating efforts concerning either of these routes; and will work with the Community government and other interested agencies, as long as the Community is allowed to review and approve design, routing and negotiations necessary for the project to move forward.

NOW THEREFORE BE IT RESOLVED, that the Community Council adopts the designated routes (attachments A&B) as having sufficient merit to pursue as the South Mountain Freeway alignment and to begin negotiations with ADOT and its designated proposers.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (9), (13), (18), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted this 15th day of May, 1996, at a Regular Community Council Meeting held in District #3, Sacaton, Arizona, at which a quorum of 12 Members were present by a vote of 8 FOR; 4 OPPOSE; 0 ABSTAIN; 4 ABSENT; 1 VACANCY.

GILA RIVER INDIAN COMMUNITY

Mary V. Thomas 5-15-96
GOVERNOR

ATTEST:

Doreen V. Allen
COMMUNITY COUNCIL SECRETARY

8/2000

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

RESOLUTION GR-126-00

RESOLUTION OPPOSING THE USE OF 51ST AVENUE FOR THE PROPOSED TRUCK BYPASS ROUTE AND ANY FUTURE BYPASS PLANS FOR THE PROPOSED SOUTH MOUNTAIN PARKWAY THROUGH THE DISTRICT SIX COMMUNITY OF THE GILA RIVER INDIAN COMMUNITY

WHEREAS, the Maricopa County Department of Transportation (the "MCDOT") completed a 51st Avenue Corridor Truck Route Analysis Study that projected traffic volumes of 7,000 vehicles per day on 51st Avenue in 1997 with volumes projected to increase to 23,000 vehicles per day by the year 2020;

WHEREAS, MCDOT has proposed a truck bypass route that would redirect traffic and reduce current and future congestion on 51st Avenue in Laveen;

WHEREAS, the City of Phoenix completed a South Mountain Parkway Specific Plan in 1999 to address the limited access to the west valley from Interstate 10 east;

WHEREAS, the Maricopa Association of Governments (the "MAG") has formed a South Mountain Agency Stakeholders group for the purpose of developing a recommendation for the alignment for the proposed South Mountain Parkway;

WHEREAS, the Arizona Department of Transportation (the "ADOT"), MCDOT, City of Phoenix, and MAG plan on extending Pecos Road west around the South Mountain with an option of crossing across lands of the Gila River Indian Community (the "Community");

WHEREAS, the District Six community has experienced the negative impact of increasing traffic through the residential areas along 51st Avenue south of the Community's boundary;

WHEREAS, 51st Avenue is essential to the Community because it serves as the principal arterial from Riggs Road-Beltline road and is a significant east/west travel route to the western portion of the Community;

WHEREAS, the District Six Community is concerned with the safety and welfare of its members, as well as other members of the Community who utilize this roadway, due to excessively speeding vehicles on 51st Avenue, which has residential areas, churches, a health clinic, a school, a Boys and Girls club, and a convenience store within its area;

WHEREAS, the District Six Community has concerns of increasing traffic, excess speeding vehicles, the safety and welfare of its members, the area's significant cultural and religious importance to the entire Community, the deterioration of the pristine natural environment, and the increase negative noise and visual impacts;

WHEREAS, because of its concerns, the District Six Community strongly opposes the proposed parkway, truck bypass route, or any future bypass plans through portions of the South Mountain and across Community land;

WHEREAS, on June 12, 2000, the District Six Community voted to strongly oppose future transportation of hazardous waste and materials through its community; and

WHEREAS, the District Six Community strongly requests that the Community Council oppose any future development of roadways from ADOT and MCDOT through the District Six Community.

NOW THEREFORE BE IT RESOLVED, that the Community Council strongly opposes the development plans by ADOT, MCDOT, and MAG for a truck bypass route or any future bypass plans for the proposed South Mountain Parkway across Community lands.

BE IT FINALLY RESOLVED, that the Governor, or in the Governor's absence the Lieutenant Governor, is hereby authorized to take necessary action to effectuate the intent of this Resolution.

CERTIFICATION

Pursuant to authority contained in Article XV, Section **1, (a), (1), (7), (9)** and Section **4** of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted by this **2nd** day of **August, 2000** at a Regular Community Council Meeting held in **District 3, Sacaton, AZ** at which a quorum of **15** Members were present by a vote of **15** FOR; **0** OPPOSE; **0** ABSTAIN; **2** ABSENT; **0** VACANCY.

GILA RIVER INDIAN COMMUNITY

GOVERNOR

ATTEST

COMMUNITY COUNCIL SECRETARY

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor

Joseph Manuel
Lieutenant Governor

January 27, 2010

Director John Halikowski
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski,

The purpose of this letter is to inform the Arizona Department of Transportation (ADOT) that the Gila River Indian Community (the "Community") is willing to assist in conducting a study of the effects of an On-Reservation Loop 202 alignment consistent with the Community's land use plans (i.e., the Borderlands Study) and the desire to mitigate cultural impacts to Muadag (South Mountain). The Community's assistance in this matter should not be construed as our approval of an On-Reservation alignment. The Community's official position remains the same: (a) we oppose any desecration of Muadag (i.e., oppose the current Off-Reservation alignment), and (b) we oppose an On-Reservation alignment. Despite our desire for a no-build option, we recognize that there is a high likelihood that the Loop 202 South Mountain will be built. Therefore, it is in our best interests to explore all options to mitigate any negative impacts to our culture and land; including a potential On-Reservation alignment.

The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, trash, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community's traditional routes and wildlife corridors between Komadk (the Estrella Mountain) and Muadag; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51st Avenue and Beltline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

525 West Gu u Ki · P.O. Box 97 · Sacaton, Arizona 85147
Telephone: 520-562-9840 · Fax: 520-562-9849 · Email: executivemail@gric.nsn.us

further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

WRR 1-28-10

William R. Rhodes, Governor
GILA RIVER INDIAN COMMUNITY

GILA RIVER INDIAN COMMUNITY

Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor

Joseph Manuel
Lieutenant Governor

January 27, 2010

Director John Halikowski
Arizona Department of Transportation
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The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, trash, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community's traditional routes and wildlife corridors between Komadk (the Estrella Mountain) and Muadag; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51st Avenue and Beltline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

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further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

WRR 1-28-10

William R. Rhodes, Governor
GILA RIVER INDIAN COMMUNITY

STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

February 1, 2010

Governor William R. Rhodes
Gila River Indian Community
Governance Center
P.O. Box 2138
Sacaton, AZ 85147

Dear Governor Rhodes:

On behalf of the people of Arizona, I want to express my appreciation for the assistance of the Gila River Indian Community to consider a potential partnership between the State and the Community on the issue of the development of the South Mountain Freeway.

I am in receipt of your letter sent to the Arizona Department of Transportation and I pledge the full engagement of the Department in working with your sovereign nation to conduct a study of the effects of an On-Reservation alignment consistent with the Community's land use plans and the desire to mitigate cultural impacts to South Mountain.

I understand and respect that the Community's position opposing an On-Reservation alignment and any desecration of South Mountain remains the same. I am hopeful for the opportunities that may exist to consider the economic development potential of this much-needed transportation corridor, while mitigating any negative impacts to the Community's culture and land.

While there is much work still to be done regarding the final alignment of the route, I am pleased to know that your team is part of the conversation and that there is a path forward for ongoing talks about the conditions of the Community's cooperation and involvement in the study process.

Please do not hesitate to call on me or my team if there is anything we can do to help further your consideration of this very critical regional project.

Sincerely,

Janice K. Brewer

Janice K. Brewer
Governor

1700 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007
602-542-4331 • FAX 602-542-7602

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September 20, 2001

Ms. Rita Walton
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 85003

Subject: South Mountain Corridor L/DCR & EIS
Demographic Data Request

Dear Ms. Walton:

ADOT is undertaking a study to assess the environmental impact and to perform a DCR on proposed improvements within the South Mountain Corridor from the I-10/Santan Freeway interchange vicinity to I-10 west between 43rd Avenue and 107th Avenue. To begin the evaluation, we are requesting the following demographic data in ARC/INFO or ArcView files for the corridor:

- TAZ 2000
- DF1 2025 (TAZ demographic data for the horizon year 2025)
- Development data
- Employment data
- General plans for Phoenix, Tolleson, Avondale, and Goodyear
- MPA Boundaries

These data files will be used in the review of the model demographic input files and employed in the alternative evaluation.

Thank you for your continuing cooperation.

Sincerely,

ARIZONA DEPARTMENT OF TRANSPORTATION

Mary Viparina
Project Manager

cc: Steve Martin, HDR
Patrizia Gonella-Ramos, Lima & Associates

MARICOPA ASSOCIATION of GOVERNMENTS
302 North 1st Avenue, Suite 300 ▲ Phoenix, Arizona 85003
Phone (602) 254-6300 ▲ FAX (602) 254-6490
mag@mag.maricopa.gov

May 31, 2000

TO: Members of the MAG South Mountain Parkway Stakeholders Group

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: CONFIRMATION OF ACTION RECOMMENDED BY THE SOUTH MOUNTAIN AGENCY STAKEHOLDERS GROUP

At the last meeting of the South Mountain Agency Stakeholders Group held on May 2, 2000, it was the consensus of the group that a Federal environment impact statement be undertaken for the entire corridor. Also, there was a recognized need to protect right-of-way for this facility.

These recommendations require action by MAG and ADOT. To ensure that the consensus of the South Mountain Agency Stakeholders Group is fully addressed, a draft memorandum is enclosed for your review.

Please provide any comments to me or Stuart Boggs at (602) 254-6300 by June 12, 2000. Do not hesitate to call us if you have any questions.

DRAFT

May 31, 2000

TO: MAG Transportation Review Committee

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: RECOMMENDATIONS TO UNDERTAKE AN ENVIRONMENTAL IMPACT STATEMENT AND PROTECT RIGHT-OF-WAY FOR SOUTH MOUNTAIN PARKWAY

The South Mountain Agency Stakeholders Group was formed by action of the MAG Regional Council on January 19, 2000. At a meeting of this Group on May 2, 2000 there was a consensus to move forward with a Federal Environmental Impact Statement (EIS) for the entire corridor. Also, it was recognized that the right-of-way for this facility needs to be protected. Accordingly, the following actions are recommended:

- Amend the MAG and ADOT FY 2001 programs to include $6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.

- Authorize right-of-way protection funds to be used in the South Mountain corridor.

HISTORY

The South Mountain Parkway extends 22 miles from the Papago Freeway in west Phoenix to south of South Mountain and then eastward along the Pecos Road alignment to the Maricopa freeway in Chandler. Funding for this parkway was approved by the voters of Maricopa County in 1985.

The South Mountain Parkway has been part of the MAG Long Range Transportation Plan since 1985, however, target dates for completion have varied. In 1997, $85 million was included in the funded ADOT Life Cycle Program for construction of an interim facility between 19th Avenue and Baseline Road. This level of funding remains part of the currently approved Life Cycle Program. Completion of this facility is now targeted for after 2007.

ISSUES

In 1985, the South Mountain Corridor was located just north of the Gila River Indian Community. As a result, the Parkway cuts the edge of the southwest corner of South Mountain Park.

Since the adoption of the original corridor location in 1985, the Pecos corridor has experienced intense development activity. ADOT has purchased 243 acres in this corridor and the City of Phoenix has helped to protect this corridor by requiring dedication of 110 feet of right-of-way. However, homes are now located along the edge of this planned facility.

Development activity is also occurring along the north/south leg of the corridor. A red letter notification was received by MAG in June 1999 concerning a new subdivision with 148 homes in the Parkway alignment near Broadway Road. MAG and ADOT committees assessed this notification and as a result the Regional Council formed the South Mountain Agency Stakeholders Group that includes representatives from:

- The Gila River Indian Community
- Arizona Department of Transportation
- Maricopa County
- City of Tolleson
- City of Glendale
- City of Phoenix

ENVIRONMENTAL IMPACT STATEMENT

Preliminary engineering for the original alignment for the South Mountain Parkway was completed by ADOT in 1988. A state environmental assessment was completed in association with this work.

At the meeting of South Mountain Agency Stakeholders Group on May 2, 2000, the consensus of the group was that a full Federal environmental impact statement should be completed for this entire corridor. Reasons include:

- Ensure eligibility for Federal funding
- Need to fully address environmental issues
- Possibility of an alignment change that would be located on the Gila River Indian Community to avoid South Mountain Park

At this meeting, interest was expressed in fully addressing related issues including:

- A truck bypass route
- Design of the South Mountain/Papago Interchange to limit congestion on 59th Avenue
- Need for interim solutions, including a bypass route around the Laveen area
- Need to protect right-of-way
- Need for a strategic plan to program near-term funds and ensure completion of the parkway

ACTION

In order to proceed with the consensus of the South Mountain Agency Stakeholders Group, the following is recommended:

- Amend the MAG and ADOT FY 2001 programs to include $6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.

- Authorize right-of-way protection funds to be used in the South Mountain corridor.

This additional $6.0 million in FY 2001 can be absorbed within the existing cash flow. This is a minor project so a public hearing is not required. Also, as an exempt project a regional conformity analysis is not required. The current freeway Life Cycle Program includes $5.0 million per year for the protection of right-of-way. Once the environmental and preliminary engineering work has been completed the existing $85 million on the South Mountain Parkway may need to be reprogrammed to be in accord with a new strategic plan to complete the corridor.

For additional information please call me or Stuart Boggs at (602) 254-6300.

MARICOPA ASSOCIATION of GOVERNMENTS

302 North 1st Avenue, Suite 300 ▲ Phoenix, Arizona 85003
Phone (602) 254-6300 ▲ Fax (602) 254-6490
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December 19, 2005

The Honorable J.D. Hayworth
House of Representatives
2434 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Hayworth:

Thank you for meeting with Mayor Hawker, and staff from the Maricopa Association of Governments and the Arizona Department of Transportation (ADOT) to discuss the issues surrounding the Environmental Impact Statement being conducted by the ADOT on the South Mountain Freeway. We appreciate your candor regarding the concerns of the residents in the Ahwatukee area and believe that with your involvement the best solution for this facility can be attained.

In our meeting, we discussed the history of the project and the need to address regional mobility. Your staff requested that we address the specific questions that you forwarded to our office and we have worked with the Arizona Department of Transportation regarding these issues. A copy of the answers is enclosed. To augment the answers to your questions, we would gladly work with your staff to further discuss the issues regarding the project.

Again, we are looking forward to working with you and your staff on the South Mountain Freeway Project. Thank you for taking time out of your busy schedule to discuss these issues.

If you have any questions, please contact me at the MAG office.

Sincerely,

Dennis Smith
Executive Director

c. Mayor Keno Hawker
Brian Murray
Eric Anderson

Date of Projections	Study	Projection Year	Daily Traffic Forecast
1985	Central Area Transportation Study	2015	92,000
1988	Southwest Loop Environmental Assessment and Design Concept Report (Arizona SR-218)	2015	97,000
2003	Initiation of South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report (Arizona SR-202L)	2025	155,000
2005	Continuing study efforts for the South Mountain Freeway EIS and L/DCR (Arizona SR-202L)	2030	164,000

Copies of the 1985 and 1988 studies are available for review from MAG. Please contact us for copy information.

Inquiry

2. Your most current estimates on commercial truck traffic versus noncommercial traffic.

Response:

The MAG travel demand model incorporates a commercial vehicle model to estimate this type of traffic on the MAG freeway system. Current projections indicate the SR-202L/South Mountain Freeway will carry approximately 12,000 commercial vehicles daily, or approximately seven percent, in the 2030 forecast horizon. By contrast, this volume is lower than the present commercial vehicle volume along the US-60/Superstition Freeway, where more than 17,000 commercial vehicles can be found east of its traffic interchange with the Interstate 10/Maricopa Freeway. This volume is approximately eight percent of the existing traffic on US-60. Thus, MAG believes the SR-202L/South Mountain Freeway forecasts are in-line with the commercial vehicle demand for other freeways on the regional network.

It is also important to note that the commercial vehicles using the proposed freeway dramatically reduce their use of existing surface streets in this portion of the metropolitan area. Most notably, this includes the Beltline Highway/51st Avenue corridor where MAG believes commercial vehicle traffic through the Gila River Indian Community and Laveen Village activity centers will drop by as much as 80 percent when compared to traffic projections for the No-Build scenario. We believe this drop in commercial vehicle traffic on these arterial streets will considerably reduce the crash potential, especially between vehicles and pedestrians, in these activity centers.

- Studies have shown that travel time will be less from travel along Interstate 10 between the current Pecos Road and Washington Street interchanges if the SR-202L/South Mountain Freeway is constructed. Without the freeway, the study team estimates the travel time would be 37 minutes for this trip. If SR-202L is constructed, then the travel time for this trip decreases to 28 minutes.

Inquiry:

5. What are the reasons the Phoenix Parks Board opposes the construction of the freeway and how you plan to mitigate all of their concerns.

Response:

From the ADOT Study Team: The City of Phoenix Parks and Recreation Board unanimously passed a resolution to strongly oppose any alignment going through South Mountain Park/Preserve. As part of that resolution, the Board encourages ADOT to continue coordination with the Gila River Indian Community to construct the freeway on tribal lands. The board has concerns that if the freeway is built, then there could be impact from the proposed construction cuts through the mountain ridges that includes treatment of habitat and visual impacts they would have. If ADOT is unsuccessful in coordinating with the Gila River Indian Community, then the Parks and Recreation Board suggests mitigation in the form of additional trailheads that could be accessed from freeway interchanges, other land trades, and possibly a tunnel instead of cuts.

ADOT continues to try and coordinate with the Gila River Indian Community for potential construction of the SR-202L/South Mountain Freeway on tribal lands. However, these talks are at a standstill. ADOT believes the community is not interested in any construction of the freeway on their land. As a result, given the need for the roadway, ADOT will use the Environmental Impact Statement and Location/Design Concept Report study process to develop appropriate mitigation to minimize the potential natural and built environment impacts. ADOT's team is in the process of meeting with various stakeholder groups associated with South Mountain Park and Preserve, per the direction of the City of Phoenix Parks and Recreation Department, to determine the concerns surrounding the freeway use of park/preserve land and potential mitigation efforts that may be considered. A mitigation plan will be developed and presented to these stakeholder groups prior to inclusion in the Draft Environmental Impact Statement.

Inquiry:

6. Effects on groundwater supplies to Ahwatukee, including mitigation efforts for wells that service the area.

Response:

From the ADOT Study Team: The study of potential impacts to the Ahwatukee groundwater is continuing. ADOT believes if construction results in water that cannot be accessed by drilling a new well, then mitigation will include a plan for getting water from elsewhere by other techniques. These may include directional drilling, or building a vault under the freeway for allowing access to an existing well. ADOT notes that this information was presented to the project's Citizen Advisory Team in November 2005.

Inquiry:
10. An analysis of all NEPA concerns and mitigation proposals.

Response:
From the ADOT Study Team: This is the purpose of an Environmental Impact Statement project. Prior to publishing the EIS draft and final reports, the ADOT Study Team is preparing more than 20 technical reports addressing specific environmental topics and potential mitigation measures for public review and comment. Presently, these reports are at different stages of completion.

Prior to public publication, these reports undergo review by appropriate ADOT staff, the Federal Highway Administration, and the affected agencies responsible for overseeing a particular environmental topic. While this task is a continuing effort by the study team, ADOT will be more than pleased to distribute copies to any interested party as they become available. The party may contact ADOT's project manager, Mr. Mike Bruder (602 712-6836) for details.

Inquiry:
11. Copies of all draft technical reports, including the detailed mitigation options, not just executive summaries. Of greatest interest among these would be reports on traffic operations, air quality, costs, total impacts and secondary impacts.

Response:
From the ADOT Study Team: As noted in the previous inquiry, the ADOT Study Team is completing the technical studies. Please feel free to contact ADOT's project manager, Mr. Mike Bruder (602 712-6836) for details on how to obtain copies of these reports as they become available.

The Maricopa Association of Governments appreciates the opportunity to assist in the understanding of the study results and process for the freeway proposal. If additional information is needed, or if our staff can provide additional assistance to facilitate further understanding about the regional need for the SR-202L/South Mountain Freeway, please feel free to contact me or Eric Anderson, MAG Transportation Director, for assistance.

City of Avondale

525 North Central Avenue
Avondale, AZ 85323-1999
Phone: (623) 932-2400
Fax: (623) 932-2205
Website: www.avondale.org

MAYOR
Ronald J. Drake

VICE MAYOR
Marie Lopez Rogers

COUNCIL MEMBERS
Albert Carroll, Jr.
Peggy Jones
Stephanie Karlin
Betty S. Lynch
Raymond H. Shuey

CITY MANAGER
Todd Hileman

January 27, 2003

Floyd Roehrich
Project Manager
ADOT
205 S. 17th Avenue, Suite 614E
Phoenix, AZ 85007

Dear Mr. Roehrich:

This letter is to inform you of my strong objection to the proposed alignment of the South Mountain Freeway at 107th Avenue. I understand 107th Avenue was offered as an option to the study consultants, and therefore ADOT feels obligated to study the alignment. The City of Avondale staff made it clear in December when they met with HDR representatives that 107th Avenue was not a viable option, due to the current and proposed residential and commercial property in the area.

I am disturbed that despite our objections, and without any consultation of our staff, the 107th Avenue alignment was added to the study list. HDR and ADOT should not be making an important planning decision like this without the consent or consultation of the affected municipality. I and the City Council are the planning authority for Avondale, and we have properly planned our future according to the best interest of our community, and with the participation of our residents. I am distressed that we have been put in a situation where we must fight ADOT for our right to plan our City.

Please understand that I will bring a resolution to the City Council asking them to adopt a formal position of opposition to the 107th Avenue alignment, and would appreciate more consideration of our City in the future.

Ronald J Drake

Ron Drake
Mayor

c.c. David Anderson, V.P. HDR
Victor Mendez, Director, ADOT

City of Avondale

525 North Central Avenue
Avondale, AZ 85323-1999
Phone: (623) 932-2400
Fax: (623) 932-2205
Website: www.avondale.org

MAYOR
Ronald J. Drake

VICE MAYOR
Marie Lopez Rogers

COUNCIL MEMBERS
Albert Carroll, Jr.
Peggy Jones
Stephanie Karlin
Betty S. Lynch
Raymond H. Shuey

CITY MANAGER
Todd Hileman

April 22, 2003

The Honorable Janet Napolitano
Governor, State of Arizona
1700 W. Washington
Phoenix, AZ 85007

Re: South Mountain Freeway Corridor Study

Dear Governor Napolitano:

This letter is to express our strong objections regarding the proposed 105th Avenue alignment for the proposed South Mountain Freeway (Loop 202) interchange with the I-10. We respectfully request this alignment be removed from any future consideration.

The proposed interchange and alignment would certainly have a damaging impact on the City of Avondale's primary commercial and employment area, causing severe financial hardship for this City, as there are limited areas within the city limits of Avondale for said commercial, retail or employment opportunities.

The 105th Avenue alignment would eliminate nearly 100 acres of prime land designated for employment and virtually eliminate the Avondale AutoMall, our primary economic engine. Gross sales generated by the AutoMall are expected to be over $1 billion per year, bringing much needed revenue to the City of Avondale, the State of Arizona and other taxing entities to help sustain programs and services in these lean economic times. Employment at the AutoMall will be well over 1,000 people, most of who will live and shop within a 10 mile radius. The AutoMall currently exists with three operating dealerships, three more under construction and five more in the process of negotiations/planning. The decision not to eliminate the 105th Avenue corridor threatens important pending locations to our Auto Mall and other economic opportunities for the city. The remote possibility of this alignment coming to fruition will certainly impede our opportunities with potential investors; causing them to question whether to invest their resources in our community.

The area just south of the AutoMall at 105th and Van Buren is currently zoned for Planned Area Development including employment and retail sales and was recently selected as the site for a major employer This user has committed to build a 260,000 SF facility that will employ 250 people earning an average salary of over $55,000. An independent financial analysis of this user demonstrated that this user will generate well over $70,000,000 in taxable sales annually, 5% of which will go directly to the State. This project is expected to be completed within the next 12 to 18 months. However, there is a very ***high probability that the user would abandon this site should they discover the proposed 105th Avenue freeway alignment and interchange.***

The selection process for this user was very competitive one, involving the City of Avondale and the City of Rancho Cucamonga, California. Fortunately we were the successful candidate, largely based upon location, and are working diligently to finalize the deal points. We are very concerned that ***should the proposed 105th Avenue alignment move forward, the user will decide to move to their second choice—California.*** If this were to happen, the State of Arizona and the City of Avondale would both lose much needed revenue.

The proposed interchange footprint will also impact the employment/commercial land north of I-10. We are currently in discussions with a major educational institution interested in locating a west valley site. They have been searching for a suitable site for several years and recently put down earnest money on a site directly impacted by the proposed interchange. ***They will also abandon the site if they discover the proposed alignment.***

The mere fact that this alignment is included in the preliminary studies will cause delay in the development of our primary employment and commercial corridor. The evaluation process undertaken by ADOT will take a minimum of two more years, and even then there is a great deal of uncertainty as to the outcome. Avondale cannot afford to wait, nor afford to run the risk of losing potential tax generating developers while the process moves forward.

We respectfully request that the 105th alignment be removed from the study immediately, to prevent any further economic impacts to our city.

Thank you for your consideration of this request. Please contact me at the above address or by telephone if you have any questions or need further clarification.

Respectfully,

Todd Hileman
City Manager

Attachments

cc: Floyd Roehrich, Jr., Senior Project Manager
Valley Project Management Group
205 S. 17th Avenue
Mail Drop 614E
Phoenix, AC 85007

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue
MD100A
Phoenix, AZ 85007

Avondale

Phone: (623) 932-2400
Fax: (623) 932-2205
Website: www.avondale.org

MAYOR
Ronald J. Drake

VICE MAYOR
Marie Lopez Rogers

COUNCIL MEMBERS
Albert Carroll, Jr.
Peggy Jones
Stephanie Karlin
Betty S. Lynch
Raymond H. Shuey

CITY MANAGER
Todd Hileman

May 19, 2003

Frank Fairbanks
City Manager, City of Phoenix
200 W. Washington Street
Phoenix, AZ 85003

Dear Frank,

This letter is to inform you that the City of Avondale has notified Governor Napolitano and ADOT officials, including Victor Mendez, that Avondale supports the City of Phoenix in its desire to have the Interstate 10 connection of the South Mountain Freeway along the original proposed alignment.

City of Avondale staff have steadfastly opposed any alignment of the South Mountain Freeway that is further west of the 1985-proposed 51st-59th Ave alignment. The City Council passed a resolution opposing alignments in the City of Avondale, and has written letters to the Governor stating our position. We also have informed the Governor and ADOT that we continue to support Phoenix in its bid to assure the Freeway connects west of downtown.

As a related matter, Avondale hopes to secure funding, either federally or through the half cent sales tax extension, for a parallel Interstate 10 route that would relieve traffic from west central Phoenix to MC-85. This reliever route would parallel I-10 south of the freeway, and would connect to the South Mountain alignment. This reliever will have the greatest effect, and therefore makes the most sense, if the South Mountain Freeway alignment is closer to the center of congestion in Phoenix.

Please let me know if we can be of assistance on the South Mountain Freeway matter. We will continue to work to oppose alignments in our city, but also look forward to working cooperatively with the City of Phoenix to assure an alignment that is beneficial to all.

Sincerely,

Todd Hileman

City of Avondale

Administration
11465 W. Civic Center Drive, Suite 220
Avondale, Arizona 85323-6806
Phone: (623) 478-3001
Fax: (623) 478-3802
Website: www.avondale.org

MAYOR
Ronald J. Drake

VICE MAYOR
Betty S. Lynch

COUNCIL MEMBERS
Albert Carroll, Jr.
Jason M. Earp
Marie Lopez Rogers
Raymond H. Shuey
Charles M. Wolf

CITY MANAGER
Todd Hileman

May 21, 2004

Mr. Victor Mendez
Director, Arizona Department of Transportation
2006 S. 17th Avenue, MD100A
Phoenix, Arizona 85007

Dear Mr. Mendez:

Attached please find the report you had requested recently from our Economic Development Department outlining staff's concerns regarding the 99th Avenue alignment of the South Mountain corridor and the potential negative impacts to Avondale's employment base and economy as a result thereof.

Please feel free to contact me if you have any questions.

Thank you for your support and attention.

Sincerely,

Todd Hileman
City Manager

Attachment

City of Avondale

Administration
11465 W. Civic Center Drive, Suite 220
Avondale, Arizona 85323-6806
Phone: (623) 478-3001
Fax: (623) 478-3802
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June 22, 2004

MAYOR
Ronald J. Drake

VICE MAYOR
Betty S. Lynch

COUNCIL MEMBERS
Albert Carroll, Jr.
Jason M. Earp
Marie Lopez Rogers
Raymond H. Shuey
Charles M. Wolf

CITY MANAGER
Todd Hileman

Ms. Mary E. Peters, Federal Highways Administrator
Office of the Federal Highway Administrator
400 7th Street, S.W.
Washington, D.C. 20590

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue Rm 135
Phoenix, Arizona 85007

Dear Ms. Peters and Mr. Mendez:

On June 21, 2004 the Avondale City Council voted unanimously to oppose the 99th Avenue alignment for the South Mountain Freeway Extension. Although the Council and Avondale City staff is very aware of and supports the Environmental Impact Statement and preliminary design process that is currently underway, the City vehemently opposes the 99th Avenue option due to the severe and potentially devastating impact it would have on the Avondale AutoMall and other existing and future businesses on 99th Avenue.

Attached is a copy of the approved resolution (attachment 1) by the Avondale Mayor and Council and a report prepared by the staff (attachment 2) to support this decision. If you have any questions or would like to further discuss this topic, please contact me or our City Manager, Todd Hileman at 623-478-3001.

Respectfully,

Ronald J. Drake
Mayor

Cc: Dan Lance, ADOT

Attachments

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, OPPOSING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 99TH AVENUE.

WHEREAS, the City of Avondale (the "City") has been made aware that the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), included 99th Avenue as an alignment study, in addition to numerous other alternatives, for the connection between Interstate 10 and the planned South Mountain Freeway; and

WHEREAS, the Council of the City of Avondale (the "City Council") is the planning authority for the City and has planned the future of the area around 99th Avenue according to the best interest of the community, which does not include a freeway along 99th Avenue; and

WHEREAS, the citizens of Avondale overwhelmingly approved the 2002 General Plan for the City, clearly indicating a vast majority of business park and light industrial uses along 99th Avenue and specifically not including a freeway; and

WHEREAS, the proposed 99th Avenue alignment would seriously impact (i) the City's ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the City staff, through meetings and correspondence with HDR and ADOT, has repeatedly opposed the proposed 99th Avenue alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. That the City hereby adamantly opposes the proposed alignment for the South Mountain Freeway along 99th Avenue.

SECTION 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to work to defeat any efforts by ADOT to align the South Mountain Freeway along 99th Avenue.

[SIGNATURES ON FOLLOWING PAGE]

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6-3-04-1

ORDINANCE NO. 1011-04

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE SALE OF REAL PROPERTY TO MEHLHORN PROPERTIES, LLC.

BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. That the City of Avondale hereby approves the sale of ± .15 acres of real property, of which it is the record owner, generally located south of Western Avenue, west of Central Avenue, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, for $6,426.00 to Mehlhorn Properties, LLC, in accordance with the terms and conditions described in the purchase contract.

SECTION 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, June 21, 2004.

Ronald J. Drake, Mayor

ATTEST:

Linda M. Farris, City Clerk

APPROVED AS TO FORM:

for Andrew J. McGuire, City Attorney

2048.001\ .\ Western Ave. Sale.ord.doc
6-10-04-1

Attachment 1

City of Avondale

Memorandum

Date: June 22, 2004

To: Todd Hileman, City Manager (623) 478-3012

Through: Jeff Fairman, Economic Development Director (623) 478-3141

From: Rachel Burke, Research & Marketing Analyst (623) 478-3143

Subject: **Impact of the South Mountain Transportation Corridor's 99th Avenue Alignments on Avondale's Economy**

Introduction

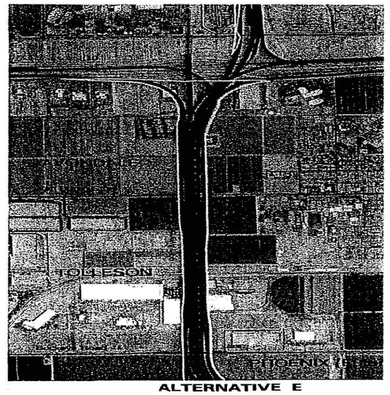
As you requested, here is an overview of the potential negative impacts to the Avondale employment base and economy assuming a 99th Avenue alignment of the South Mountain Freeway. 99th Avenue alternatives E, F, and G of the South Mountain Transportation Plan strongly and negatively impact Avondale's emerging economy. Due to current land use patterns and past entitlements, the I-10 Corridor is the only remaining area in the City for commercial uses, job creation, and sales tax generation. This area is critical to the future local economic base and vital to the City's ability to provide services for Avondale's growing population.

At the heart of the I-10 Corridor is the Avondale AutoMall, and it is conservatively estimated that a 99th Avenue alignment could result in at least a $500 million loss in annual taxable sales to as many as five auto dealers, Gateway Pavilions, the Interstate Commerce Park, Pilot Travel Center, and a proposed retail center at the SWC of 99th Avenue and McDowell Road. Additionally, a 12-acre site in this area is currently in escrow with a national client that would sell to and service the transportation industry with estimated annual sales of $35 million and employ over 100 skilled and semi-skilled workers from Avondale, Tolleson, and surrounding communities.

Also with regard to employment, 99th Avenue Alternatives E, F, and G would eliminate, at the very least, 600 existing jobs and many more future ones. Southward along 99th Avenue, portions of the Avondale AutoMall, the Interstate Commerce Park, and Pilot Travel Center, would be completely eliminated or made inaccessible. In actuality, any 99th Avenue alignment would restrict access and visibility to all existing and future businesses and decimate an area crucial to Avondale's economic well-being.

I:\Economic Development\Council Reports\Attachments\South Mtn. Fwy - 99th Avenue Corridor Analysis attchmnt 06-21-04.doc

Phone: 623.478-3140 Fax: 623.478-3803
11465 W. Civic Center Drive, Ste. 210 Avondale, Arizona 85323-6803



ALTERNATIVE E

Alternative E travels in a north-south direction along 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road and a half diamond service at Van Buren Street. Two-lane, one-way frontage roads are provided on both sides of the freeway, beginning ¼ mile south of I-10 and ending approximately ¼ mile south of Buckeye Road. This alternative seeks to maintain as much of the existing I-10/ SR 101L system interchange as possible. By proposing only a half service interchange in the City of Avondale, major access problems would negatively affect thriving businesses like the Avondale AutoMall.

Phone: 623.478-3140 Fax: 623.478-3803
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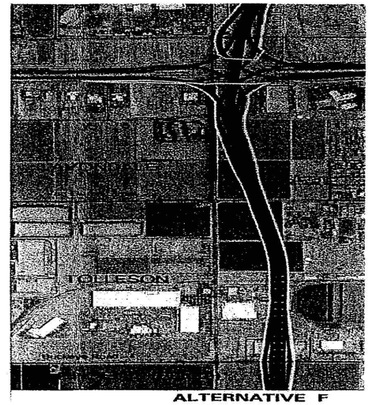
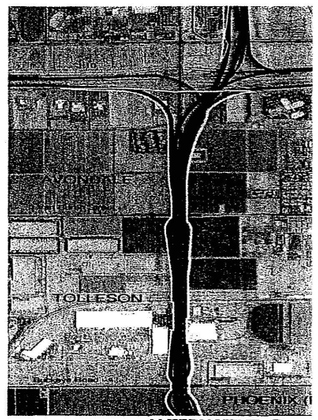


ALTERNATIVE F

Alternative F travels primarily in a north-south direction between 99th Avenue and ¼ mile east of 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road but no service interchange at Van Buren Street. As proposed, 99th Avenue would be a six lane arterial with a 16-foot median that maintains the existing roadway limits on the western side. This alternative proposes a fourth level movement and no interchanges within the City of Avondale, thus restricting access to current and future economic development efforts on and around 99th Avenue. Alternates without full diamond service access to Van Buren and McDowell would have severe negative economic implications.

Phone: 623.478-3140 Fax: 623.478-3803
11465 W. Civic Center Drive, Ste. 210 Avondale, Arizona 85323-6803



ALTERNATIVE G

Alternative G travels in a north-south direction along 99th Avenue. 99th Avenue would exist largely in its current location, with the freeway elevated at the second level above 99th Avenue. This alternative provides full diamond service interchange at Buckeye Road and half diamond service interchange at Van Buren Street. This option would severely impair visibility to the Avondale AutoMall and surrounding businesses, and the half service interchange at Van Buren Street would restrict access to businesses in the area.

Existing Development
The City of Avondale is today characterized by rapid growth, young families, and emerging retail and job centers. Just 15 miles west of Phoenix, Avondale has been undergoing a transition from an agricultural economy to one based on retail, office and commercial enterprises. The challenge for Avondale is building and diversifying its local economic base while continuing to maintain the character and quality of the City. Another challenge that exists is the limited amount of developable land to create jobs for all of its residents.

Commercial development is mainly located along the Interstate 10 Corridor bounded by Dysart Road to the west and 99th Avenue to the east and north of McDowell Road to Van Buren Street. The 99th Avenue alternatives proposed in the South Mountain Transportation Corridor plan would restrict access and visibility, limiting development opportunities for a significant amount of land in this area. At least five dealerships in the Avondale AutoMall, the Pilot Travel Center, and over 120 acres for business park employment would be directly affected by a 99th Avenue alignment. Demand for commercial growth is high and major users are interested in coming to the I-10 corridor, even the possibility of this alignment has caused several developments to question the viability of locating in the area and have put projects on hold until the location decision is played out.

Market Analysis
Avondale is a city of 60,000 residents, with a small town appeal, while offering many big-city cultural and recreational activities. Avondale has an exceptional regional location to serve California and other Southwest markets. Interstate 10, which is a major east-west freeway, runs through the community. In addition to excellent interstate access, state highway 85, and Sky Harbor Airport also serve Avondale. Avondale's location is close to markets to move services and people. Estrella Mountain Community College, Universal Technical Institute, and Phoenix International Raceway are located in Avondale, which contribute to its vitality. Building the employment base within the City will improve the quality of life for area residents by offering more places to work and shop. However, due to past entitlements, mostly to residential uses, the City has less than 10 % of the total land area left for quality job creation and sales tax generation. Without building the sales tax base, the City of Avondale would not be able to meet the growing needs of its increasing population.

Demographic and Economic Context
Avondale's 2004 estimated population is approximately 4.7% of Maricopa County population but has been growing almost twice as fast as the County's average. Most households are middle-income, although the higher income households have been increasing. There are pockets of high or extremely low-income households. According to the 2000 Census, 8,100 jobs existed. Avondale had largely centered on government and service industries; however, the economy is expected to grow steadily in all sectors, and employment is estimated to reach over 91,500 at build out. Unemployment consistently remains below that of the nation and state.

Retail Market
There is currently about 2.3 million SF of retail space in Avondale, of which 1.6 Million was built between 2001 and 2003. Rents have a large variance; midpoint figures range from $14.50 PSF for community centers to $26 PSF for regional centers. Since retailers often follow residential development, growth in this sector is flourishing.

Any 99th Avenue alignment would predominantly affect the Avondale AutoMall. The Chevrolet dealership would be razed; it would render the Toyota dealership inaccessible, and it would strongly inhibit access to at least the Chrysler, Dodge, and Honda dealerships. The end result: a negative affect to over 59.6 acres of thriving businesses, a loss of millions in sales, and hundreds of jobs.

Pilot Travel Center and 101 Truck and Auto Wash would either be eliminated or made inaccessible if a 99th Avenue alignment is selected. Also, Gateway Pavilions, a thriving 600,000 SF Power Center in the immediate vicinity would be adversely affected.

The proposed connection could also make the AZ Tile project unfeasible. AZ Tile has proposed to build a 270,000 SF retail center at the SWC of 99th and McDowell. This project has attracted national attention and would create a significant amount of new jobs.

Industrial Market
Industrial space is not yet a major component of the Avondale economy, yet there are over 400 acres set aside for this use, most would be negatively affected by any of the 99th Avenue alignments. There is less than 25,000 SF of industrial space; rents are between $.45-1.05 PSF, with relatively no vacancy. Regional estimates call for about 50,000-100,000 SF multi-tenant new space to catch up with the significant pent up demand.

The Interstate Commerce Park, 40 acres slated for light industrial-type uses, on 99th Avenue, is filling up with new users. Cummin's Diesel is considering building a $10 million facility needing at least 100 employees, averaging $55,000/ year. 99th Avenue Alternatives E, F, and G could render this commerce park virtually inaccessible.

Office Market
There is approximately 375,000 square feet of office space planned or completed in Avondale, of which an overwhelming majority is in the I-10 Corridor. Currently this area has a vacancy rate far below the regional average. Median Class A rent ranges between $18-28 PSF; Office land prices average $3-12 PSF and building costs range $70-200 PSF. The current inventory, however, does not come close to meeting the future demand. Two new West Valley hospitals are creating the need for more medical office space. With little developable land to meet these growing needs, the I-10 Corridor, as it exists today, may not have enough developable land to satisfy the demand.

Residential Market
Avondale is one of the Valley's fastest growing communities and expects to continue to experience rapid residential, commercial and industrial development. The balance between jobs, housing, and services is key to ensure long-term community viability. With 27,041 housing units in the planning stages and issue approximately 2,000 housing permits annually, the need to attract quality employment opportunities for the City's residents has never been greater.

Just over 91% of Avondale's 15,729 housing units are single-family homes. Values primarily range between $120,000 and $250,000; new units sell for an average of about $150,000. Median rents range from about $500 to $1,100; rents are comparable to regional averages.

Market Summary
Middle-income households have and will continue to move to Avondale and surrounding areas, and there is an untapped potential for higher income residents. New retail establishments will want to follow household migration/ growth. As it stands, there is barely sufficient office space and land to build upon to meet the current and future demand.

All projects that have been targeted, marketed, and located in the City of Avondale for their sales tax contributions, which go to fund everything from general government to police and fire, are threatened by these alternatives. South of Interstate 10 consists of land that has been allocated in the general plan for employment uses. This collection of properties is the largest area of open land within the

City's jurisdiction for job creation. When developed, this area will greatly strengthen Avondale's commercial tax base, and provide the community with its greatest remaining opportunity to affect positive change in the pursuit of a more memorable, sustainable, livable, and fiscally sound future.

The City of Avondale has taken a proactive approach to ensuring that growth and development meet a quality standard set by the community. The community recognizes the need to continue to diversify its local economic base to meet and support the growing needs of current and future residents, and understands the challenge of Phoenix's rapid growth being met with new roads, freeways, and traffic management solutions. Actual and potential economic impacts of each alignment should be studied in detail to ascertain the most cost-effective, non-intrusive option for all communities involved, ensuring that quality economic development initiatives are preserved during times of economic volatility. It is the opinion of Avondale Economic Development staff that a 99th Avenue alignment would deliver a devastating blow to the area's economy that a recovery, in all markets, would be difficult, if not impossible to overcome.

I:\Economic Development\Council Reports\Attachments\South Mtn. Fwy - 99th Avenue Corridor Analysis attchmnt 06-21-04.doc

Phone: 623.478-3140 Fax: 623.478-3803
11465 W. Civic Center Drive, Ste. 210 Avondale, Arizona 85323-6803

RESOLUTION NO. 2554-306

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the City of Avondale (the "City") has been presented with information by the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue in Avondale (the 99th Avenue Alignments"); and

WHEREAS, the Council of the City of Avondale (the "City Council") is the planning authority for the City and has planned the future of the area around 99th Avenue according to the best interest of the community, which does not include a freeway along 99th Avenue; and

WHEREAS, the citizens of Avondale overwhelmingly approved the 2002 General Plan for the City, clearly indicating a vast majority of business park and light industrial uses along 99th Avenue and specifically not including a freeway; and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact (i) the City's ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the "55th Avenue Alignment"); and

WHEREAS, the City of Phoenix, the city of Tolleson and the City of Avondale have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. That the City hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the City hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

638104.2

PASSED AND ADOPTED by the Council of the City of Avondale, March 20, 2006.

Marie Lopez-Rogers, Mayor

ATTEST:

Linda M. Farris, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

638104.2

City of Avondale

Administration
11465 W. Civic Center Drive, Suite 220
Avondale, Arizona 85323-6806
Phone: (623) 478-3001
Fax: (623) 478-3802
Website: www.avondale.org

May 16, 2006

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ 85007

Re: South Mountain Freeway Corridor Study, Economic Impacts

Dear Mr. Mendez:

Thank you for meeting with Mayor Lopez-Rogers and our staff on May 1, 2006 to share the Citizens Advisory Team's recommendation on the alignment and your department's plans for the finalization of the South Mountain Freeway Corridor Study. The information was informative and greatly appreciated. During the meeting we expressed our concern regarding the level of economic impact analysis that will be incorporated into the study.

The Avondale City Council has adopted three resolutions regarding alignments proposed in this study: 1) opposed to the 105th Avenue alignment; 2) opposed to any alignment on 99th Avenue; and 3) in support of the 55th Avenue alignment. This letter should not be interpreted as an indication that the City of Avondale will support any alignment other than 55th Avenue.

City staff has been frustrated by the lack of data that demonstrates the economic impact to our City's businesses due to the various proposed alternatives such as 1) the elimination of access to/from McDowell Road; 2) the potential elimination of Dealer Driver between 99th Avenue and 107th Avenue; the loss of Gateway Chevrolet due to significant loss of auto display area; and 4) the overall loss of freeway visibility of the AutoMall due to the magnitude and proximity of the "Full Reconstruct" interchange with I-10.

We have been informed that Federal requirements limit the analysis of economic impacts to direct impacts due to property acquisition. Such losses include property tax and sales tax produced by the property acquired. We were also told that impacts such as those described in the previous paragraph are speculative and cannot be included in the study. I am sure you can understand the City of Avondale's position that the true impacts can be much greater than the mere taking of right-of-way.

We respectfully request that the study include a more comprehensive analysis of the economic impact of the proposed alternatives to include loss of freeway access, loss of visibility, and loss of frontage road access.

We also want to express our appreciation for all the support ADOT staff have provided throughout this process. Thank you again for meeting with us earlier this month and for your consideration of this issue. I look forward to discussing this issue further with you or your designee.

Respectfully,

David Fitzhugh
Assistant City Manager

C: Charlie McClendon
Bill Hollins

October 14, 2002

Mr. Chris Voigt, Senior Engineer
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, AZ 85003

RE: SOUTH MOUNTAIN CORRIDOR AND RIO SALADO PARKWAY

Dear Mr. Voigt:

The Cities of Phoenix, Goodyear, Avondale, and Tolleson (Cities) express their support for the South Mountain Corridor (SR 202) route that utilizes the currently adopted alignment to connect to Interstate 10 (I-10) instead of a westerly alignment going through Avondale or Tolleson to connect to I-10.

In addition, we want to propose a Rio Salado Parkway parallel to the Salt River as an I-10 reliever route. This Parkway would extend from 7th Street to SR 202 on the south side of the river. West of SR 202 it would cross to the north side of the river and use the Southern Avenue alignment which has no major home developments (parallel to and north of the Salt River) to connect to Loop 303.

The Cities are pleased to work in partnership with Maricopa Association of Governments and other contributing entities and will be more than happy to facilitate an exchange of information to continue this project to a successful completion. If you have any questions, please contact my office at (623) 882-7061.

Sincerely,

CITY OF GOODYEAR

Grant I. Anderson, P.E.
Deputy City Manager

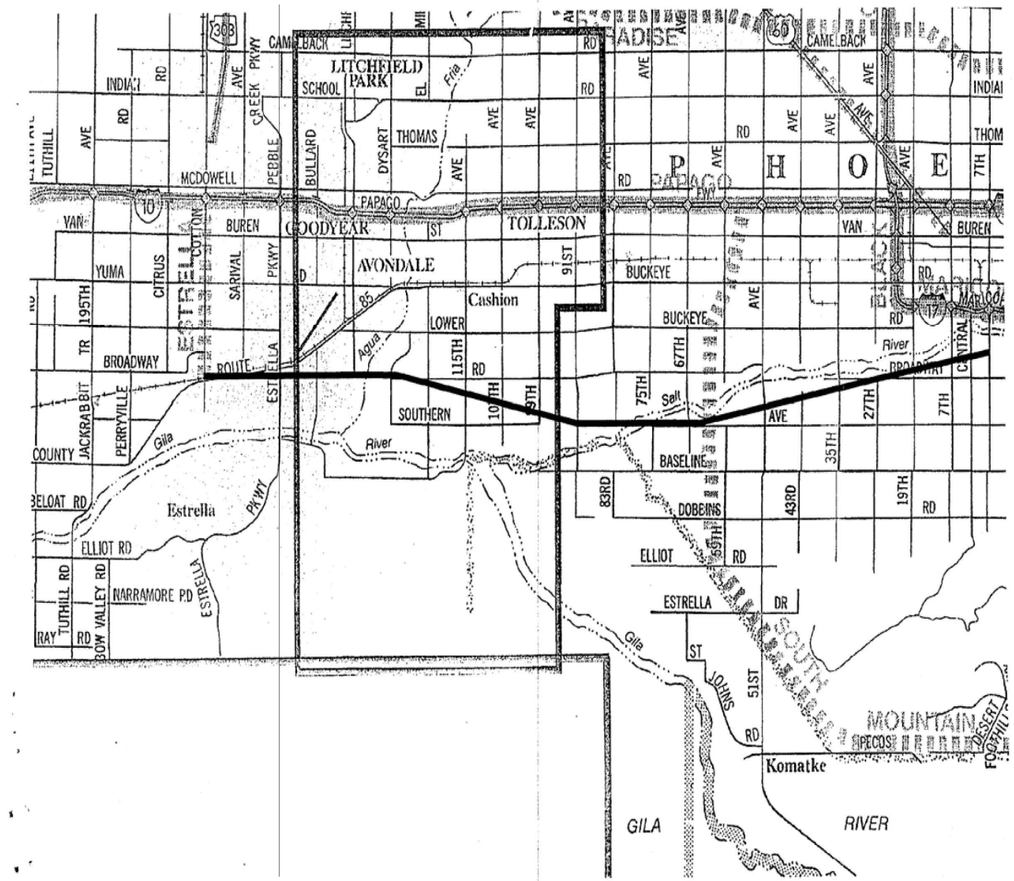
LN:ln:mag-southmtncorridor

cc: Victor Mendez, Director, Arizona Department of Transportation (ADOT)
Dick Wright, State Engineer, Intermodal Transportation Division, ADOT
Todd Hileman, City Manager, City of Avondale
Tom Callow, Street Transportation Director, City of Phoenix
Reyes Medrano, Jr., Assistant City Manager, City of Tolleson
Reading File

Proud past. Vibrant future!

Deputy City Manager's Office
190 North Litchfield Road P.O. Box 5100 Goodyear, Arizona 85338
623-882-7061 Fax 623-882-7063 1-800-872-1749 TDD 623-932-6500
www.ci.goodyear.az.us

Proposed Rio Salado Parkway West Route



CITY OF LITCHFIELD PARK

RESOLUTION NO. 06-228

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK, MARICOPA COUNTY, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the City of Litchfield Park (the "City") has been presented with information by the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue in Avondale (the 99th Avenue Alignments"); and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact (i) the City of Avondale's ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the "55th Avenue Alignment"); and

WHEREAS, the City of Phoenix, the City of Tolleson and the City of Avondale have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LITCHFIELD PARK as follows:

SECTION 1. That the City hereby adamantly opposes the 99th Avenue Alignments for
the South Mountain Freeway.

SECTION 2. That the City of Litchfield Park hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the City of Litchfield Park, April _____, 2006.

_____
J. Woodfin Thomas, Mayor

ATTEST:

_____
Mary Rose Evans, City Clerk

APPROVED AS TO FORM:

_____
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
City Attorneys
By Susan D. Goodwin

City of Phoenix
STREET TRANSPORTATION
DEPARTMENT

October 13, 1989

125 East Washingt
Phoenix, Arizona 8
602-262-6284

Mr. Charlie Miller
Director, Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ 85007

Dear Mr. Miller:

RE: 7th Avenue Interchange at the South Mountain Freeway

The Foothills Development, located north of Pecos Road between 24th Street and 19th Avenue, is currently revising its Master Street Plan for Phase III, which has been purchased by UDC Homes. UDC representatives have requested that the City allow UDC to eliminate the potential freeway connection to Pecos Road at the future 7th Avenue interchange with South Mountain Freeway from the Master Street Plan.

The land uses currently planned in the vicinity north of the freeway indicate that an interchange may not be essential at this location. The Indian Tribe to the south of the freeway has also indicated (in a letter to Larry Landry, representing UDC) that the 7th Avenue interchange is not imperative to the development of their lands. We therefore request that ADOT remove the proposed 7th Avenue interchange at the South Mountain Freeway from its plans.

Please review this request, and inform us when you have reached your decision. We will ask UDC to show a potential freeway connection at 7th Avenue until ADOT confirms that the interchange will be removed from the plans. For your information, UDC has been informed that right-of-way, as specified by ADOT, will need to be dedicated where ADOT has not already purchased land for the freeway.

Thank you for your cooperation and assistance in this matter.

Sincerely,

James H. Matteson, P.E.
Street Transportation Director

JHM:TSH:kmg

cc George Flores
Ronald N. Short

City of Phoenix
STREET TRANSPORTATION
DEPARTMENT

December 12, 1989

125 East Washington S
Phoenix, Arizona 8500
602-262-6284

Mr. Rosendo Gutierrez
Urban Highway Engineer
Arizona Department of Transportation
Highway Division
206 South Seventeenth Avenue
Phoenix, AZ 85007

Dear Mr. Gutierrez:

This is in response to your October 30, 1989 letter, and subsequent conversation with Tijana Stojsic Hamilton regarding South Mountain Freeway issues in the vicinity of the Foothills Development.

The City has requested that ADOT review the feasibility of eliminating the proposed interchange at 7th Avenue and South Mountain Freeway (letter to Charlie Miller, October 11, 1989). This was done at the request of UDC Homes, developers of Phase III of The Foothills. Based on previous conversations with ADOT staff, the City has informed UDC representatives that ADOT will be requiring dedication of additional right-of-way at the 7th Avenue interchange alignment. We also indicated, through comments on revisions to their Master Street Plan, that if ADOT allows the relocation of the 19th Avenue, additional right-of-way may be required there also. UDC has been informed that all negotiations regarding this, or any other issues impacting the South Mountain Freeway, should be with ADOT.

Subsequent to the receipt of your letter, UDC has also been informed of your requirement for a letter to the Arizona Department of Transportation from the Gila River Indian Community indicating their position on the 7th Avenue interchange. UDC representatives have informed us that attempts toward obtaining this letter are being made.

Please inform us when ADOT and UDC Homes have reached an agreement as to the 19th Avenue Interchange relocation and 7th Avenue Interchange elimination issues. As you know, we are holding up UDC-Foothills Phase III Master Street Plan pending resolution of these issues.

Thank you for your cooperation and prompt response in this matter.

Sincerely,

James H. Matteson, P.E.
Street Transportation Director

JHM:TSH:pj:194

c: Larry Landry
Dave Richert
Jon Wendt

City of Phoenix
STREET TRANSPORTATION DEPARTMENT

June 5, 2000

Mr. Terry Max Johnson
Transportation Manager
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 850003

Dear Mr. Johnson:

This is in response to your May 31 memo concerning recommended actions in the South Mountain corridor.

The City's position is that right-of-way should be actively purchased along undeveloped segments of the corridor using the programmed funds, i.e. the $85 million. This would be a more aggressive approach than simply protective right-of-way purchase, and may require a different split of programmed funds between design, right-of-way, and construction than is currently shown in the program.

As a practical matter, right-of-way purchase would focus on the segment of the corridor from south of Van Buren Street to 51st Avenue and the GRIC boundary.

The City agrees with the recommendation to include $6 million for an EIS and DCR. These documents would cover the entire corridor from I-10 West to I-10 South.

Sincerely,

Thomas E. Callow

Thomas E. Callow, P.E.
Street Transportation Director

C:\OFFICE\WPWIN\WPDOCS\0621ltr.doc

c: Mr. Fairbanks
Mr. Tevlin
Mr. Nordvold
Mr. Herp
Mr. Godbee

200 West Washington Street, Fifth Floor, Phoenix, Arizona 85003-1611 (602) 262-6284 FAX (602) 495-2016

Recycled Paper

Terry Johnson

From: Roger Herzog - MCDOTX [RogerHerzog@mail.maricopa.gov]
Sent: Monday, June 05, 2000 2:26 PM
To: 'Terry Johnson'
Cc: Mike Sabatini - MCDOTX
Subject: Comments on South Mountain Stakeholders Group Memo

Max,

Mike Sabatini and I discussed your South Mountain Stakeholders memo of May
31, 2000. Here are a few comments/questions:

* Will $5.0 million per year for right-of-way protection be adequate
to cover the South Mountain Corridor, as well as the rest of the regional
freeway system?
* We were somewhat surprised to see no mention of the group's discussion of shifting the $85 million to the north-south leg. If we are
reading the memo correctly, this issue would not be addressed until after
the EIS and Design Concept Report are completed, which could be three years
in the future. Could that slow progress on completion of the corridor?

Thanks for the opportunity to comment. Rog

City of Phoenix

To: City Jurisdictions **Date:** May 23, 2001

From: Joy A. Mee, AICP
Assistant Planning Director

Subject: AMENDMENT TO THE GENERAL PLAN FOR PHOENIX

Attached for your review is the following amendment to the General Plan for Phoenix.

VILLAGE: LAVEEN

1. Application: GPA-LV-1-01-7
   From: Commerce Park
   To: Mixed Use--Commercial/Commerce Park
   Acreage: 288.17 +/-
   Location: Generally located south of South Mountain Avenue on the North, Elliot Road on the South, 63rd Avenue on the West, and 59th Avenue on the East (excluding the Core and the parcel just south of South Mountain Avenue and west of the proposed freeway).
   Proposal: To add land use flexibility surrounding the Laveen Core.
   Applicant: City of Phoenix Planning Commission
   Representative: Kevin McAndrews w/L.E.A.D.S.
   First Planning Commission Hearing: 6/27/01
   Second Planning Commission Hearing: 7/25/01

The first hearing before the Planning Commission is scheduled for June 27, 2001. Please review the enclosed application and forward your comments to me by **June 13, 2001.**

Should you have any questions, concerns, or changes to any mailing information, please contact the Planning Department at 262-6882.

Attachments

City of Phoenix Planning Department
200 West Washington Street, 6th Floor, Phoenix, AZ 85003-1611 Tel: 602-262-6882 Fax: 602-495-3793

ENHANCED NOTIFICATION PROCEDURE REQUEST FOR COMMENT FORM

Today's Date: 5/23/00
Case Number: GPA-LV-1-01-7
Deadline for commenting jurisdiction to submit comments: 6/13/01
Date for response to comment: _____
First Hearing date for project: 6/27/01

COMMENTING JURISDICTION: In accordance with the Enhanced Notification Procedure adopted by our community, we are informing you of a project that is being considered by our jurisdiction that may affect your community. Please review the data provided on this project and assess whether it may impact your jurisdiction. If you would like to submit comments, they should be provided by the above noted date, and should specifically address potential impacts. Please keep comments to a maximum of 3 pages. A response to your comments will be provided by the above noted date. **ALL COMMENTS WILL BE REVIEWED AS ADVISORY ONLY - THE HOST JURISDICTION MAINTAINS AUTHORITY TO PROCEED WITH THEIR HEARING SCHEDULE AS NOTED.** If you have any questions or would like additional information, please call the contact person indicated below.

1. Submitting/host jurisdiction: City of Phoenix
2. Contact person: Heidi Drost Phone: 602-256-5657
3. Address or description of location of project: Generally located south of South Mountain Avenue on the North, Elliot Road on the South, 63rd Avenue on the West, and 59th Avenue on the East (excluding the Core and the parcel just south of South Mountain Avenue and west of the proposed freeway).
4. Nature of action requested (general plan amendment, master plan, rezoning, etc.): General Plan Amendment
5. Description of the project. Projected additional A.M./P.M. peak hour vehicle trips: 79088 per day
   Number of dwelling units: N/A Non-residential square footage: _____
   Acreage of project: 288.17 +/- Present and proposed land uses: _____
   Existing: Commerce Park Proposed: Mixed Use—Commercial/Commerce Park
   Phasing plan for overall project: _____
6. Current level of service identified in the MAG Congestion Study for the nearest major intersection(s). _____
7. Distance from the perimeter of the project to the nearest existing or proposed:
   freeway - Proposed Loop 202 bisects site at roughly 61st Avenue)
   road of regional significance - _____
8. Measures that will be employed to mitigate any traffic impacts caused by the project: _____
   If system related, are these improvements identified in the current MAG Transportation improvement Program? _____
9. Measures to mitigate other impacts of the proposed development (such as noise, drainage, land use transitions, etc.)
10. How the project supports the host jurisdiction's commitments to implement the air quality plans of the region (trip deduction measures, transit incentives, etc.).
    Concentrates retail/employment along freeway corridor
11. Date of any previous communication of this overall project through the Enhanced Notification Procedure: _____
12. Any other comments on the project (may use reverse side or separate sheet): _____

Please attach copies of:
☐ A vicinity map, site plan and land use map of project
☐ Any available development impact studies conducted for this area

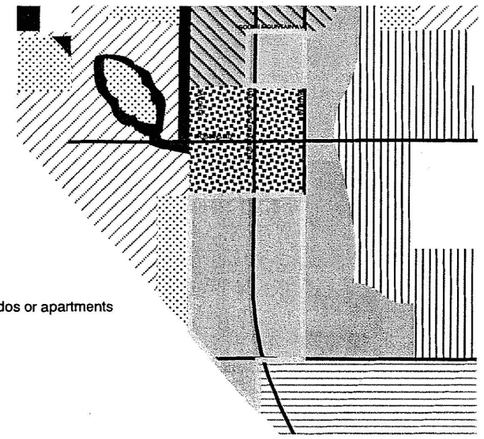
GENERAL PLAN AMENDMENT

CITY OF PHOENIX • PLANNING DEPARTMENT • 200 W.WASHINGTON ST.• PHOENIX, AZ• 85003• (602)2626882

APPLICATION NO: GPA-LV-1-01-7	ACRES: 288.17 acres +/-
VILLAGE: Laveen	COUNCIL DISTRICT: 7
APPLICANT: Kevin McAndrews w / L.E.A.D.S.	

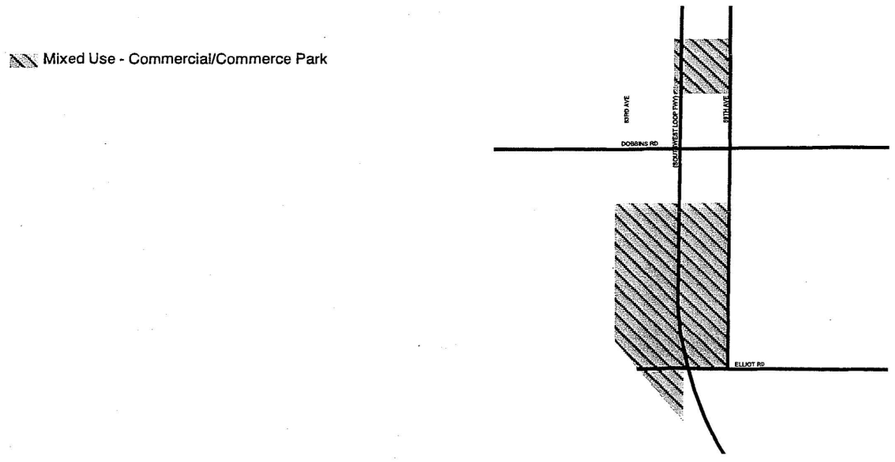
PROPOSED GENERAL PLAN:

Commerce Park (288.17 acres +/-)



REQUESTED CHANGE TO PROPOSED GENERAL PLAN:

Mixed Use - Commercial/Commerce Park (288.17 acres +/-)



City of Phoenix

PLANNING DEPARTMENT

Date: September 10, 2001

Mary Vaparino
ADOT
206 S 17th Avenue
Phoenix, AZ 85007

Dear Ms. Mary Vaparino,

The Laveen Watercourse/Greenbelt Pedestrian Design Project concept plan is a working document developed to help guide the development of an amenity that reflects the agricultural heritage of Laveen. The Laveen Watercourse may eventually become a part of a regional greenbelt system connecting with the Laveen Area Conveyance Channel, the Laveen Town Center, and the Laveen Village Core. A copy of the Laveen Watercourse Concept Plan is enclosed with this letter. Please review the concept plan and provide feedback to me (602) 256-5657 or Jasmin Chitrakar (602) 534-6410 by September 21, 2001. The concept plan will be revised to reflect the suggestions provided by the stakeholders, city departments and the public.

The Laveen Watercourse/Greenbelt Pedestrian Design Project Concept Plan is part of the Maricopa Association of Government (MAG) Pedestrian Area Design Program. A consulting team worked closely with MAG and the City of Phoenix Planning Department during the planning process for the concept plan. The challenge for this project was to help plan for the rapid future growth in the Laveen, located in southwest Phoenix, while protecting community open space values.

The Planning Department staff held an open house on August 8, 2001 to involve the public in the planning process. The objective was to update the Laveen community on the status of the Laveen Watercourse Concept Plan and solicit public comments regarding the concept design prepared by the consultant. It was the first of several meetings to be conducted over the next few months to work through details for the location and design of the watercourse.

The next phase of the planning process is to solicit information from the stakeholders and city departments. A second public meeting will be held to update the public regarding the comments from the stakeholders and other city departments and to discuss potential alternatives. That meeting is scheduled for later this month. The concept plan will be revised and the final plan will be presented to the public and the village planing committee for further discussion and recommendation to the Planning Commission.

Sincerely Yours,

Rachael

Rachael Pitts
Laveen Village Planner

200 West Washington Street • Phoenix, Arizona 85003 • 602-262-7131 • FAX: 602-495-3793
Recycled Paper

City of Phoenix

To: Interested Stakeholders in Phoenix Rio Salado/Tres Rios Projects **Date:** October 25, 2001

From: Karen Williams, City of Phoenix
Kayla Eckert, U.S. Army Corps of Engineers

Subject: SALT RIVER RESTORATION FROM 19TH AVENUE TO 83RD AVENUE (RIO SALADO OESTE)

The Phoenix Rio Salado is a partnership between the U.S. Army Corps of Engineers and the City of Phoenix to restore habitat to five miles of the Salt River from Interstate 10 to 19th Avenue. Design of this 580-acre environment restoration project is currently underway. The flood control elements of Rio Salado are under construction by the Flood Control District of Maricopa County.

The Rio Salado Oeste (Spanish for West) Feasibility Study is a planning effort to continue the habitat restoration efforts from 19th Avenue to 83rd Avenue in the Salt River. The project will connect with the Tres Rios environment restoration project west of 83rd Avenue. As an interested stakeholder in the Rio Salado and/or Tres Rios projects, we invite you to our first stakeholder Oeste Steering Committee meeting. We want your valuable input to guide the 4-year Oeste Study.

We recognize your time is limited and appreciate your consideration of our request. We really hope you will attend this 2-hour meeting. Thank you.

What: Rio Salado Oeste Study Steering Meeting

When: Wednesday, November 14, 2001
1:00 to 3:00 p.m.

Where: Flood Control District of Maricopa County
2801 West Durango

For more information, call Kayla at (602) 640-2003, ext. 247.

Did you know that there is the same amount of water on Earth today as there was when the Earth was formed three billion years ago? Only 200 years ago there were 4 million people in the United States, while today there are 250 million … and the same amount of water! It isn't too hard to figure out that as the demands continue to grow, and the supply of water doesn't, everyone will hold a greater responsibility in conserving, protecting and getting involved in the decision making that involves our water resources.

Federal, state, tribal and local entities can experience great rewards by effectively managing wetlands, fish and wildlife resources, endangered species, water quality and cultural resources for which they are responsible. Often, reliably managing these resources can translate into improved local economic opportunities. The City of Phoenix and the Corps of Engineers are partnering to study how the Salt River from 19th Avenue to 83rd Avenue can be protected and restored in the future. As stakeholders to the river, this is where we need your help!

The following information was extracted from the Reconnaissance Study that was used as the basis for making the decision to proceed, into the feasibility phase of the study. It resulted in the finding that there is a Federal interest in continuing the study into the feasibility phase. We ask you to review the problems, opportunities, and objectives as identified below, and come prepared to discuss them as they relate to your interest in the river.

LOCATION OF STUDY

The study area is located along the Salt River, in Phoenix, Arizona, between 19th Avenue and 83rd Avenue. The study area is located in between the authorized Rio Salado Project area and the authorized Tres Rios Project area. The Oeste study area is approximately eight river miles in length. In comparison, the authorized Phoenix reach of the Rio Salado project is five miles long and the Tres Rios study area is about seven miles long.

The non-Federal sponsor for the feasibility phase of the study is the City of Phoenix. The study area includes portions of the City of Phoenix, Maricopa County, state and federal land.

PLAN FORMULATION

During a study, six planning steps that are set forth in the Water Resource Council's Principles and Guidelines are repeated to focus the planning effort and eventually to select and recommend a plan for authorization. The six planning steps are: 1) specify problems and opportunities, 2) inventory and forecast conditions, 3) formulate alternative plans, 4) evaluate effects of alternative plans, 5) compare alternative plans, and 6) select recommended plan.

PROBLEMS AND OPPORTUNITIES

The evaluation of public concerns often reflects a range of needs, which are perceived by the public. This section describes these needs in the context of problems and opportunities that can be addressed through water and related land resource management. The problems and opportunities that have been identified within the study area are:

- Degraded river and adjacent over bank areas, due to upstream water resources development, has eliminated native riparian plant species and wildlife habitat. Perennial base flow conditions, critical to the needs of native plants, no longer exist in the river corridor through the study area.
- The average depth to groundwater beneath the river channel is much greater than historic conditions. Riparian vegetation that depends on groundwater has largely disappeared from the river channel.
- Lack of a natural flood regime. These changes in the river system have impacted the surface/groundwater interactions and sedimentation dynamics that are important for sustaining and regenerating riparian vegetation.
- Land use changes, including landfills and sand and gravel mining, have degraded and are contributing towards continued degradation of the river corridor.
- Unsuitable existing bank conditions exist at many locations. Surface dumping and manmade bank changes have resulted in a degraded and unsafe bank in many locations.
- There is an opportunity to take advantage of existing open water bodies, in the river and adjacent properties, as potential restoration sites.
- Utilize discharges from the 23rd Avenue Waste Water Treatment Plant to supplement surface water and groundwater sources of water for restoration and other needs.
- There is an opportunity to link other upstream and downstream projects to provide a continuous restoration and flood control corridor. These would include the authorized Rio Salado project and the authorized Tres Rios project.
- Utilize groundwater for restoration and other needs, as agricultural groundwater pumping phases out. This opportunity may be the greatest in the Laveen area.
- Flooding and drainage problems exist in the Salt River contributing drainages for the Laveen and Durango Area Drainage Master Plan areas.
- Contributing interior drainages lack current hydrology information at all discharge points into the Salt River. Adequate points of disposals do not exist at many interior drainage discharge locations.
- There is a flooding problem on the south side of the river, within the 100-year floodplain, between 67th Avenue and 75th Avenue.
- There are no formal existing recreation or environmental education opportunities associated with the existing river corridor. As agricultural land near the river is converted to residential, the need for recreation will increase. The 27th Avenue Solid Waste Recycling Facility (just north of the river) has an existing environmental education master plan. The facility provides tours for children and adults. The 23rd Avenue Waste Water Treatment Plant also does environmental education programming and touring for water treatment. These existing facilities provide an opportunity to link environmental education that could be developed for a restored river corridor.
- Existing cultural resources need protection from erosion and vandalism.
- The extent and significance of existing cultural resources is unknown.
- The biggest contributor to water in this stretch of the Salt River is the City of Phoenix 23rd Avenue Wastewater Treatment Plant. The plant produces a high quality A++ effluent, which meets the water quality standards for numerous uses including Partial Body Contact, Fish Consumption, Aquatic and Wildlife (effluent dependent), Agricultural Irrigation and Agricultural Livestock. In order to meet the City of Phoenix's exchange agreement with the Roosevelt Irrigation District, the plant's effluent also meets water quality standards for irrigation of crops eaten raw. Thus it meets very high microbiologic standards. Other discharges into the river both upstream and downstream of the plant will have a degrading effect on 23rd Avenue effluent. Storm water, industrial and agricultural discharges along

this stretch of the river impact the overall river water quality. Thus the water quality may degrade as it moves downstream.

PLANNING OBJECTIVES

These planning objectives reflect the problems and opportunities and represent desired positive changes in the without project conditions. The planning objectives are specified as follows:

- Increase native riparian plant and wildlife habitat values, diversity and functions from 19th Avenue to 83rd Avenue for a period of 50 years. Elements of diversity include establishing multiple native riparian plant species, providing sufficient open space for wildlife, and providing open water features for wildlife.
- Increase passive recreational and environmental education opportunities for visitors, which are linked to the restoration project in the study area, for a period of 50 years.
- Attract wetland and riparian avian species in the study area.
- Establish the presence of amphibian species, reptilian species, mammalian species, and avian species in the study area.
- Suppress undesirable and nonnative fish and wildlife species.
- Eliminate non-native, invasive plant species in the study area.
- Improve flood control along the Salt River between 67th and 75th Avenue.

City of Phoenix
OFFICE OF THE MAYOR

MAYOR SKIP RIMSZA

August 2002

Mr. Michael Goodman
9001 South 27th St.
Phoenix AZ 85040

Dear Michael:

If you could take just a few moments to give me some advice, I'd very much like to hear your thoughts regarding transportation.

Phoenix is now the 6th largest city in America. In Maricopa County, we already have 3 million people and are adding 5,000 more *every month.* In the next thirty years or so, we will have 6 million people in the county and Phoenix will become the *third* largest city in the nation.

Please take a careful look at the enclosed map. It shows where growth will occur in the next 25 years. If you live in the Desert Ridge area, you'll have 150,000 new neighbors. If you live in Laveen, you can expect 100,000 more people. The Baseline Corridor will see 40,000 new residents and the Central City core will grow by 125,000.

Those are big numbers.

But the map also provides concepts of proposed transportation improvements to help you maintain your quality of life while our population doubles. Freeway widening, new parkways, extended HOV lanes, traffic signal synchronization, expanded bus service (including bus rapid transit), more bus pullouts, and additional light rail extensions -- all these things can be considered and developed by the City of Phoenix to alleviate future congestion and gridlock.

Our freeway system is nearly completed -- yet is already nearing capacity. The new census shows that, despite our new freeways, all of us are spending more time in our cars, trucks and SUV's. Without a significant long-range commitment to transportation investments, average commute times during rush hour could more than double. Unless we make tomorrow's plans TODAY, we will fall so far behind we'll never catch up -- and our commute times will only get longer.

We need a thoughtful, 20-year transportation plan that will get the job done for us all. I have a few ideas, but I'm sure you have ideas of your own. And I'd like to hear them. So please take a few minutes to fill out the enclosed questionnaire and a mail it back to me in the Mayor's Office.

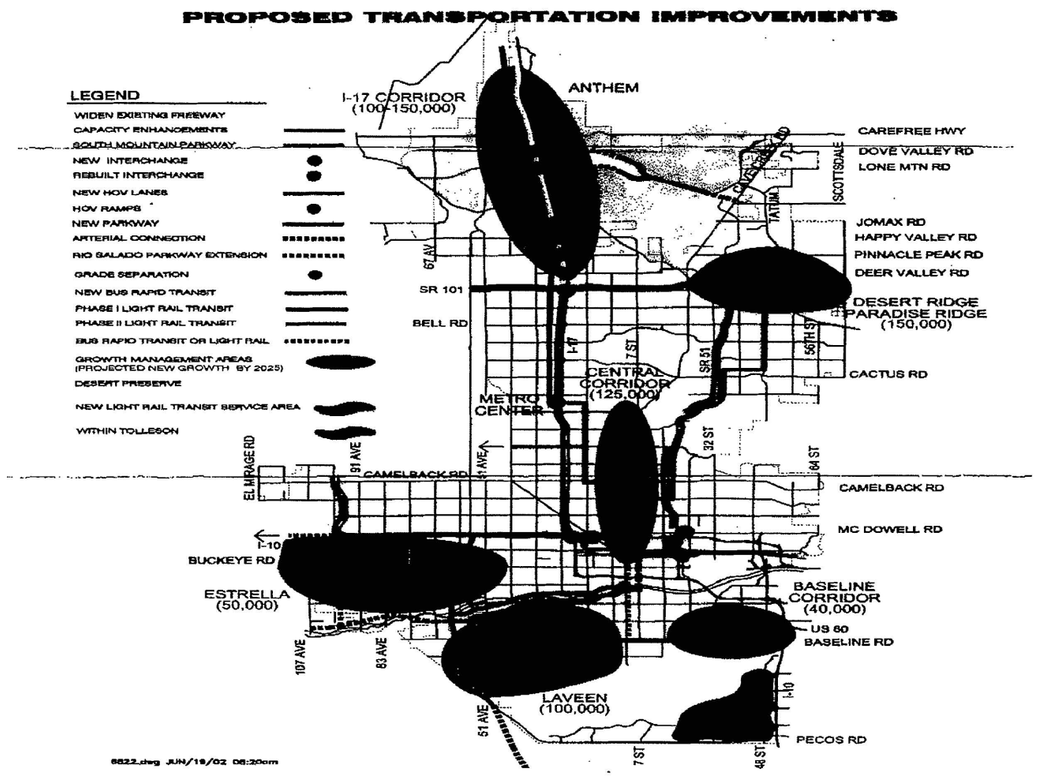
I appreciate your help.

Sincerely,

Skip Rimsza
Mayor

200 WEST WASHINGTON STREET, 11TH FLOOR, PHOENIX, ARIZONA 85003-1611 PHONE 602-262-7111 FAX 602-495-5583

Recycled Paper



Dear Mayor Rimsza,

I agree that if we don't continue making improvements in our transportation system, 10 years from now congestion will be worse. ___ **YES** ___ **NO**

I would encourage you to support the following transportation improvements to help maintain and improve our quality of life: (Please check all that apply)

___ **Expanded Freeways** ___ **Express HOV Lanes** ___ **New Parkway Construction**
___ **Expanded Public Transportation** ___ **More Bus Pullouts** ___ **Expanded Light Rail**
___ **Other** _____

Comments: _____

Name: _____

Address: _____

Email & Phone No. _____

Please affix a postage stamp. Thank You.

City of Phoenix
OFFICE OF THE MAYOR

MAYOR SKIP RIMSZA
ANDREA TEVLIN, CHIEF OF STAFF

November 2002

Winner of the Carl Bertelsmann Prize
BEST RUN CITY IN THE WORLD

If you could take just a few moments to give me some advice, I'd very much like to hear your thoughts regarding transportation.

Phoenix is now the 6th largest city in America. In Maricopa County, we already have 3 million people and are adding 5,000 more *every month*. In the next thirty years or so, we will have 6 million people in the county and Phoenix will become the *third* largest city in the nation.

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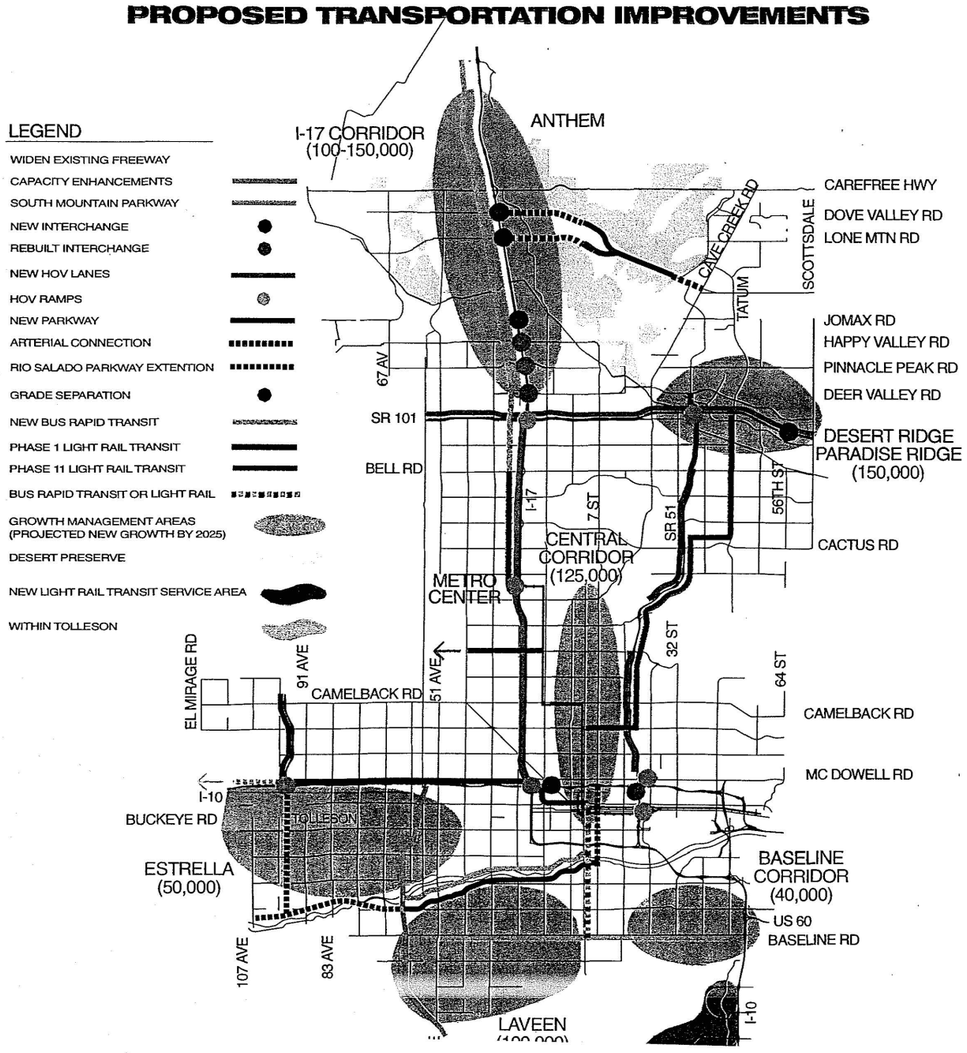
We need a thoughtful, 20-year transportation plan that will get the job done for us all. I have a few ideas, but I'm sure you have ideas of your own. And I'd like to hear them. So please take a few minutes to fill out the enclosed questionnaire and a mail it back to me in the Mayor's Office.

Sincerely,

Skip Rimsza
Mayor

200 WEST WASHINGTON STREET, 11TH FLOOR, PHOENIX, ARIZONA 85003-1611 PHONE 602-262-7111 FAX 602-495-5583



City of Phoenix
HISTORIC PRESERVATION OFFICE

September 8, 2003

Robert E. Hollis
Division Administrator
U.S. Department of Transportation
FHWA – Arizona Division
400 E. Van Buren Street
Phoenix, AZ 85004

Re: HA-AZ, NR-202(ADY), 202L MA 054 H5764 01L, Loop 202, South Mountain, Initial Section 106 Consultation

Dear Mr. Hollis:

Your office recently forwarded a "Class I" report to my office regarding the proposed Loop 202 freeway corridor. The purpose of the report as explained in your letter is to identify "previously recorded cultural resources" to help with the process of identifying feasible project alternatives for the proposed freeway.

I have a number of concerns regarding this report. They are as follows:

+ It does not appear that this initial study attempted to identify non-archeological historic properties that have been previously identified through historic surveys or determined National Register eligible by the State Historic Preservation Office (SHPO). I am aware of at least several known National Register eligible historic properties located within the corridor area, including the Webster Farmstead at 75th Avenue and Baseline Road (previously determined National Register eligible by the SHPO), South Mountain Park (may or may not be partially in the boundaries of the corridor study), and potentially historic canals and canal laterals (need to confer with Bureau of Reclamation and Salt River Project).

+ A search of the National Register and Section 106 files of the Arizona State Historic Preservation Office and the survey files of the City Historic Preservation Office is needed to locate any historic non-archeological properties in the project corridor and "to identify previously recorded cultural resources" as stated in your letter. We highly recommend that the cultural resources "Class I Overview" by amended at this time to incorporate a records search of surveyed and designated historic buildings, structures, districts and objects.

+ My office also recommends that all further cultural resources identification efforts for this project include a qualified architectural historian on the identification team. This is needed given the high potential to locate other historic non-archeological properties within the project's area of potential effects.

If I can provide additional information, please feel free to contact me at (602) 262-7468.

Sincerely,

Barbara Stocklin, City Historic Preservation Officer

cc: Kae Neustadt, Arizona Department of Transportation
Jim Garrison, State Historic Preservation Office

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City of Phoenix
PUBLIC TRANSIT DEPARTMENT

October 9, 2003

Amelia S. Edwards, PE
Project Manager
South Mountain Corridor Team
HDR, Inc.
3200 E. Camelback Rd., Suite 350
Phoenix, AZ 85018-2311

Dear Ms. Edwards:

As the City of Phoenix Public Transit Department looks to expand service to the southwestern portion of the city, we will be attempting to secure property for a passenger facility along the future South Mountain Corridor with convenient freeway access. My staff has attended project meetings and is fully aware of the ongoing study and stakeholder involvement to determine a final alternative.

The Public Transit Department would like to work with ADOT in securing land and integrating a future facility in the Design Concept Report (DCR) and the Environmental Impact Statement (EIS) for this corridor. The City of Phoenix Public Transit Department looks forward to continuing its relationship with ADOT and improving mobility in the Valley. If you have any questions please contact Mark Melnychenko, Principal Planner, at (602) 262-7240 or me at (602) 262-7584. Thank you for your assistance.

Sincerely,

Reed Caldwell

Reed Caldwell, PE
Deputy Director

c: Bill Vachon
Ray Dovalina
Mark Melnychenko

Valley Metro Member

Public Transit: It's How You Get There

302 North First Avenue, Suite 700, Phoenix, Arizona 85003 602-262-7242 FAX: 602-495-2002 Recycled Paper

This letter was also sent to Mr. Floyd Roehrich, Jr., PE, Project Manager, South Mountain Corridor Study, Arizona Department of Transportation

RESOLUTION NO. 20029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PHOENIX REAFFIRMING THE 61ST AVENUE ALIGNMENT OF A PORTION OF THE SOUTH MOUNTAIN FREEWAY (STATE ROUTE LOOP 202), BETWEEN INTERSTATE 10 WEST AND 51ST AVENUE.

WHEREAS, the Phoenix City Council recommended the alignment of the South Mountain Freeway (State Route Loop 202) in early 1985, which included the 61st Avenue alignment; and

WHEREAS, the alignment recommended by the City Council was approved by the Maricopa Association of Governments as part of the Long-Range Transportation Plan in July, 1985; and

WHEREAS, voters of Maricopa County approved a sales tax in October 1985 to fund new freeways in Maricopa County, including the South Mountain Freeway; and

WHEREAS, the information supplied to voters prior to the election showed the South Mountain Freeway on the 61st Avenue alignment; and

WHEREAS, subsequent adoptions of the Long-Range Transportation Plan since 1985 have continued to show the 61st Avenue alignment for the north/south portion of this freeway; and

WHEREAS, the adopted Phoenix General Plan has consistently shown the 61st Avenue alignment for this freeway; and

WHEREAS, the land uses shown on the Phoenix General Plan are entirely consistent with, and dependent upon, the 61st Avenue alignment; and

WHEREAS, the City has approved numerous development plans since 1985 along and adjacent to the 61st Avenue alignment; and

WHEREAS, the current study of this freeway includes the 61st Avenue alignment as one alternative; and

WHEREAS, the Phoenix City Council deems the 61st Avenue alignment to provide the best traffic service to the citizens of Phoenix and the region, of the alternatives now under study; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX that the Phoenix City Council reaffirms its support of the 61st Avenue alignment, between Interstate 10 West and 61st Avenue south of Elliot Road, as the most effective and efficient route for the South Mountain Freeway in this regard.

PASSED by the Council of the City of Phoenix this 17th day of December, 2003.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager

CITY CLERK DEPT
2003 DEC 17 AM 9:29

City of Phoenix

OFFICE OF THE CITY MANAGER

October 28, 2003

HDR

REC.: OCT 31 2003

PROJ.:
FILE:
DIST.:

South Mountain Corridor Team
Arizona Department of Transportation (ADOT)
c/o Ms. Amy Edwards, Assistant Project Manager
HDR, Inc.
3200 E. Camelback Rd. Ste. 350
Phoenix, AZ 85018-2311

Dear Ms. Edwards:

This letter is to provide input on the 5 alternative South Mountain Corridor freeway alignments presented by ADOT staff at an October 2, 2003 public meeting.

The City of Phoenix strongly opposes Alternative 2, which proposes connecting with the I-10/Loop 101 interchange at 99th Avenue and running south through an area between 95th and 99th Avenues and Lower Buckeye Road. In November 2002, the Public Works Department purchased 183 acres of land north of Lower Buckeye Road and east of 99th Avenue to construct a 100-acre district park, police precinct station, fire station, community branch library, maintenance service center, and a decentralized citizen service center (site map enclosed).

The police and fire facilities are very critical to future public safety service delivery and maintenance of adequate response times to police and fire emergencies in this rapidly growing area of Phoenix. The district park and branch library will be needed to serve the surrounding community with recreational and educational opportunities. The citizen service center will allow local Phoenix residents to conduct City business in the area instead of downtown Phoenix, and the maintenance service center will allow Public Works to efficiently serve the City's southwest area field operations needs.

The City of Phoenix strongly supports Alternative 1, which connects with I-10 near 55th Avenue, as the best option for the planned South Mountain freeway. The 55th Avenue route alignment has been on the City's General Plan Map since the last ADOT freeway study in 1988 and has been a basis for our ongoing planning efforts and development in the Estrella and Laveen Village planning areas. The Alternative 1 alignment has been recognized as an opportunity to improve the City's traffic circulation at a time of unequaled growth, providing access to

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Page 2
Amy Edwards
October 28, 2003

downtown. Land use planning in Phoenix has incorporated this freeway alignment to achieve the potential for commercial and employment centers. Commercial core locations have been planned along this alignment that will tie into street improvement projects, bettering circulation opportunities in the City's boundaries.

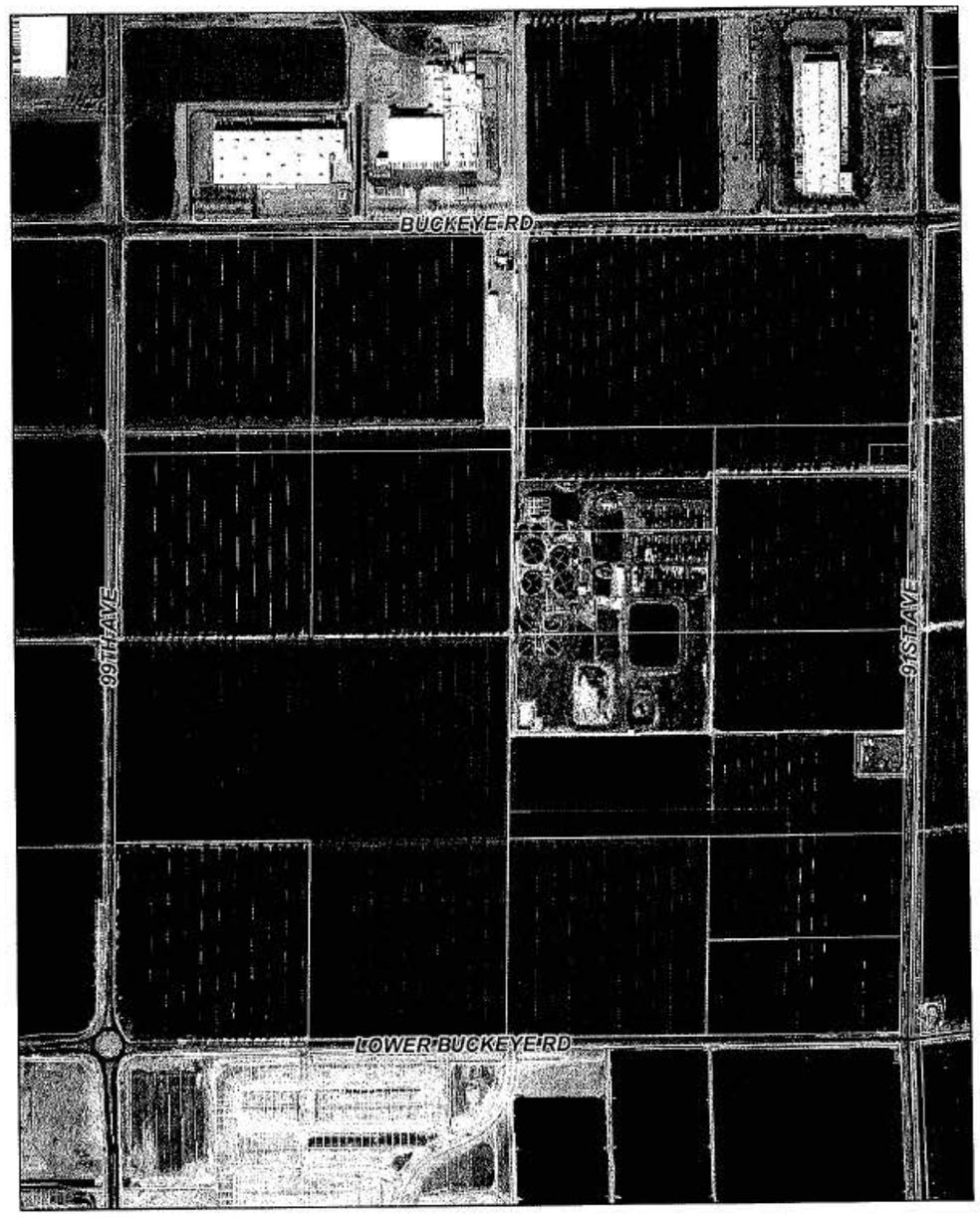
If you have questions, please contact Mark Leonard, Public Works Director, at 602-256-5662 or me at 602-262-7466.

Sincerely,

George Flores
Deputy City Manager

Enclosure

c: Mr. Lingner, Council District 7
Ms. Bilsten, Council District 3
Mr. Fairbanks, City Manager's Office
Mr. Leonard, Public Works
Mr. Richert, Planning
Mr. Callow, Street Transportation



City of Phoenix
PUBLIC TRANSIT DEPARTMENT

July 22, 2004

Mr. Floyd Roehrich, Jr., PE
Senior Project Manager
South Mountain Corridor Study
Arizona Department of Transportation
205 South 17th Avenue 614E
Phoenix, AZ 85007

Dear Mr. Roehrich:

As the City of Phoenix Public Transit Department looks to expand service to the southwestern portion of the city, we will be attempting to secure property for a passenger facility along the future South Mountain Freeway Corridor with convenient freeway access. Being on the inbound side with convenient access and the ability to construct a bus only slip ramp, Public Transit has a strong interest in the northeast quadrant of the future Baseline Road/South Mountain Freeway interchange. Staff has attended project meetings and is fully aware of the ongoing study and stakeholder involvement to determine a final alternative.

The Public Transit Department would like to work with ADOT in securing land and integrating a future facility in the Design Concept Report (DCR), Environmental Impact Statement (EIS) and study for this corridor.

The City of Phoenix Public Transit Department looks forward to continuing its relationship with ADOT and improving mobility in the Valley. If you have any questions, please contact me at (602) 262-7240.

Thank you for your assistance.

Sincerely,

Mark Melnychenko, AICP
Principal Planner

c: Reed Caldwell
Raimundo Dovalina
Bill Vachon

Public Transit: It's How You Get There
Valley Metro Member
302 North First Avenue, Suite 900, Phoenix, Arizona 85003 602-262-7242 FAX: 602-495-2002
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City of Phoenix
OFFICE OF THE CITY MANAGER

December 14, 2004

VIA HAND DELIVERY
AND U.S. MAIL
Mr. Kenneth Davis
District Engineer
Federal Highway Administration
One Arizona Center
400 East Van Buren
Suite 410
Phoenix, AZ 85004

Re: South Mountain Corridor Economic and Social Impact Analysis

Dear Mr. Davis:

For information and use by the Federal Highways Administration and the Arizona Department of Transportation, enclosed please find an economic and social impact analysis for the South Mountain Corridor Environmental Impact Statement. This fiscal, economic, and social impact analysis includes criteria that the city believes is important to the EIS. **We strongly urge you to use similar tax, employment and detailed land use assumptions.**

In addition, we didn't estimate the revenues or losses to the city from permitting, development or impact fees. Significant changes in land uses as a result of alternative alignments may materially affect the city's ability to collect such fees.

Sincerely,

Bridget Schwartz-Manock
Management Assistant

Attachment

cc: Victor Mendez, Director, Arizona Department of Transportation
Shannon Wilhelmsen, Director, Communication and Community Partnerships Department, Arizona Department of Transportation
Amy Edwards, Transportation Engineer, HDR
Daniel Brown, Assistant City Attorney, City of Phoenix
Tom Callow, Director, Streets Department, City of Phoenix
Joy Mee, Assistant Director, Planning Department, City of Phoenix
Paul Katsenes, Deputy Director, Community and Economic Development, City of Phoenix
Norris Nordvold, Director, Intergovernmental Programs, City of Phoenix
Ralph Velez, City Manager, City of Tolleson

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City of Phoenix
OFFICE OF THE CITY MANAGER

June 23, 2005

Mr. Dan S. Lance
Deputy State Engineer
Arizona Department of Transp~~MANAGE~~
206 S. 17th Avenue
Mail Drop 102 A
Phoenix, Arizona 85007

Dear Mr. ~~Lance~~: Dan

The purpose of this letter is to thank you and your consultant for the presentation made to City staff on May 25 and to provide several comments on the South Mountain Freeway, SR 202 L project as a follow up to that presentation.

As you know, the City firmly supports the W 55 alignment (the original alignment approved in 1985 prior to the vote for Proposition 300). The Phoenix City Council passed Resolution 20029 on December 17, 2003, affirming this support.

The City Council and management remain gravely concerned that no agreement has yet been reached with the Gila River Indian Community regarding the study of alternative alignments for the Pecos Road segment of the freeway. The City is ready to lend any assistance within its power to facilitate such an agreement.

We understand that a number of 4(f) properties and/or facilities lie adjacent or near the W 55 alignment. The City Historic Preservation Office will assist in any manner deemed useful in resolving alignment considerations affected by these, and we will assist, where feasible, in working with ADOT and FHWA on these matters.

The City is pleased that alternative vertical alignments for the freeway, both south of the Salt River and along the Pecos Road alignment, are being considered. We are intensely interested in reviewing the evaluations of the depressed and semi-depressed options in these reaches, particularly where the freeway abuts residential development.

Property access adjacent to future interchanges is a concern. We understand and agree with the current ADOT policy of restricting access on the cross street within 300 feet of interchanges and will endeavor to be consistent in this policy as

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our staff reviews new developments. However, we expect ADOT to be flexible in the application of this policy when doing so would result in extreme hardship to the affected property.

Traffic operations along arterial streets that interchange with the freeway are also of concern, and we earnestly request that ADOT maintain a minimum one-quarter mile separation between the interchange traffic signal(s) and the nearest adjacent existing or likely to be signalized intersection. It appears that the W 55 alignment does maintain this separation.

We appreciated the opportunity for City staff from the City Manager's Office and several departments to receive the briefing provided on May 25 and ask that further updates on this vital project be provided to this same group at appropriate times.

Sincerely,

Thomas E. Callow, P.E.
Senior Executive Assistant to the City Manager

R:Callow/Dan Lance ltr 6 23 05.doc

C: Bridget Schwartz-Manock
David Richert

City of Phoenix
OFFICE OF THE CITY COUNCIL

Doug Lingner
Councilman
doug.lingner@phoenix.gov

Council District 7
(602) 262-7492
Fax: (602) 534-4816

Craig Echeveste
Assistant
craig.echeveste@phoenix.gov

October 14, 2005

Dear Neighbor:

As your City Councilman, it is my duty to deliver this important message about the South Mountain Freeway Alignment Proposal. I need your help because the residents of Laveen and Estrella Villages will play a key role in the decision process.

I am requesting your support for the freeway plan that will guarantee access for Laveen residents. For over twenty years, the City of Phoenix has protected a corridor for a freeway alignment which will connect Laveen residents to the I-10 Freeway. This important access makes it possible for a commercial core to develop along this freeway. The major retailers and restaurants that Laveen and Estrella residents need will not be possible unless this alignment is built. Unfortunately, a Federal Study is forcing the State Department of Transportation to consider other alternatives that will stop retail development and economic growth in your area.

The enclosed survey offers three different alignments to choose from; Loop 101, 71st Avenue, and 55th Avenue. The 55th Avenue alignment insures commercial and much needed retail development in the area, as well as providing a convenient access to the I-10 Freeway. The 56th Avenue alignment also has been approved by the voters of Maricopa County in two elections.

Please join me in supporting the future of Laveen and Estrella by filling out the enclosed survey form and by selecting the 55th Avenue alignment. A return envelope has been included for your convenience.

Thank you for your participation.

Sincerely,

Doug Lingner
Councilman
District7

Enclosure

ADOT South Mountain corridor team

Survey & Comments

[redacted] appropriate response.

1. The South Mountain Freeway is a very important part of the regional transportation system.	1	2	3	4	5
2. Based on future traffic projections there is a clear need for the freeway.	1	2	3	4	5
3. The alternatives identified by the study team are the most appropriate alternatives to be considered.	1	2	3	4	5
4. Connecting the freeway at Loop 101 should be considered a viable alternative for further study.	1	2	3	4	5
5. Connecting the freeway at 71st Avenue should be considered a viable alternative for further study.	1	2	3	4	5
6. Connecting the freeway at 55th Avenue, the 1988 alignment, should be considered a viable alternative for further study.	1	2	3	4	5
7. Connecting the freeway to Pecos Road on the east should be considered a viable alternative for further study.	1	2	3	4	5

[redacted] Additional comments: (please print)

8. Comments about the westside alternatives: _____

9. Comments about an eastside connection: _____

10. Other comments: _____

[redacted]

Name: _____

Address: _____

City: _____ State: _____ ZIP: _____

E-Mail: _____

Please return completed form before leaving the meeting or return to:

South Mountain Corridor Team
HDR, Inc.
3200 E. Camelback Rd., Ste. 350
Phoenix, Arizona 85018-2311

www.SouthMountainFreeway.com E-mail: SouthMountain@dot.state.az.us Project Information: 602-712-7006

City of Phoenix
WATER SERVICES DEPARTMENT

December 27, 2005

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, Arizona 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway Near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

The City of Phoenix Water Services Department has a concern with one of the Loop 202 Freeway alignment alternatives currently being considered by ADOT. The proposed alignment of concern is currently named the "Loop 101 alignment" which proposes several alternative routes to connect to the I-10 Freeway at the 99th Avenue/101 Freeway alignment. Specifically of concern are the two alternatives that cross directly through the 91st Avenue Wastewater Treatment Plant. Due to the vital nature of this facility to the continued growth and environmental compliance of the Phoenix metropolitan area, the City would like to weigh in on this matter.

The 91st Avenue Wastewater Treatment Plant (Plant) is owned by the cities of the Sub-Regional Operating Group, namely Glendale, Mesa, Phoenix, Scottsdale, and Tempe. For all five of these cities, the continued operation and expansion of the Plant is necessary to support the existing population and new growth for the Phoenix Metropolitan area. The financial expenditures put into this Plant since its inception in the 1950's represents a significant investment into the future of our community, and one that needs to be maintained. Potential conflicts with the surrounding community are continually being addressed by Water Services staff, in order to ensure the continued viability of the facility.

In order for you to better understand the location of the Plant; I have included maps of the Plant with proposed expansions, and the Tres Rios Project which will accept the effluent from the Plant. The proposed alternative routes that are in conflict with the Plant have been over-layed on the maps for your convenience.

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The City of Phoenix Water Services Department request the ultimate location selected by ADOT for the Loop 202 Freeway alignment and the future I-10 Reliever alignment be routed around the Plant.

Sincerely,

Danny W. Murphy
Acting Water Services Director

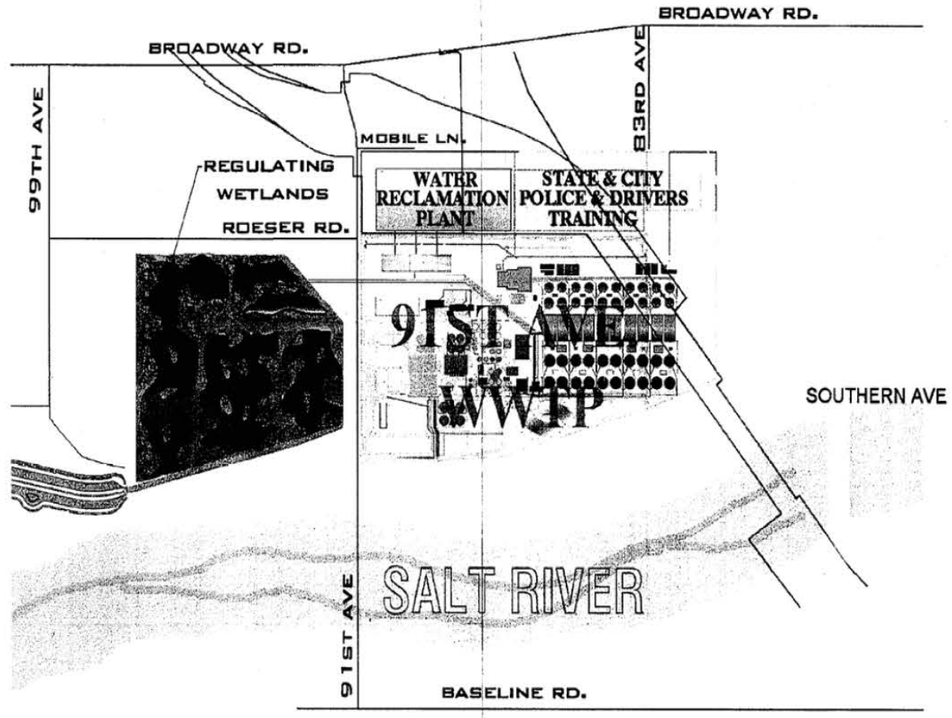
Attachments

c: Thomas E. Callow
Ross D. Blakley
Carlos A. Padilla
Paul Kinshella
Blaine Akine

H/2005corres/ADOT-FreewayAlignmentLtr-Loop202-12-27-05/CAP/rs

H/2005corres/ADOT-FreewayAlignmentLtr-Loop202-12-27-05/CAP/rs





South Mountain Transportation Corridor Study
Impacts study with 91st Ave WWTP Master Plan and Tres Rios Regulating Wetlands

City of Phoenix
OFFICE OF THE CITY MANAGER

June 2, 2006

Mr. Victor M. Mendez
Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135 A
Phoenix, Arizona 85007

Dear Mr. Mendez:

The purpose of this letter is to document the City's position concerning the proximity of the South Mountain Freeway to the tank farm at 55th Avenue and Van Buren Street.

The City asks that ADOT agree to make the following changes to the W 55 freeway alignment and design adjacent to the tank farm:

- shift the freeway alignment as far west as possible, while remaining in the vicinity of the 55th Avenue corridor;
- minimize the take of land from the tank farm site;
- build a screen wall or barrier that will block the line of sight from trucks on the freeway mainline and northbound off-ramp into the tank farm. The ramp barrier should be designed to prevent a heavy vehicle from penetrating into the tank farm;
- collaborate with representatives from the Arizona Counter Terrorism Center in developing appropriate protection solutions for the tank farm in relation to potential effects from the freeway right-of-way.

If these alignment changes and design features are incorporated into the W 55 alternative, the freeway will neither cause significant disruption to the operation of the tank farm nor compromise its security.

Sincerely,

Frank Fairbanks
City Manager

cc: Alton Washington
Marcus Aurelius
Thomas E. Callow, P.E.
J. Donald Herp, P.E.

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• "Most Livable City" U.S. Conference of Mayors •

January 11, 2006

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, AZ 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

On December 27, 2005, Danny Murphy, Acting Director of the City of Phoenix Water Services Department, wrote you a letter expressing concern with one of the Loop 202 Freeway alignment alternatives currently being considered by ADOT. The proposed alignment of concern is currently named the "Loop 101 alignment" which proposes several alternative routes to connect to the I-10 Freeway at the 99th Avenue/101 Freeway alignment.

As joint owners of the 91st Avenue Wastewater Treatment Facility, the City of Scottsdale would like to express the same concerns as are spelled out in Mr. Murphy's letter. Specifically of concern are the two alternatives that cross directly through the 91st Avenue Wastewater Treatment Plant.

The 91st Avenue Wastewater Treatment Plant (Plant) is jointly owned by the cities of Glendale, Mesa, Phoenix, Scottsdale, and Tempe, which comprise the Sub-Regional Operating Group, or SROG. For all five of these cities, the continued operation and expansion of the Plant is necessary to support the existing population and new growth. The financial expenditures put into this Plant since its inception in the 1950's represent a significant investment into the future of our community and one that needs to be maintained. Phoenix's Water Services staff, as the primary facility operator, is continually addressing potential conflicts with the surrounding community in order to ensure the continued viability of the facility.

CITY OF SCOTTSDALE • WATER RESOURCES • 9388 E. SAN SALVADOR DR. • SCOTTSDALE, ARIZONA 85258
PHONE (480) 312-5685 • FAX (480) 312-5615

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
January 11, 2006
Page 2

The City of Scottsdale Water Resources Department joins with the City of Phoenix Water Services Department to request that the ultimate location selected by ADOT for the Loop 202 Freeway alignment and the future I-10 Reliever alignment be routed around this critical facility. Mr. Murphy included in his letter maps to further clarify our position and provide you information on the location of the 91st Avenue Wastewater Facility in relation to your alternatives.

Sincerely,

David M. Mansfield

David M. Mansfield
General Manager, Water Resources Department

c: Dave Petty, Acting Planning and Engineering Director
Greg Crossman, Sr. Water Resources Engineer

City of Phoenix
OFFICE OF THE CITY MANAGER

Phoenix 2009 All-America City

November 24, 2009

Ms. Susanne Rothwell
President PMPC
For the PMPC Board
P.O. Box 26121
Phoenix, AZ 85068-6121

Dear Susanne:

Thank you for your letter on behalf of the Phoenix Mountain Preservation Council (PMPC). I appreciate the position of the PMPC on the specific alignment of the proposed Loop 202 Freeway around South Mountain Park. The City of Phoenix has no formal role in the approval process. However, I thought it would be useful to lay out the review process.

The proposed Loop 202 alignment is being evaluated through an Environmental Impact Statement (EIS) process administered by the Arizona Department of Transportation (ADOT) on behalf of the Federal Highway Administration(FHWA). It is currently funded by the Regional Transportation Plan (RTP) that was approved by the Maricopa region's voters in 2004.

According to ADOT, upon completion of the Administrative Draft EIS, the document will be reviewed by FHWA and other governmental agencies. ADOT's timeline for release of the Draft EIS and the associated public hearing is largely based on this review process. At this time, ADOT anticipates publication of the Draft EIS and the public hearing will occur in summer 2010, with an associated 90-day public comment period (twice the federal requirement). The Final EIS will be available for public review during a 60-day comment period. After considering any comments received on the Final EIS, FHWA will issue a Record of Decision (ROD). The ROD will identify the selected alternative for the proposed action. If a build alternative is selected, Maricopa Association of Governments (MAG) will allocate funding.

Further, ADOT and FHWA will continue to seek input from the public, agencies, and jurisdictions regarding the proposed freeway through the design phase and construction, if a build alternative is selected. In addition to the public hearing associated with the Draft EIS, ADOT plans to meet with the public and the Citizens Advisory Team regarding changes to the RTP and Draft EIS. I understand that the next Citizens Advisory Team meeting is planned for early 2010. A newsletter from ADOT providing updates about the study process is also planned for early 2010.

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ADOT

AUG 24 2010

Valley Project
Management

City of Phoenix
OFFICE OF THE CITY MANAGER

Phoenix 2009
All-America City

July 18, 2010

Mr. Robert Hollis
Division Administrator
Federal Highway Administration
4000 North Central Avenue, Suite 1500
Phoenix, AZ 85012-1906

RE: South Mountain Freeway (SR202L) Alignment at Dobbins Road

Mr. Hollis:

This letter is a follow up to our meeting of July, 8, 2010 where we discussed the alignment change of the South Mountain Freeway (SR202L) at Dobbins Road. The City of Phoenix would like to revisit the proposal under consideration to change the freeway alignment from 61st Avenue to 63rd Avenue at Dobbins Road.

A Future Freeway designation has been on the City of Phoenix' General Plan Map since 1985. Originally the alignment was shown on 59th Avenue. In 1988, City Council approved GPA-SM-5-87-7, an amendment that changed the designation to Freeways/Parkways and moved the alignment to 61st Avenue. Since that time all of the city's planning efforts and entitlement processes have been based on the freeway alignment through Laveen along 61st Avenue.

In 1999, the City Council approved GPA-SM-3-97-7, an amendment that mapped the Southwest Growth Study and established the Laveen Village Core centered at 59th Avenue and Dobbins Road on the land use map. Two subsequent amendments, GPA-LV-2-00-7 and GPA-LV-1-01-7, established the mixed use designation along the freeway alignment. Between 2000 and 2009, there have been several rezoning cases approved based on the 61st Avenue alignment for the South Mountain Freeway.

One of these rezoning cases was for a proposed hospital. The nearest hospital to the Laveen Village is the Banner Estrella Medical Center at Thomas Road and the Loop 101, which is approximately nine miles from the proposed hospital within the designated Laveen Core. Aside from the need for nearby medical facilities, the proposed hospital will bring employment to an area that is currently a majority of single-family residential. A hospital of such size will also attract other medical offices and clinics thus spurring more employment opportunities, as well as local retail and services that will support employees and the surrounding area. ADOT's current alignment along 63rd Avenue will seriously impact the proposed hospital site by reducing the contiguous area available for current and future development of the site. This alignment would make the site unsuitable for a large regional medical facility.

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The Arizona Department of Transportation (ADOT) made the alignment shift in order to avoid several agricultural properties determined eligible for listing on the National Register of Historic Places. These properties are not currently listed on the Phoenix Historic Property Register or the National Register of Historic Places, and there are no plans in process to pursue these designations. We have discussed these historic properties with our Historic Preservation Officer (HPO) who feels that the impacts to these properties can be minimized and/or mitigated to the satisfaction of all stakeholders, including the State Historic Preservation Office. The HPO is also willing to assist FHWA with its efforts to consult further with the SHPO on this project. Another option would be to alter the Dobbins Road Traffic Interchange (TI) to avoid or minimize disruption to the historic properties.

Moving the alignment back to the 61st Avenue alignment would save the taxpayers approximately $1.5 million dollars by reducing the amount of paving.

In summary, the City of Phoenix requests that ADOT consider moving the South Mountain Freeway alignment back to the 61st Avenue in the area of Dobbins Road. Because the city of Phoenix has relied on the 61st Avenue alignment to make land use decisions for more than two decades, the level of community disruption that would be caused by any other alignment other than 61st Avenue would be severe, and the city's confidence that the impacts to historic properties can be successfully mitigated, the city's position is that the 61st Avenue alignment is the only "prudent and feasible" alignment for the South Mountain Freeway alignment. Please free to contact Wylie Bearup, Street Transportation Director, if you wish to discuss this further.

Sincerely,

R. Naimark

Rick Naimark
Deputy City Manager

C: Robert Samour, ADOT
Larry Langer, ADOT
Mike Bruder, ADOT
Wylie Bearup, Street Transportation
John Siefert, Street Transportation
Dan Matthews, Street Transportation
Shane Silsby, Street Transportation
Michelle Dodds, Planning
Barbara Stocklin, Historic Preservation Office

City of Phoenix
OFFICE OF THE CITY COUNCIL

MICHAEL NOWAKOWSKI
COUNCILMEMBER
DISTRICT 7

602-262-7492
Fax: 602-534-4816
TTY: 602-495-5810
council.district.7@phoenix.gov

December 22, 2009

Mr. John Halikowski
Director
Arizona Department of Transportation
206 South 17th Avenue, Room 135, Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski:

As the Phoenix City Councilmember whose Council District will be most impacted by the north-south alignment of the South Mountain Freeway (Loop 202), I am writing to ask that the freeway planning efforts continue to move forward without delay.

As you know, the South Mountain Freeway has been part of the Regional Transportation Plan since the voters approved Proposition 300 in October 1985. It is my understanding that because of the age of the Design Concept Report, the environmental issues and the alignment being adjacent to the Gila River Indian Community (GRIC), the Federal Highway Administration and the Arizona Department of Transportation (ADOT) began an Environment Impact Statement (EIS) in 2001 that was expected to be completed in 2005. Since the EIS was started, the voters in this region again approved the South Mountain Freeway in 2004. But, at this time, we are still awaiting a Record of Decision on the corridor.

Recently, there have been numerous news accounts about discussions between ADOT, the Maricopa Association of Governments (MAG) and the GRIC regarding options for the east-west segment of the freeway. While I applaud the efforts to make sure that the most cost effective and least intrusive freeway plan be built, I want to make sure that the entire project is not slowed down while discussions take place. The residents in my Council District have waited patiently while the EIS has been drawn out. I want to confirm that ADOT will release the draft EIS for public review in 2010 and move toward the construction phase quickly.

City of Phoenix staff have spoken highly of your leadership at ADOT. I look forward to working with you to ensure that the South Mountain Freeway is built and is successful. If you have any questions, please call me at (602) 262-7492.

Sincerely,

Michael Nowakowski
Councilmember – District 7

c: Ed Zuercher, Assistant City Manager, City of Phoenix
Dennis Smith, Executive Director, MAG

City of Tempe
P.O. Box 5002
255 E. Marigold Ln.
Tempe, AZ 85281
480-350-8207

Tempe

Water Utilities
Department

January 18, 2006

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, Arizona 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

I am writing to express the City of Tempe's concern regarding any proposed freeway alignment that may impact current operation or future expansion of the 91st Avenue Wastewater Treatment Plant. The 91st Avenue Plant is owned by the Sub-Regional Operating Group (SROG) which includes the Cities of Glendale, Mesa, Scottsdale, Tempe, and the City of Phoenix that operates the facility for the SROG partnership.

In his letter of December 27, 2005, Mr. Danny W. Murphy, Acting Water Services Director, City of Phoenix, expressed the SROG Cities' concerns regarding freeway alignments that could impact the 91st Avenue Plant. The City of Tempe shares those concerns which include the significant investment to support both the existing population as well as future growth in the community.

The City of Tempe Water Utilities Department joins the City of Phoenix in its request that ADOT route freeway alignments around the 91st Avenue Wastewater Plant.

Sincerely,

Don Hawkes
Water Utilities Manager

City of TOLLESON

9555 WEST VAN BUREN TOLLESON, ARIZONA 85353 PHONE: 623-936-7111 ADMINISTRATION FAX: 623-907-2629

May 27, 2003

Arizona State Department of Transportation
ATTN: Mr. Bill Hayden, Special Assistant
State Engineer's Office
206 S. 17th Avenue
Room 101A
Phoenix, Arizona 85007

RE: South Mountain Transportation Corridor Alternative Screening Report, Version 2.0/March 2003 Review and Comments

Dear Mr. Hayden:

On behalf of the Tolleson Mayor and Council I would like to thank you and the South Mountain Transportation Corridor Team for taking the time to visit Tolleson on March 19, 2003 for the purpose of allowing Tolleson an opportunity to comment on the proposed alternatives for the South Mountain Freeway.

Regionally speaking, I acknowledge the need for an alignment that not only moves traffic but is also logistically placed, however, there are significant cultural, financial and social issues and material technical elements that, in my opinion, make Alternatives #2 and #3 non-viable within our city corporate limits. As you will read in this letter, Alternatives #2 and #3 are, and will be, vehemently opposed by Tolleson. Tolleson strongly recommends that the South Mountain Freeway be located at its originally planned location, Alternative #1.

The Tolleson community would once again be disproportionately prejudiced by the extension of the South Mountain Freeway from Loop 101 along Alternatives #2 or #3. As you are aware, Tolleson is a small community comprised of six square miles, two miles of which are currently bisected by I-10. The citizens of Tolleson are predominately Hispanic, earning less than the average median income. Obviously, given the elements of our City and its citizens, you can see our resources are limited. The City's ability to effectively protest the proposed alignments or of its citizens to fight the siting of another freeway in their backyards is also limited. Clearly, Tolleson and its proud population have been the victims of previous highway construction. Tolleson's citizens were the last group to get a sound wall and the noise producing elevated interchange of I-10 and Loop 101 in Tolleson are recent examples of this blatant abuse of the disadvantaged. While some on the council are claiming the siting of the South Mountain Freeway in Tolleson

would perpetuate the institutional racism Tolleson and its citizens have suffered in the past, this letter is written with the request that the siting not be the result of what route offers the least resistance.

If the Loop 101/South Mountain Freeway extends south into Tolleson four of Tolleson's six square miles would be adversely impacted by freeways. Economically valuable property along the City's main industrial and retail corridor (99th Avenue) would be completely destroyed or severely diminished. After the South Mountain Freeway extension, land on the east side of 99th Avenue (Tolleson property) would be totally taken or only shallow development parcels would remain. Traffic on 99th Avenue in Tolleson, once a dynamic roadway, would be an awkward roadway no longer serving businesses on both frontages. From a General Plan and Land Use perspective and following a similar pattern with the construction of I-10 and Loop 101, both Alternatives #2 and #3 require a taking of large parcels of undeveloped land in Tolleson. Based on a percentage of incorporated square miles Tolleson has provided the most property for freeways during the past 15 years. When the 101 was connected to I-10 from the north, prime commercial and industrial property along McDowell was taken for retention and detention of waters flowing south from Glendale and Phoenix. Additional freeway takings will only add to the already high ratio of freeway dedicated land versus that developed or to be developed.

Both Alternatives drastically impact the ability of Tolleson to serve water to its residential and corporate citizens. Two wells serve all of Tolleson's water needs. Alternatives #2 and #3 wipe out Tolleson's only two water production wells.

We hope you are aware that there is a massive pollution plume comprised primarily of TCE directly east of Tolleson and over the recent past has continued its westward flow to Tolleson. The plume's western edge is at Tolleson's east border. The City has shut down its eastern most wells and has had to relocate its two wells in western Tolleson. These wells are now in the path of Alternatives #2 and #3. Tolleson has no land in its boundaries east of 99th Avenue and north of Van Buren, in short if 101 is extended south in Tolleson, Tolleson would lose its wells and would have to move its wells back east, back towards the pollution plume.

In addition to the wells and adjoining storage facilities, each well has water treatment facilities that provide the necessary purification to the water. Tolleson spent millions of dollars on the facilities. The electro dialysis reversal (EDR) systems are utilized for the treatment and purification of water, including water used by Pepsico for their production of Gatorade. The production wells, booster pumps, electrical panels, stand-by natural gas driven diesel engine, metering and production equipment and building as well as the twelve inch (12") major transmission water lines leading to and from the production wells would perhaps require relocation and/or abandonment. A permanent or temporary curtailment of water production will create a severe water shortage in the city, for the average daily use is approximately 3.0 million gallons of water. Any reduction in water production would bring about a crisis for both commercial (Gatorade and milk facilities at Fry's) and residential users as well as severely inhibiting fire suppression capabilities.

ADOT will be required to pay for the complete replacement of these important water utility facilities.

Alternatives #2 and #3 would have a significant impact on local and regional sewer lines. Four major sewer lines serving the Tolleson and the Phoenix Sewage Treatment facilities rest in the path of both alternatives. Currently, a 66" sewer main runs in 99th Avenue. This major trunk line serves the northern affiliated parties/cities and would require relocation and major modifications at 99th Avenue and McDowell Road as well as major reconstruction of the diversion structure facility at 99th Avenue and Van Buren. Any existing or future businesses fronting 99th Avenue would be disrupted due to the inability to provide sewer service. Loss of operations would result in reduction of respective business operating profits and loss of city sales tax.

The sewer lines – 60", 48" and 42" – run east and west and parallel the Union Pacific Railroad tracks from 99th Avenue easterly to 95th Avenue. At this juncture the lines turn south and are joined by yet another 27" line, all leading south on 95th Avenue under Buckeye Road into the regional City of Tolleson Wastewater Treatment Plant head works facility. Replacement lines, whether permanent or temporary, would be required so as not to create a disruption in sewage flows being discharged by various affiliated parties – i.e, Sun City, Youngtown, Peoria, Glendale, Phoenix and Tolleson - and headed south to the respective sewage treatment facilities in Phoenix and Tolleson. Any below grade freeway would obviously destroy the regional transmission grid.

Any stoppage in sewer flows would trigger a reduction in effluent being discharged by Tolleson, pursuant to a contract, into a 53" line connected to the Palo Verde Nuclear Generating Plant where the water is used to cool nuclear generating system turbines. Failure to meet contractual obligations between Arizona Public Service will most definitely result in litigation against the City of Tolleson.

With respect to arterial streets and proposed intersection improvements, Alternatives #2 and #3 will create major modifications to the existing intersection at 99th Avenue and Van Buren, and eventually lead to water and sewer lines displacement and/or relocation. The proposed alignment would require a half or full diamond interchange somewhere between 96th and 99th Avenues. These improvements would increase traffic in the immediate vicinity and ultimately have an adverse traffic impact on Tolleson's major streets, Van Buren and 99th Avenue. Local traffic could no longer utilize local streets for through traffic. Obviously, the increase in traffic will affect the service level of Van Buren Street, Tolleson's downtown main street.

Environmentally, the proposed Alternatives #2 and #3 fail to recognize both the pollution plume referred to earlier and the hazardous site at approximately 97th Avenue and Harrison Street. The site, running from 97th Avenue westerly to approximately 150 feet east of 99th Avenue, has been abandoned for years, and at last report, the site is being remediated to the air by a mechanical device.

The proximity of Alternatives #2 and #3 to the residential area immediately east of the proposed alignments would drastically exacerbate existing noise pollution levels stemming from the stack at 99th Avenue and I-10. Virtually, all of the residential community between 91st and 97th Avenue north and south of Van Buren will be affected by the proposed alignments. The 97th Avenue alignment would also have a detrimental effect on the neighboring Tolleson Union High School Alternative Campus, which lies within a few feet east of the proposed alignment. Furthermore, increased traffic will adversely impact air quality within the adjacent residential neighborhood.

The numerous trucking/warehousing businesses would require rerouting due to the proposed alignment along 99th Avenue, and obviously some of the same truck traffic will eventually end up on Tolleson's main street, in search of the path of least resistance – fewer left turns.

The study prepared by the committee completely ignores the floodplain caused by the railroad tracks and the compounding of the floodplain's problems caused by the Alternatives. The existing floodplain located within the City and designated as Category A Floodplain will require major modifications. Construction of either Alternative #2 or #3 without a natural flow will increase the geographical size of the flood plain. It currently lies south of Jefferson Street, and any major barrier will affect the plain, possibly as far north as Van Buren.

Alternatives #2 and #3 represent Tolleson's biggest threat to financial ruin. Both alignments create devastating economic impacts that will last an eternity. Elimination of jobs, loss of primary property tax revenues and secondary tax revenues that fund city and schools capital bond projects, reduction of current sales tax revenues as well as projected General Plan retail service developments, and most importantly, loss of development and building permitting fees generated as a result of construction have huge budget implications. From a service delivery perspective, the City of Tolleson would have to reduce the General Fund operating budget in order to meet the cumulative loss generated by the construction of the South Mountain Freeway through the heart of Tolleson's commercial and industrial development corridor. Prime commercial and industrial land and accompanying improvements would be affected by the South Mountain Freeway. The adverse multiplier impact is unknown however; it would touch on all of the elements mentioned above.

The meeting held at the Southwest Valley Chamber of Commerce on Monday, May 5, 2003 did little to fairly address the devastation of Tolleson and its citizens caused by the construction of Alternatives #2 or #3. Frankly, if a western alignment of the South Mountain Freeway (west of 51st Avenue) is required the alignment for Alternative #9 should be readdressed. An alignment of Alternative #9 just west of the 107th alignment appears to be a route with less impact. Your preliminary route for Alternative #9 literally destroys existing warehouses – Sara Lee, Lisanti, and States Logistics – and is projected to be constructed on the parcel that PepsiCo recently purchased for a regional warehouse. A route slightly west of this path avoids these problems. Perhaps the safety issues regarding the Alternative #9 "S" curve conceptual design should be revisited.

So. Mtn. Alt. Screening Report Comments
May 29, 2003

Mr. Hayden, it is quite evident that the City of Tolleson is very disturbed at the notion of having Alternatives #2, #3 or #9 constructed in Tolleson. As I mentioned previously, I strongly agree that we need a regional alignment for the South Mountain Freeway, one that moves traffic and is not as devastating to a city's culture or economy such as the Alternatives discussed above.

Again, thank you for your visits and your interest in our community. Please feel free to call me if you have any questions regarding this letter.

Sincerely,

Ralph Velez
City Manager

cc: Amy S. Edwards, HDR Transportation Engineer
Bill Vachon, FHWA, Senior Area Engineer
Floyd Roehrich, Jr., ADOT, Senior Project Manager

RESOLUTION NO. 937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOLLESON REAFFIRMING THE 61st AVENUE ALIGNMENT OF A PORTION OF THE SOUTH MOUNTAIN FREEWAY (STATE ROUTE LOOP 202), BETWEEN INTERSTATE 10 WEST AND 51st AVENUE.

WHEREAS, the Phoenix City Council recommended the alignment of the South Mountain Freeway (State Route Loop 202) in early 1985, which included the 61st Avenue alignment; and

WHEREAS, the alignment recommended by the Phoenix City Council was approved by the Maricopa Association of Governments as part of the Long-Range Transportation Plan in July, 1985; and

WHEREAS, voters of Maricopa County approved a sales tax in October 1985 to fund new freeways in Maricopa County, including the South Mountain Freeway; and

WHEREAS, the information supplied to voters prior to the election showed the South Mountain Freeway on the 61st Avenue alignment; and

WHEREAS, subsequent adoptions of the Long-Range Transportation Plan since 1985 have continued to show the 61st Avenue alignment for the north/south portion of this freeway; and

WHEREAS, the adopted Phoenix General Plan has consistently shown the 61 Avenue alignment for this freeway; and

WHEREAS, the land uses shown on the Phoenix General Plan are entirely consistent with, and dependent upon, the 61st Avenue alignment; and

WHEREAS, the City has approved numerous development plans since 1985 along and adjacent to the 61st Avenue alignment; and

WHEREAS, the current study of this freeway includes the 61st Avenue alignment as one alternative; and

WHEREAS, the Phoenix City Council deems the 61st Avenue alignment to provide the best traffic service to the citizens of Phoenix and the region, of the alternatives now under study; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOLLESON that it **fully supports and endorses the 61st Avenue alignment,** between Interstate 10 West and 51 Avenue south of Elliot Road, as the most effective and efficient route for the South Mountain Freeway

PASSED by the Council of the City of Tolleson this 23rd day of March, 2004.

_____

Adolfo F. Gámez, Mayor

ATTEST:

APPROVED AS TO FORM:

_____ _____

Chris Hagen-Hurley, City Clerk

Scott W. Ruby, City Attorney

CITY OF TOLLESON

RESOLUTION NO. 978

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, MARICOPA COUNTY, ARIZONA, SUPPORTING THE ORIGINAL ALIGNMENT FOR THE SOUTH MOUNTAIN FREEWAY (HIGHWAY 101 SOUTH EXTENSION) NEAR 55TH AVENUE IN THE CITY OF PHOENIX.

WHEREAS, in 1988 the Arizona Transportation Board approved (the "Approval") a north and south alignment of the South Mountain Freeway (Highway 101 South Extension) between 55th and 63rd Avenues in the City of Phoenix (the "55th Avenue Alignment"); and

WHEREAS, since the Approval and in reliance on the 55th Avenue Alignment, the City of Phoenix ("Phoenix") and the City of Tolleson ("Tolleson") have made long term land planning decisions and have expended substantial amounts of public funds assuming that a major freeway would be located in the vicinity of 55th Avenue and not at 99th Avenue; and

WHEREAS, based on the Approval and the land use decisions made by Phoenix and Tolleson, private businesses have located in the region and expended hundreds of millions of dollars assuming that a major freeway would be located in the vicinity of 55th Avenue and not at 99th Avenue; and

WHEREAS, Tolleson is comprised of approximately six (6) square miles, several of which are already utilized by the I-10 Freeway; and

WHEREAS, an alignment of the South Mountain Freeway in or near 99th Avenue would have devastating impact on Tolleson, including but not limited to:

A. Economic and functional destruction of one of only three major commercial north-south corridors in Tolleson,

B. Destruction of many of Tolleson's largest businesses which would result in a substantial loss of assessed valuation and jobs,

C. A lowering of Tolleson's assessed valuation would result in a significant increase in Tolleson's tax rate to be levied on the remaining residents and businesses in Tolleson,

D. An increase in the noise level in nearby Tolleson neighborhoods and schools, and

SWR:par 620402.1 12/09/05

E. The possible taking of two or three Tolleson wells and the water treatment plants associated with the wells and the taking of other significant local and regional utility facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. The Mayor and Council after careful examination of the potential impact of all proposed north-south alignments for the South Mountain Freeway, strongly endorses and supports the 55th Avenue alignment of the South Mountain Freeway made by the Arizona Transportation Board in 1988.

Section 2. The Tolleson Manager and Clerk are hereby directed to disseminate this resolution to the Arizona Department of Transportation, City of Phoenix, Federal Highway Administration and any other entities or agencies involved in the process of selecting the alignment of the South Mountain Freeway.

PASSED AND ADOPTED by the Mayor and Council of the City of Tolleson, Arizona, on this _____ day of December, 2005.

_____
Adolfo F. Gamez, Mayor

ATTEST:

_____
Chris Hagen, City Clerk

APPROVED AS TO FORM:

_____
Scott W. Ruby, City Attorney

CERTIFICATION

I, Chris Hagen, the duly appointed and acting Clerk of the City of Tolleson, Arizona, do hereby certify that the above and foregoing Resolution No. _____ was duly passed by the City Council of the City of Tolleson, Arizona, at a regular meeting held on December _____, 2005, and the vote was ____ aye's and ___ nay's and that the Mayor and ___ Council Members were present thereat.

DATED: December 13, 2005.

_____
Chris Hagen, City Clerk

City of Tolleson

9555 West Van Buren Street • Tolleson, Arizona 85353 • 623.936.7111 • fax 623.907.2629

To: **Citizens Advisory Team**

From: **Mayor Adolfo Gamez, Vice-Mayor Jose Diego Espinoza, Council Members Kathy Farr, Estevan "Steve" Gem, Linda Laborin, Ana Solorio Tovar and Juan F. Rodriguez**

Date: **April 19, 2006**

Re: **Adverse Impact of the W101 Alternatives on the City of Tolleson**

As members of the elected body charged with protecting and preserving the community of Tolleson, we offer the following responses to the numerous assumptions regarding the W101 alternatives based on the outdated data resulting from the Maricopa Association of Governments transportation study of 2003. Not only do we believe these assumptions to be skewed by the use of insufficient data, but they further distort perception by failing to consider the direct effect on a grossly underserved population – most notable of which is the 78% Hispanic population of Tolleson.

Existing Land Uses: At the heart of Tolleson's mission is the preservation of its most prime commercial properties that promise an economic foundation to support all municipal/social services delivered to a constituency comprised of more than 51% low-to-moderate income persons. Page 1 of 10 of the Draft Summary of Impacts for the Western Section Alternatives under the existing land use categories of Commercial/Industrial and Open Space/Undeveloped represents the entire 99th Avenue Growth Area hard zoned in Tolleson's General Plan for major retail uses. Based on current projections, this growth area's potential economic impact to our city ranges from 8 to 10 million dollars in retail sales tax revenues – a staggering amount when one considers Tolleson's six-square miles hosts only three major growth areas.

Office of the City Council

8401 West Monroe Street
Peoria, Arizona 85345
(623) 773-7306
Fax (623) 773-7301

May 10, 2006

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 South 17th Avenue, MD 100A
Phoenix, AZ 85007

Re: Recommended Alignment for Loop 202,
55th Avenue through the City of Phoenix

Dear Mr. Mendez:

The City of Peoria (City) has been indirectly involved in the discussions of where the appropriate alignment of the South Mountain freeway (Loop 202) should intersect with Interstate 10. The City firmly agrees with the recommendations of the Cities of Avondale, Goodyear, Litchfield, Phoenix and Tolleson, that the original alignment of 55th Avenue be the alignment of choice.

Sincerely,

John C. Keegan
Mayor

c: David A. Moody, P.E., Engineering Director

DAM/cg
I\admin\letters\Victor Mendez_from Mayor-0506

RESOLUTION NO. 20-06

A RESOLUTION OF THE COUNCIL OF THE TOWN OF BUCKEYE, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the Town of Buckeye (the "Town") has been presented with information by the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue (the 99th Avenue Alignments"); and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact the ability to develop 99th Avenue as a key West Valley commercial corridor, as is currently planned, and would have a negative impact on the future development of West Valley communities, particularly the important Cities of Tolleson and Avondale; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the "55th Avenue Alignment"); and

WHEREAS, the City of Phoenix, the City of Tolleson, the City of Avondale and the Town of Buckeye have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment, and changing the Alignment in the face of such long term reliance and planning is irresponsible and inappropriate,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF BUCKEYE as follows:

SECTION 1. That the Town hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the Town hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the Town of Buckeye, April 18, 2006.

Dustin Hull, Mayor

ATTEST:

Linda Garrison, Town Clerk

APPROVED AS TO FORM:

Scott W. Ruby, Town Attorney

643770.1

RESOLUTION NO. 06-05
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GILA BEND, ARIZONA, HEREBY SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55th AVENUE.

WHEREAS, multiple cities and towns in Maricopa County have planned for the growth in their respective jurisdictions relying on the 55th Avenue alignment for the past two decades as previously approved by MAG;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GILA BEND, ARIZONA, AS FOLLOWS:

Section 1. That the Town of Gila Bend hereby opposses the 99th Avenue alignments for the South Mountain Freeway as proposed by ADOT

Section 2. That the Town of Gila Bend hereby supports ADOT moving forward with the 55th Avenue alignment as included in adopted Maricopa Association of Governments Regional Transportation Plan.

RESOLVED, PASSED, AND ADOPTED by a majority of a quorum of the members of the Town Council of the Town of Gila Bend present and voting this 25th day of April, 2006.

Daniel Birchfield, Mayor

ATTEST:

Beverly Turner, CMC
Town Clerk

APPROVED AS TO FORM:

Steven W. McClure
Town Attorney

February 15, 1990

HDR

Ms. Dorothy Hallock
Comprehensive Planner
Office of Planning and Evaluation
Gila Indian River Community
P.O. Box 97
Sacaton, Arizona 85247

RE: Contract No. 88-24
Price Expressway General Consultant
TRACS No. H-2222-01D
Existing R.O.W. definition along GRIC Boundary
(per discussion at 2-2-90 review meeting)

Dear Dorothy:

First of all, I wish to express our thanks to you and Mr. Antone for taking time out of your busy schedules to meet with ADOT at our HDR office on Friday, February 2, 1990. Although this writer was not present, our representatives, Mr. Larry Kyle and Mr. Oliver Antony, felt the design overview meeting was productive and beneficial to all.

The primary purpose of this letter is an endeavor to resolve the question (if there is in fact a question) of the GRIC boundary line location along the proposed Santan Freeway alignment. As Mr. Antony described your concern to me, the apparent reach in question is between Price Road westerly to the Kyrene Road area, where you indicated there is a "sliver" of property in question.

To that end, I am transmitting to you four (4) maps of the existing right-of-way points this office has developed, along the Santan alignment, for our client ADOT. Substantially all of the control monuments (i.e. section corners, quarter corners, etc.) have been field-surveyed, confirmed, and ground-grid coordinates have been calculated for these points. A great number of these control monuments were also utilized by ADOT when they provided topographic mapping to HDR for the above-referenced project, and this office has confirmed ADOT coordinate closures within one (1) part in 48,280; within a maximum coordinate deviation of 0.003 foot. Therefore, we feel our points shown are very accurate.

HDR Engineering, Inc.

Suite 205
3353 N. 16th Street
Phoenix, Arizona
85016-3226

Telephone
602 264-0731

I would suggest you or your surveyor contact our surveying subconsultant, Mr. Steve Mortensen, Project Engineering Consultants (PEC), 3130 N. 35th Avenue, Suite #1, Phoenix, AZ 85017; Tel. (602) 484-7691, and resolve any differences. I will, likewise, direct Mr. Mortensen to contact you on this matter. We want to immediately resolve this issue, if there is in fact a problem, with the boundary line indicated. The two surveyors may have to resolve the issue with the Maricopa County Surveyor, if discrepancies are found. I am attaching a copy of the legal description you provided to HDR on 2-2-90, as a result of the review meeting, which describes to GRIR exterior boundary.

I hope the enclosed mapping will be beneficial to you. If we can be of any assistance, feel free to contact this writer or Mr. Mortensen at PEC.

Respectfully Submitted,

HDR ENGINEERING, INC.

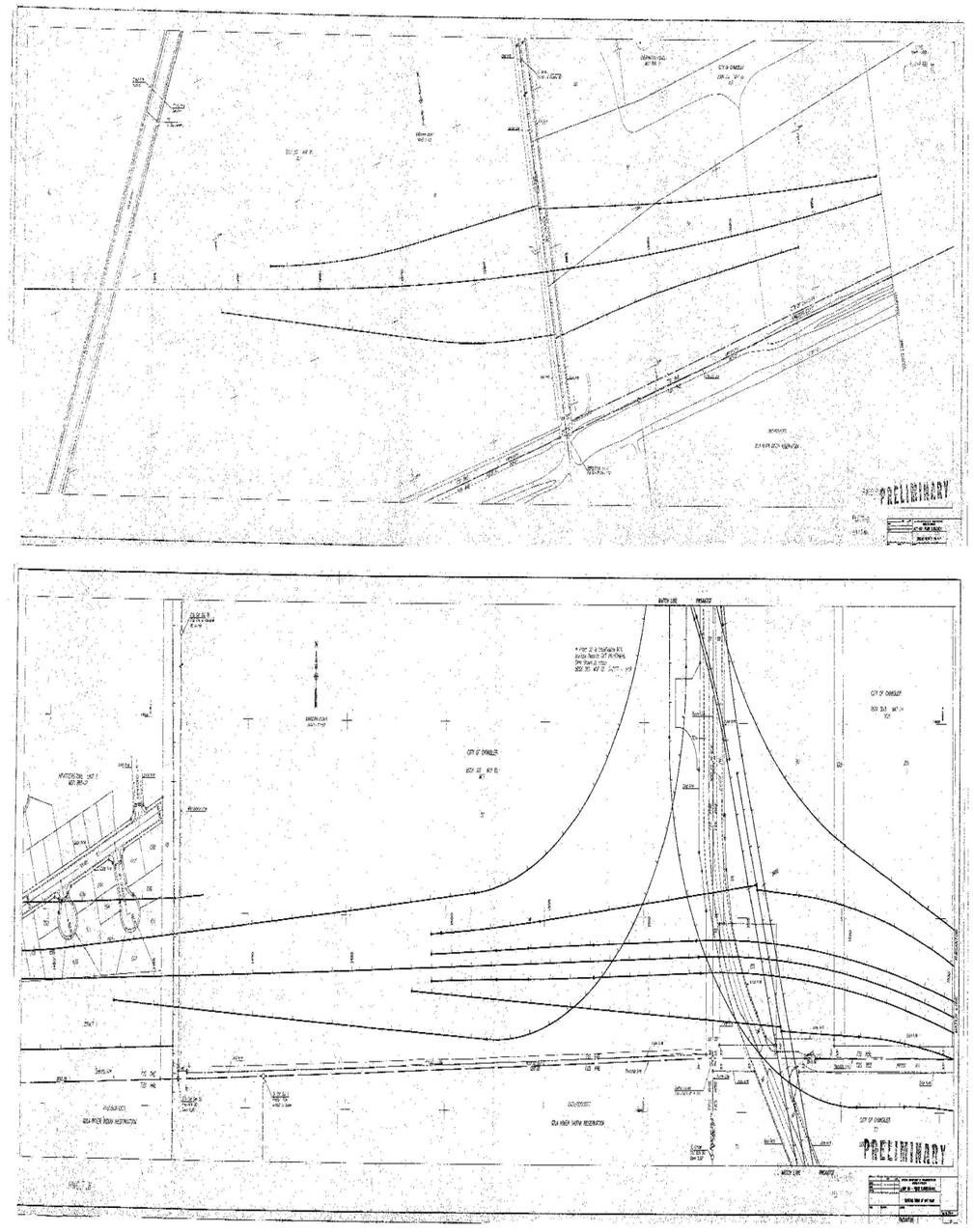
F. E. Heaston

F.E. "Woody" Heaston, P.E.
Project Manager - Price Road GEC

FEH/jm/abs

cc: Steve Mortensen (PEC) w/maps
George Wallace/Steve Martin (ADOT) w/maps
HDR File

Attachments: o Existing R.O.W. Maps, (Dwg. ERW-11, 12, 13 & 14) - Preliminary
o Minutes of 2-2-90 review meeting, and legal description from Ms. Hallock (legal description dated 9-12-89 - revised).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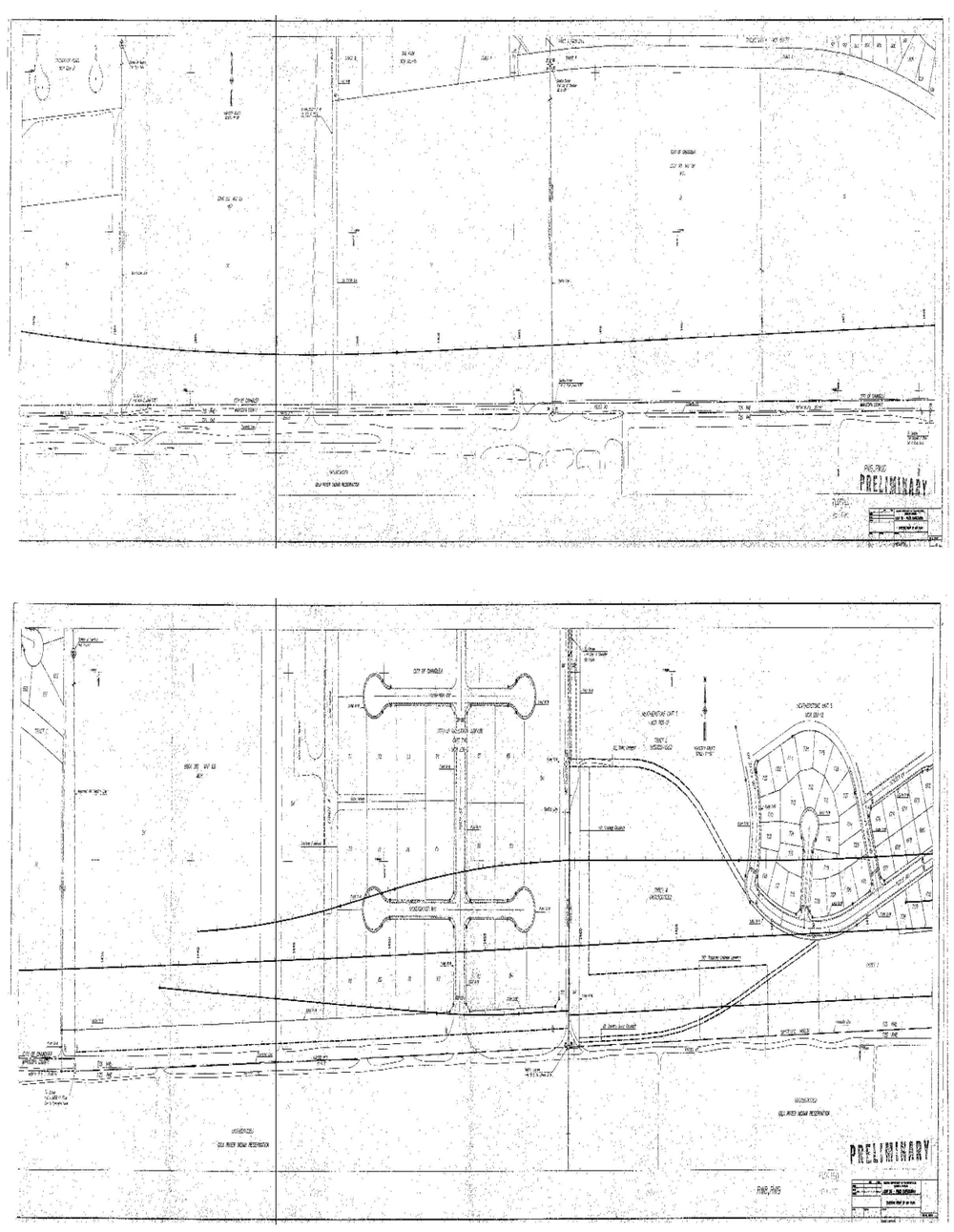
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PRELIMINARY

HDR Internal Memorandum

To File

Date May 9, 1989

From Steve Miller

Subject Meeting with Gila River Indian Community

Location: HDR

Attendance: Tim Morrison - GRIC
Richard Narcia - GRIC
Jerry Zovne - HDR
Steve Miller - HDR

HDR

TOPICS OF DISCUSSION

1. Southwest Loop Hydrology Sta 923 to 997

   Flows were taken from Collar, Williams & White drainage report for Foothills Development. A copy of report and drainage map is available through City of Phoenix and CWW. Correlation between Master Drainage Plan Map (received by HDR, March 6, 1989) and S.W. Loop Design Concept Report discharges & locations was shown. A copy of the S.W. Loop Drainage Design Concept Report was given to GRIC. Jerry Zovne indicated that the GRIC had some input into the system in that the "level spreader" concept was design per GRIC concerns that discharging concentrated flows on reservation would not be acceptable. The GRIC desired sheet flows.

2. Southwest Loop Alignment and Schedule
   Concern was expressed as to whether there might be a future alignment change, perhaps to Queen Creek, as the tribe had originally proposed. HDR has not been asked to analyze any other alignment or make any significant alignment adjustments. Construction scheduling for S.W. Loop was a GRIC concern. HDR suggested that GRIC return and talk with Woody Heaston, Project Manager, concerning proposed scheduling.

3. Interchange at South Mountain Park

   The Tribe is planning an economic development area along Queen Creek and may be interested in an interchange with the Southwest Loop at South Mountain Park to accommodate access to the Queen Creek Road area. HDR referred to a pictorial of the S.W. Loop with interchanges (presently proposed) highlighted - no interchange is indicated at the South Mountain Park location, six (6) other interchanges are indicated.

4. GRIC asked if HDR had proposed on the Maricopa Road improvement. HDR indicated that we thought that we were in the process of doing so.

5. Gila Drain

   GRIC indicated that the Tribe thought the Gila Drain was a stormwater conveyance option for the freeway system. HDR indicated that ADOT had requested a short study on that option. However the General Plan, which we are currently working under, is to pump water from I-10 to Price Road into the Carriage Lane detention basin and storm sewer outfall north to the Price Road Tunnel to the Salt River.

   GRIC asked if there were cost savings with the Gila Drain Option. HDR indicated that ADOT would be better able to discuss that with them. HDR discussed the alternatives considered (in general terms) and depending upon the particular alternative and the specific items considered, there may be a net cost savings. Also, HDR is presently redefining the off-site hydrology to quantify stormwater runoff to be handled by the drainage system - this could influence the results of the Gila Drain study. GRIC concluded that if GRIC were to allow ADOT to use the Gila Drain, the decision would have to be made quickly. We confirmed that ADOT has placed a high priority on completing the Price Expressway. The Price Tunnel construction is nearly complete, and final design of Carriage Lane outfall is under way. GRIC also said that the Tribe might be willing to swap use of the Gila Drain for a Queen Creek intersection on S.W. Loop.

6. GRIC mentioned that the Corps of Engineers was beginning another study of drainage for the Reservation, but did not know the details. HDR discussed some of our observations about hydrology in the area and changes that had occurred since the Corps' 1977 study. Future development of the Price/Santan will essentially eliminate runoff contributions to the Reservation from the Tempe/Chandler/Gilbert areas (up to 100-year frequency). Present construction of Price Tunnel/Carriage Lane Outfall will also eliminate considerable stormwater from the Mesa area. The 1977 Corps plan was to route the stormwater from all of these areas out through Western Canal and the Gila Drain R.O.W.

\jm\aab

cc: George Wallace, ADOT
Steve Martin, ADOT
Ray Jordan, ADOT

August 2, 2001

HDR

Mr. Fred Ringlero
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, Arizona 85247

RE: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Ringlero:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated July 9, 2001. This study will evaluate potential transportation improvements, including a potential new freeway, around South Mountain between the southeast valley and the northwest valley. The study will require entry onto GRIC lands over the study duration of three years for a variety non-destructive project tasks. We are requesting a blanket Right of Entry permit for the project team to enter GRIC lands for the project duration for the following general types of work:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

Attached is a map showing the general GRIC limits expected to be included in the study. Also attached is a list of personnel, and a list vehicle makes, models, and license plate that may enter GRIC lands during the project. Please advise if there is anything else you need for approval of this Right of Entry request. Thank you for your help.

Sincerely,

HDR ENGINEERING, INC.

Stephen A. Martin, P.E.
Project Manager

CC: Mary Viparina, ADOT
Sandra Shade, GRIC
File ✓

HDR Engineering, Inc.

Employee Owned

2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

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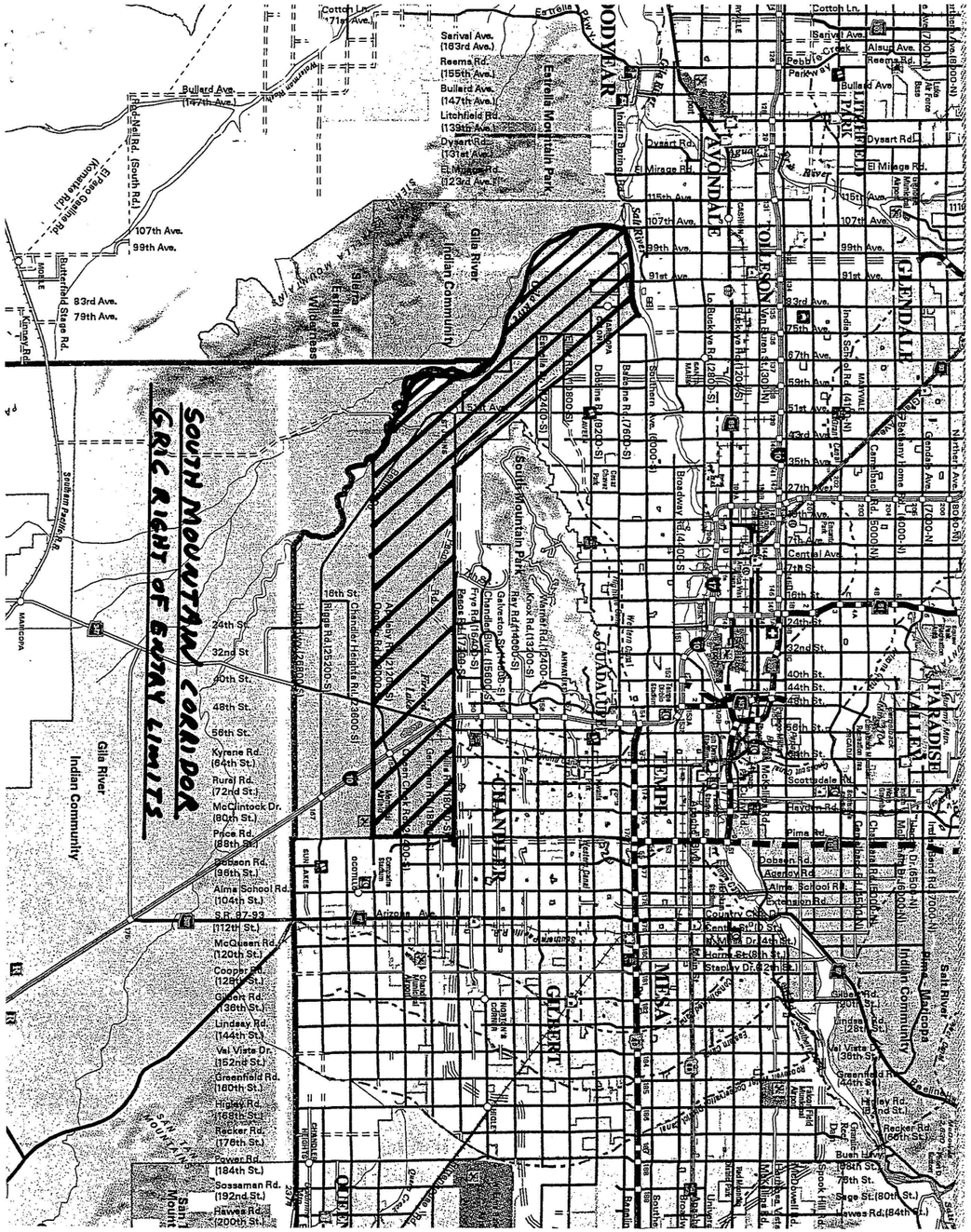
602 508-6606



GILA RIVER INDIAN COMMUNITY RIGHT OF ENTRY LIST
SOUTH MOUNTAIN FREEWAY DCR/EIS

Personnel

Jack Allen	Daniel Frechette	David E. Peterson
Jeff Anderson	John Godec	Danny Piemontesi
Paul Basha	Fiona Goodson	Bill Rawson
David Bender	Ed Green	Steven A. Raye
Vaughn Bennett	Theresa Gunn	Stephen R. Rouse
Buzz Bond	Jackie Guthrie	Dave Schettler
Randy Bong	Lawrence A. Hansen	Gary N. Shepard
Mark Brodbeck	Andrea Helmstetter	Wesley A. Shonerd
Sirena Brownlee	Pat Higgins	Tom Shreeve
David Buras	Ron Holmes	Erick Skulstad
Kelly Cairo	Cris Howard	Jesse Sonnerville
Geri Chavez	Scott W. Johnson	Chuck Stroup
Julie Christoph	Robert M. Jones	Michael A. Sussman
Bob Collier	Michele Kogl	Ryan Tanner
Tom Cooney	Larry Lacy	Joe Todaro
Marty Craig	Owen Lindauer	Jewel Touchin
Mike Dennis	Jeremy A. Lite	Darrell Truitt
Chris Dicks	Eric Lovstad	Mary Viparina
Debra Duerr	Richard Mackey	Mike Walz
Amy Edwards	Stephen Martin	Dustin Watson
Celeste W. Daisy Eldridge	Linda Meronek	Kurt Watzek
Jami Erickson	Robert A. Mongrain	Karen Wigglesworth
Bob Esposito	Anne Morris	Elijah Williams
Shannon Evans	Tracy Osborn	Greg Wold
Kelly Fletcher	Dana Owsiany	
Robert Forest	Monica Perez	

Vehicle Information

Make and Model	AZ License Plate No.	Make and Model	AZ License Plate No.
1993 Honda Accord	549-GRA	2001 Chevrolet Silverado (SB,T)	074-FEF
2001 Jeep Grand Cherokee	881-GBD	2001 Chevrolet Silverado (SB,T)	073-FEF
2001 Jeep Sport Cherokee	883-GBD	2001 Chevrolet Silverado (SB,T)	118-FGC
Chevrolet S-10 Pickup, white	LCK-998	2001 Chevrolet Silverado (XC,4WD,V8,S)	CB-13734
Dodge Avenger, grey	MSS-043	2001 Chevrolet Silverado (SC,2WD,V8,C)	CB-13736
Chevrolet Tahoe, grey	892-GGM	2001 Nissan Sentra GXE	CB-61335
Honda Civic, black	014-CSB	2001 GMC Sierra (XC,2WD,V8,S)	CB-74325
VW Passat, beige	009-GNZ	1996 Chevrolet Suburban	332-FEE
Dodge Sport, green	361-CYM	Ford F-250 4WD	936-FKK
Chevrolet Celebrity Stationwagon	G88-4BZ	2000 Mercury Mountaineer	161-EHL
Ford Tauras	G29-5BA	1998 Toyota Pickup	CYCLONE
Mercury Cougar	LWE-411	1985 Chevrolet Silverado	1573-MN
1995 K-1500 4WD (S,SB)	5BA-590	1990 Oldsmobile Cutlass	954-BZL
1996 K-1500 (LB,S)	5BA-591	1994 Chevrolet Pickup	4WX-757
1996 Mazda Miata	NEW-104	GMC Sierra Pickup	AF7-41D
1996 Chevrolet S-10 P/U	5BZ-877	2001 Acura MDX	667-GGE
1997 Ford F-150 (LB,S)	5EF-353	2000 Honda Passport	975-FHD
1997 Ford F-150 (LB,T)	5EK-506	2000 Honda Accord	EX5-184
1997 Ford F-150 (LB,T)	5EF-302	2001 Nissan Frontier	605-GMF
1997 Ford F-150 (LB,T)	5EK-513	1987 Toyota 4-Runner	EHV-596
1997 Ford F-150 (LB,T)	5EF-303	1990 Isuzu Trooper	IUG-RAD
1997 Toyota Camry	5EF-572	1994 Isuzu Trooper	KZX-830
1997 Ford F-150 (LB,T)	5EF-480	Honda CRV	430-FZD
1997 Ford F-150 (XC,SB,T)	5EF-481	Ford Ranger Pickup	LWR-890
1997 Toyota Tacoma	CB-06402	Honda Accord	308-AWL
1998 K-1500 (XC,SB,C)	CA-03283	Honda Accord	DJV-393
1998 Ford F-150 (4WD,XC)	CA-07609	Nissan Pickup	110-BHH
1998 Ford F-150 (XC,SB,C)	CA-37990	Toyota Tacoma Pickup	509-DGB
1999 Ford F-150 (XC,C)	CA-46541	Nissan Pickup	766-KTR
1999 Ford F-150 (XC)	CA-42187	Chevrolet Astro Van (HDR)	J32-304
1999 Ford F-150 (SB,T)	CA-42186	Toyota Pickup	GVJ-669
1999 Ford F-150 (SB,T)	CA-42184	1996 Dodge Grand Caravan	NFL-406
1999 K-1500 (SB,T)	832-CXB	1997 Chrysler Sebring	868-BHH
1999 K-1500 (SB,T)	834-CXB	1988 Isuzu Trooper	ESV-904
1999 K-1500 (SB,T)	CA-72575	1995 Mazda Miata	MAE-123
1999 K-1500 (SB)	CA-72574	2000 Land Rover Discovery	452-FWT
1999 Ford F-150 (LB)	595-JZL (NV)	1995 Dodge Ram Pickup	MJZ-791
1999 Ford F-150 (LB,T)	756-JZJ (NV)	1999 Dodge Durango	060-DVP
2000 Ford F-150 (XC,SB,V8,S)	CB-02797	1998 Ford F-150	CA-13555
2000 Ford F-150 (XC,SB,V8,S)	CB-02798	1999 Ford F-250	CA-77781
2000 Ford F-150 (XLT, XC,SB)	CB-06555	1999 Ford F-250	CA-77780
2000 Chevrolet Silverado (SB,P)	CB-07832	1991 Ford F-350	4GV-807
2000 Chevrolet Silverado (SB,T)	CA-93575	2000 Chevrolet Blazer	CB-44975
2001 Chevrolet Silverado (SB,T)	CA-18355		
2001 Chevrolet Silverado (SB,P)	CB-05985		
2001 Chevrolet Silverado (SB,P)	CB-05986		

GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

DEPARTMENT OF LAND & WATER RESOURCES
Land Use Planning & Zoning
Survey & Engineering
Facilities Maintenance
Pima-Maricopa Irrigation Project
Irrigation Rehabilitation

POST OFFICE BOX E
(520) 562-3301
(480) 899-0092
(520) 836-7291
FAX (520) 562-4008

Mr. Earl Lara, Chairman
Natural Resources Standing Committee
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85247

Re: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Lara and Committee Members:

Our office has received a request for a Right of Entry (ROE) Permit for the South Mountain Freeway DCR/EIS Study submitted by Mr. Stephen Martin, Project Manager from HDR Engineering, Inc. a consultant for Arizona Department of Transportation (ADOT). We have attached a copy of request by HDR for your review and approval.

HDR/ADOT is seeking approval for a blanket ROE permit to cover the areas in District Four, District Six and District Seven. See the attached map for the areas that will be covered by ROE.

I have reviewed request and would like to recommend a smaller area of study, due to the fact that the tribe and districts have discussed this matter at length when the tribe and landowners were discussing the alignment of the proposed South Mountain Toll Road Development. Our office is recommending the alignment that was approved by the Tribal Councils action when approving the Gila Borderlands Study.

With your approval, HDR will immediately set up the process to set aerial targets in the approved areas in order to have aerial mapping to do the necessary designing and studies for the South Mountain Freeway.

Again, our office is recommending a smaller area of study. Our office and HDR will be present to make request and to answer any questions you and the committee members may have.

Respectfully,

Fred Ringlero, Director
Land Use Planning & Zoning

Cc: Richard Narcia, Lt. Governor
Lee Thompson, Director DLWR
Sandra Shade, Director GRDOT
Pat Mariella, Director GRDEQ
Mike Johnson, BIA Pima Agency Realty Specialist
Stephen A. Martin, HDR Project Manager

August 29, 2001

HDR

Mr. Fred Ringlero
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, Arizona 85247

RE: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Ringlero:

Pursuant to the Natural Resources Committee Meeting this morning, I have attached a revised map of the proposed Right of Entry Permit boundary limits. This map is consistent with your recommendation for a more limited study area that will encompass the general alignment studies already approved for consideration through prior Council Resolution. The eastern area is a three-mile wide corridor south of Pecos Road from the eastern reservation boundary to the Gila River. The western area is bounded by the Gila River, the Salt River, and the eastern reservation boundary.

As we discussed, we have no problem with limiting the study area, however, we will need to eventually get an official Council Resolution or other official action requesting the study to be limited to a specific area. We do not need the official action to move forward with the Right of Entry and the study tasks, but we will need it before the study is concluded.

If you have any questions or need additional information, please contact me at 602-508-6642. Thank you for your assistance. We look forward to working with you and the Community on this important study

Sincerely,

HDR ENGINEERING, INC.

Stephen A. Martin, P.E.
Project Manager

CC: Mary Viparina, ADOT
Sandra Shade, GRIC
Bill Vachon, FHWA
File
cc. Ralph Ellis, ADOT

HDR Engineering, Inc.

Employee Owned

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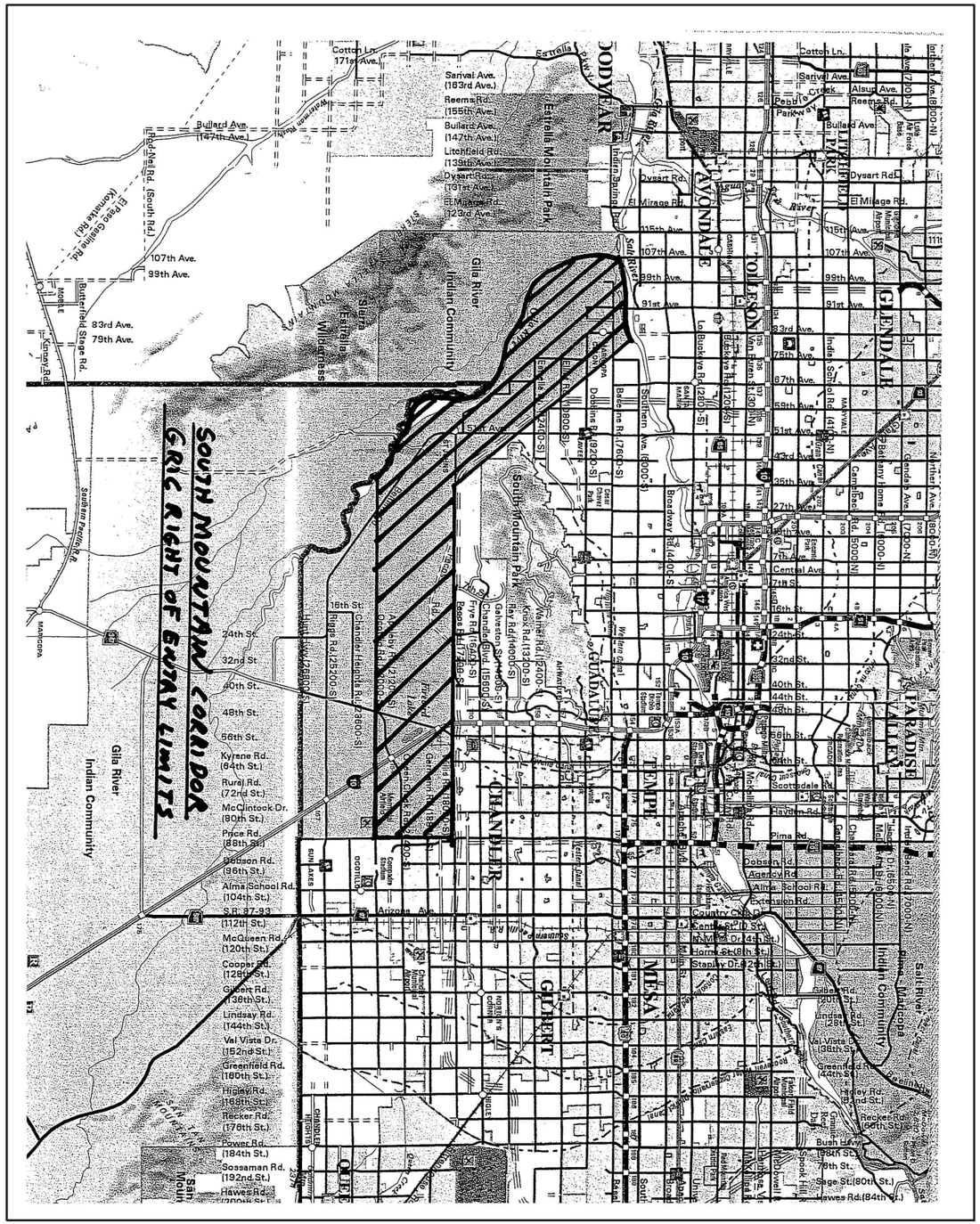
SOUTH MOUNTAIN GRIC RIGHT OF ENTRY LIMITS
Gila River Indian Community
Salt River Pima-Maricopa Indian Community
Cotton Ln. (171st Ave.)
Sarival Ave. (163rd Ave.)
Reems Rd. (155th Ave.)
Bullard Ave. (147th Ave.)
Litchfield Rd. (139th Ave.)
Dysart Rd. (131st Ave.)
El Mirage Rd. (123rd Ave.)
Estrella Mountain Park
Rainbow Valley
Rainbow Valley Rd.
Perryville Rd.
Jackrabbit Trail
Indian Springs Rd.
Pebble Creek Parkway
Alsup Ave.
Reems Rd.
Bullard Ave.
Dysart Rd.
El Mirage Rd.
Luke Air Force Base
Luke AFB
Litchfield Park
Goodyear
Avondale
Tolleson
Glendale
Phoenix Mesa Gateway Airport
Rod-Neil Rd. (South Rd.)
El Paso Gas Line Rd. (Komatke Rd.)
107th Ave.
99th Ave.
91st Ave.
83rd Ave.
79th Ave.
Butterfield Stage Rd.
Middle Gila River
Estrella Mountains
Estrella Wilderness
Gila River Indian Community
Southern Pacific R.R.
Salt River
Van Buren St. (30th St.)
Buckeye Rd. (120th St.)
Indian School Rd. (410th St.)
Southern Ave. (600th St.)
Baseline Rd. (760th St.)
Dobbins Rd. (920th St.)
Broadway Rd. (1040th St.)
Camelback Rd. (5000th St.)
Indian Bend Wash
Papago Park
Tempe Town Lake
Mill Ave.
Rural Rd.
Scottsdale
Tempe
Mckellips Rd.
Hayden Rd.
Pima Rd.
Chaparral Rd. (6450th St.)
Thomas Rd. (6000th St.)
Indian School Rd. (4150th St.)
Camelback Rd. (5000th St.)
Glendale Ave. (7200th St.)
Northern Ave. (8000th St.)
Paradise Valley
Scottsdale Rd.
Tatum Blvd.
Cave Creek Rd.
Carefree Hwy.
Deer Valley Rd.
Pinnacle Peak Rd.
Happy Valley Rd.
Dove Valley Rd.
Jomax Rd.
Anthem Way
Central Ave.
7th St.
7th Ave.
16th St.
24th St.
32nd St.
40th St.
44th St.
48th St.
56th St.
Kyrene Rd. (64th St.)
Rural Rd. (72nd St.)
McClintock Dr. (80th St.)
Price Rd. (88th St.)
Betson Rd. (96th St.)
Alma School Rd. (104th St.)
S.R. 87-93 (112th St.)
McQueen Rd. (120th St.)
Cooper Rd. (128th St.)
Gilbert Rd. (136th St.)
Lindsay Rd. (144th St.)
Val Vista Dr. (152nd St.)
Greenfield Rd. (160th St.)
Higley Rd. (168th St.)
Recker Rd. (176th St.)
Power Rd. (184th St.)
Sossaman Rd. (192nd St.)
Hawes Rd. (200th St.)
Chandler Heights Rd. (28600-S)
Riggs Rd. (25300-S)
Queen Creek Rd. (22400-S)
Ocotillo Rd. (17600-S)
Chandler Blvd. (15600-S)
Germann Rd. (13200-S)
Warner Rd. (10800-S)
Ray Rd. (8400-S)
Elliot Rd. (4800-S)
Guadalupe Rd. (1000-S)
Baseline Rd. (760-S)
Southern Ave. (600-S)
Broadway Rd. (400-S)
Apache Blvd.
Arizona Ave.
Country Club Dr.
Stapley Dr.
Main St.
Gilbert Rd.
Lindsay Rd.
Val Vista Dr.
Greenfield Rd.
Higley Rd.
Recker Rd.
Power Rd.
Bush Hwy.
Sossaman Rd.
Hawes Rd.
Sage St. (80th St.)
Chandler
Gilbert
Mesa
Queen Creek
Superstition Freeway
Superstition Mountains
Goldfield
Apache Junction
Williams Gateway Airport
Falcon Field Airport
Chandler Municipal Airport
Gilbert Municipal Airport
Mesa Gateway Airport
Kyrene de la Mirada
Kyrene de los Cerritos
Kyrene de los Lagos
Kyrene de la Estancia
Kyrene de la Colina
Kyrene de la Siesta
Kyrene de la Serena
Kyrene de la Mariposa
Kyrene de la Paloma
Kyrene de la Arena
Kyrene de la Luna
Kyrene de la Calma
Kyrene de la Sierra
Kyrene de la Vista
Kyrene de la Cima
Kyrene de la Cruz
Kyrene de la Cruz
Kyrene de la Cruz

August 30, 2001

Ms. Sandra Shade
Department of Transportation Director
GRIC
315 W. Casa Blanca Road
Post Office Box 97
Sacaton, AZ 85247

RE: South Mountain Corridor DCR/EIS Study

Dear Sandra:

The following information has been provided in response to questions raised during the August 29, 2001 Natural Resources Standing Committee.

NEPA-404 Integration Process and Section 404(b)(1)

The general intent of the NEPA-404 Integration Process as established among the FHWA, COE, EPA, and USFWS, was to ensure that provisions set forth in the Section 404(b)(1) of the Clean Water Act are considered in the development of the project purpose and need and the alternatives selection process for a FHWA-sponsored project. These provisions are the criteria used by the COE and EPA to evaluate alternatives that involve the discharge of dredged or fill material into waters of the U.S. Section 404(b)(1) is the U.S. Army corps of Engineers policy for environmental assessment of project alternatives and their impacts to waters of the U.S. when permits are required. The purpose of the Section 404(b)(1) policy is to restore and maintain the chemical, physical and biological integrity of the waters of the U.S.

These guidelines require the COE permit only the least environmentally damaging, practicable alternative. An alternative is practicable if it is available or capable of being done, taking into account cost, logistics and existing technology in light of the overall project purposes. Generally, this process is intended to integrate the FHWA NEPA process with the 404(b)(1) requirements to help ensure that at the end of the NEPA process the agencies concur with the recommended alternative.

Section 4(f)

It is national policy 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. In the USDOT Act of 1966, a special provision was included to provide protection to these resources. It is known as Section 4(f) and it stipulates that the FHWA will not approve any program or project which requires the use of any publicly owned public park, recreation area, or wildlife or waterfowl refuge, or any land from an historic site of national, state or local significance unless:

- there is no feasible and prudent alternative to the use, and
- all possible planning to minimize harm resulting from such use is included.

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602 508-6600
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602 508-6606

Specifically, Section 4(f) of the U.S. Department of Transportation Act of 1966 states that the FHWA "may approve a transportation program or project requiring publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance , or land of a 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 there is no prudent or feasible alternative to using that land and 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" (**49 U.S.C. 303**).

A 'use' of a Section 4(f) resource, as defined in 23 CFR 771.135 (p), occurs: (1) when land is permanently incorporated into a transportation facility, (2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservationist purposes, or (3) when there is a constructive use of land. A constructive use of a Section 4(f) resource occurs when the transportation project does not incorporate land from the Section 4(f) resource, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. For example, a constructive use can occur when:

- The projected increase in noise level attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 4(f);
- The proximity of the proposed project substantially impairs aesthetic features or attributes or a resource protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the resource. An example of such an effect would be locating 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 park or historic site which derives its value in substantial part due to its setting; and/or
- The project results in a restriction on access that substantially diminishes the utility of a significant publicly-owned park, recreation area, or historic site.

When FHWA is assessing the environmental effects of an action through the NEPA process, they include an evaluation of the use of land protected under Section 4(f). The environmental regulations for applying Section 4(f) to transportation project development can be found at 23 CFR 771.135. For other detailed guidance on applying the requirements of Section 4(f), the FHWA wrote the Section 4(f) Policy Paper, which discusses such topics as the history of Section 4(f), alternative analysis, mitigation and how Section 4(f) relates to other statutes and regulations which protect the same types of resources.

Section 4(f) Regulations and Guidance:

- Legislation: 23 U.S.C. Section 138 - Preservation of Parklands
- Regulation: 23 CFR 771.135
- *4(f) Policy Paper*
- FHWA's *Environmental Guidebook*

Cumulative Impacts

NEPA requires that the potential direct, secondary, and cumulative impacts of a federally funded project be identified, evaluated and mitigated as appropriate. Within the context of NEPA, secondary effects are defined by the CEQ as impacts that are "caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable" (40 CFR 1508.8). Cumulative effects are defined 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...." (40 CFR 1508.7). If a project does not *directly* impact a particular environmental resource, the project would not contribute to a *cumulative* impact on that resource.

Secondary and Cumulative Impacts Assessments are conducted in accordance with FHWA and CEQ regulations and guidance documents, including the January 1997 CEQ handbook titled *Considering Cumulative Effects Under the National Environmental Policy Act* and the April 1992 FHWA position paper titled *Secondary and Cumulative Impact Assessment in the Highway Project Development Process*.

"Cumulative impacts" is 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 ... or person undertakes such other actions. 40 CFR 1508.7 (This is the effect on the resource from all the actions occurring in the area over time.)

Secondary (Indirect) Impacts

"Secondary (Indirect) impacts" are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and ... related effects on air and water and other natural systems, including ecosystems. 40 CFR 1508.8(b) (This is the indirect effect caused by our project alone. The focus is "but for our project" the effect would not occur.)

An accumulation of indirect effects can cause a cumulative impact. A cumulative impact is not a secondary impact. Many times secondary impacts are discussed with cumulative impacts because they both address the same reasonably and foreseeable future. However, each is distinctly different.

Drainage Impacts

Drainage is one of many engineering and environmental factors that will be considered in developing and selecting alternatives during the EIS process. All alternatives will consider hydrologic (runoff) and hydraulic (conveyance) impacts as well as water quality and biological impacts (Section 401, 404, 404(b)(1) requirements) to drainage and waterways. Specific impacts and potential mitigation measures will be determined during the study as part of the alternatives analysis process.

If you need additional information or have further questions, please do not hesitate to contact me.

Sincerely,

HDR ENGINEERING, INC.

Stephen A. Martin, P.E.
Project Manager

cc: Ralph Ellis, ADOT
Bill Vachon, FHWA
Mary Viparina, ADOT
File

December 27, 2001

Mr. Gary Cooper
President of the Board of Directors
Gila River Casinos
P.O. Box 6790
Chandler, AZ 85246

Via 520.796.7714 (fax)

Dear Mr. Cooper,

As we discussed in our telephone conversation yesterday, I was referred to you by Michael Harrison and referred to Mr. Harrison by Gary Bohnee.

I am submitting this letter as a formal request for monthly use of a meeting facility at Vee Quiva casino for citizen advisory group meetings that will be held in conjunction with a three-year South Mountain Corridor Environmental Impact Statement (EIS) study. The citizen advisory group, made up of stakeholders from the area, will include several members of the Gila River Indian Community.

The Arizona Department of Transportation and Federal Highway Administration have given us the task of conducting an EIS in an area of the south and southwest Valley to explore the purpose and need and alternatives for possible transportation improvements in the area. The Gila River Indian Community (GRIC) is an active participant in this project. Our team meets monthly with a GRIC Task Force assigned to monitor this project led by Sandra Shade, Director of the GRIC Department of Transportation.

We will need a meeting room capable of holding approximately 40 people around tables set up in a horseshoe configuration. The first meeting of this group is planned for Saturday, January 26. We expect this first meeting to begin at approximately 8am and last most of the day. Subsequent monthly meetings will likely be scheduled on weekday evenings from approximately 6pm to 9pm on days when your facility could be made available to us.

If you have any specific questions about this study or our request I would be happy to answer them. As I mentioned in our telephone conversation we would also be happy to present the specifics of this project to the Board of Directors of Gila River Casinos at your convenience. The South Mountain Corridor Study website is at http://www.dot.state.az.us/ROADS/SouthMtn/index.htm.

Thank you for your time on the phone and your consideration of this request.

Sincerely,
South Mountain Project Team

John D. Godec
602.266.5556

cc:

Sandra Shade
Gary Bohnee
Mary Viparina
Ralph Ellis
Steve Martin
Jack Allen
Theresa Gunn

January 10, 2002

Bob Broscheid
Project Evaluation Program Supervisor
Arizona Game and Fish Department
Habitat Branch
2221 W. Greenway Road WM-HB
Phoenix, AZ 85023

Re: South Mountain Corridor Study

Dear Mr. Broscheid:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing a South Mountain Corridor Study and an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway. This investigation will take approximately three years to complete, and will include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

The legal location of the study area, not including locations that occur on the Gila River Indian Community, is: Township 2 North, Range 1 East, Sections 33-36; Township 2 North, Range 2 East, Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East, Sections 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Sections 1 and 12; Township 1 South, Range 2 East, Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East, Sections 31-33.

An EIS will be prepared if it is determined that there is a need for a major transportation improvement required in the South Mountain area. It will be prepared to address increased development within the project area, changes in design standards and environmental regulations, and to qualify for federal funds. This new study will start from the beginning and will consider all reasonable alternatives. The corridor being considered can be generally described as: I-10 on the west between 43rd and 107th Avenues, between the Gila River and South Mountain, and I-10 on the east between Pecos and Queen Creek Roads (see attachment).

HDR, Inc. has been retained by ADOT to prepare a South Mountain Corridor Study and an Environmental Impact Statement for this project. On behalf of the ADOT and FHWA, HDR Engineering, Inc. requests a species list, critical habitat, or any additional information that would be pertinent to the proposed project. A response received by February 11, 2002 would be greatly appreciated. Comments should be addressed to Ms. Fiona Goodson, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

Thank you for your assistance.

Sincerely,
HDR ENGINEERING, INC.

Fiona Goodson
Environmental Planner

Attachments Enclosed

HDR Engineering, Inc.

Employee Owned

Park One
2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

Telephone
602 508-6600
Fax
602 508-6606

January 10, 2002

Dr. George Brooks
PMIP
P.O. Box C
Sacaton, AZ 85247

Re: South Mountain Corridor Study

Dear Dr. Brooks:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing a South Mountain Corridor Study and an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway. This investigation will take approximately three years to complete, and will include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

The legal location of the study area occurring on the Gila River Indian Community is: Township 1 North, Range 1 East, Sections 31-35; Township 1 South, Range 1 East, Sections 1-17 and 20-26; Township 1 South, Range 2 East, Sections 7, 17-21, and 27-35; Township 2 South, Range 2 East, Sections 1-17 and 22-24; Township 2 South, Range 3 East, Sections 1-24; and Township 2 South, Range 4 East, Sections 4-9, and 15-22.

An EIS will be prepared if it is determined that there is a need for a major transportation improvement required in the South Mountain area. It will be prepared to address increased development within the project area, changes in design standards and environmental regulations, and to qualify for federal funds. This new study will start from the beginning and will consider all reasonable alternatives. The corridor being considered can be generally described as: I-10 on the west between 43rd and 107th Avenues, between the Gila River and South Mountain, and I-10 on the east between Pecos and Queen Creek Roads (see attachment).

HDR, Inc. has been retained by ADOT to prepare a South Mountain Corridor Study and an Environmental Impact Statement for this project. On behalf of the ADOT and FHWA, HDR Engineering, Inc. requests a species list, critical habitat, or any additional information that would be pertinent to the proposed project. A response received by February 11, 2002 would be greatly appreciated. Comments should be addressed to Ms. Fiona Goodson, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

Thank you for your assistance.

Sincerely,
HDR ENGINEERING, INC.

Fiona Goodson
Environmental Planner

Attachments Enclosed

HDR Engineering, Inc.

Employee Owned

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2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

Telephone
602 508-6600
Fax
602 508-6606

May 30, 2002

Natural Resources Conservation Service (NRCS)
Mr. Jeff Schmidt
3003 N. Central Ave. #800
Phoenix, AZ. 85012

RE: Request for Prime and Unique Farmland (PUF) Determination; South Mountain Freeway Corridor Project

Dear Mr. Schmidt:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway Corridor Project, as required by the National Environmental Policy Act. This investigation include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

We are requesting a PUF determination from the NRCS, for the proposed study area. We understand that a PUF determination was completed in the past for part of the study area, but due to new scoping requirements and additional proposed alignments, we feel a new determination is warranted. Attached you will a Geographical Information System (GIS) map which includes the study area boundary, and potential PUF which were designated based upon NRCS soil mapping data. If possible, we would appreciate a response by June 28, 2002.

Please contact me at (602) 508-6620 if you have any questions, or need additional information.

Sincerely,

Scott Mars

HDR Engineering

C: Andrea Helmstetter, HDR Engineering

HDR Engineering, Inc.
Employee Owned
2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736
Telephone
602 508-6600
Fax
602 508-6606

HDR ONE COMPANY | *Many Solutions* SM

October 28, 2002

Ms. Mary Viparina

Senior Project Manager
Arizona Department of Transportation
205 S. 17th Avenue, Mail Drop 614E
Phoenix, AZ 85007

RE: South Mountain Transportation Corridor EIS and L/DCR Methodology Reports

Dear Ms. Viparina:

Please find attached a copy of the draft Methodologies Report for the above-referenced project. Pursuant to the consensus-based approach associated with the project, this report presents the methodologies proposed to analyze impacts for the National Environmental Policy Act topical environmental elements.

We cordially ask that the methodologies proposed be reviewed by the appropriate ADOT staff. Specific methodologies, geotechnical, hazardous waste, and utilities, have already been subject to ADOT review. Upon completion of ADOT review (and under the assumption that no substantial changes are warranted), we ask that the report then be forwarded to the FHWA Arizona Division for review. The goal of obtaining team consensus on the proposed methodologies is to minimize the chance of substantial changes to the studies once completed.

To facilitate the review process, we have forwarded three (3) copies of the draft Methodologies Report to Mr. Thor Anderson for distribution to the reviewers.

Please keep in mind that the attached has not been formatted per the project's style guide as it is considered a working document. If you should have questions, please call me at (602) 508-6648.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards, PE
Assistant Project Manager

cc: Thor Anderson (3 copies)

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October 31, 2002

Andrew Darling
Project Director
GRIC Cultural Resource Mgmt. Program
P.O. Box 2140
Sacaton, AZ 85247

Re: South Mountain Transportation Corridor EIS and L/DCR

Dear Andrew:

On September 26, 2002, HDR, ADOT and FHWA participated in a Project Owners Team Meeting. The intent of the meeting was to discuss where we are now in the project and recommendations on where we go next.

To date, we are continuing to coordinate with the Gila River Indian Community (GRIC) regarding the potential for an alternative on their lands. While this coordination continues, the decision was made in the Project Owners Team Meeting to go forward with development and screening of all non-GRIC alignments. As such, alignments have been developed and are being reviewed with the stakeholder jurisdictions. Once this coordination is complete, the alternatives will be finalized for impacts screening. Impacts screening data will be acquired from the GIS database. Specific technical authors will be asked to confirm the impacts prior to a screening meeting. The screening meeting will be scheduled for mid-December.

Upon completion of the screening meeting, all project team members will be apprised of what alternatives were selected to move forward into the detailed analysis of the draft EIS.

We appreciate your assistance in making the recent project slow down productive. We look forward now to moving toward successful project completion. Attached is an updated project schedule.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards

Amy Edwards, P.E.
Assistant Project Manager

HDR Engineering, Inc.

Park One
2141 East Highland Avenue
Suite 250
Phoenix, AZ 85016-4792

Phone: (602) 508-6600
Fax: (602) 508-6606
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This letter was also sent to John Ravesloot, Gila River Indian Community, Cultural Resource Management Program

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May 21, 2003

Ms. Cindy Lester
Arizona Section Chief
U.S. Army Corps of Engineers
3636 North Central Avenue, Suite 760
Phoenix, AZ 85012

RE: South Mountain EIS and L/DCR

Dear Ms. Lester:

The South Mountain Transportation Corridor Study Team will be combining Chapter 3 (affected environment) and Chapter 4 (impacts) into one chapter for the Environmental Impact Statement (EIS). In the past, these chapters typically have been separate; however, there has been a recent trend to combine the chapters into one. We have discussed the matter with the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) and have investigated where it has been done before and how it was received.

In general, there is support for combining the chapters from those we questioned who have used this approach. To avoid redundancy, some have shortened Chapter 3 to approximately a five page environmental setting overview and all the details have been put in Chapter 4, with the acceptance of the FHWA. It should be noted that the approach has been used for Environmental Assessments but is not recognized for an EIS because the Council on Environmental Quality guidelines clearly call out for a two chapter approach. Further coordination of this issue will occur with ADOT and FHWA. Assuming the issue is satisfactorily resolved in the view of FHWA and ADOT, we will combine Chapter 3 and Chapter 4 in the EIS. It is our belief that document readability and succinctness will be better achieved by doing so.

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Ms. Cindy Lester
Arizona Section Chief
U.S. Army Corps of Engineers May 21, 2003
Page 2 of 2

As a cooperating agency or an agency expressing interest in the process, we are notifying you of this intent. If you have any questions or comments regarding this matter, please do not hesitate to contact either me at 602-508-6648. Thank you.

Sincerely,

Amelia Edwards

Amelia Edwards, P.E.
Deputy Project Manager

cc: Bill Vachon, FHWA Arizona Division
Floyd Roehrich, ADOT Project Manager

HDR Engineering, Inc.

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August 5, 2003

Ms. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, AZ 85247

RE: South Mountain Freeway DCR/EIS Study – Project Video
Right-of-Entry Permit Request

Dear Ms. Blackwater:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated in July 2001. As part of the study, we acquired a right-of-entry permit (RE-02-01) for surveying and environmental studies. A copy of this permit is attached.

During a June meeting with Council representatives from Districts 4, 6 and 7, we were requested to create a project video for viewing by GRIC members. As part of this video creation, we would like to film several locations within GRIC. The areas we are requesting to film are located within the study area defined under our original permit and shown in the attached map. The areas include the following:

- South Mountain as seen from GRIC
- Kids playing at the school and Boys and Girls Club
- Artifacts in the Cultural Center
- People working at the farms
- Lone Butte Industrial Park
- Wild Horse Pass Resort
- Casinos

HDR Engineering, Inc.

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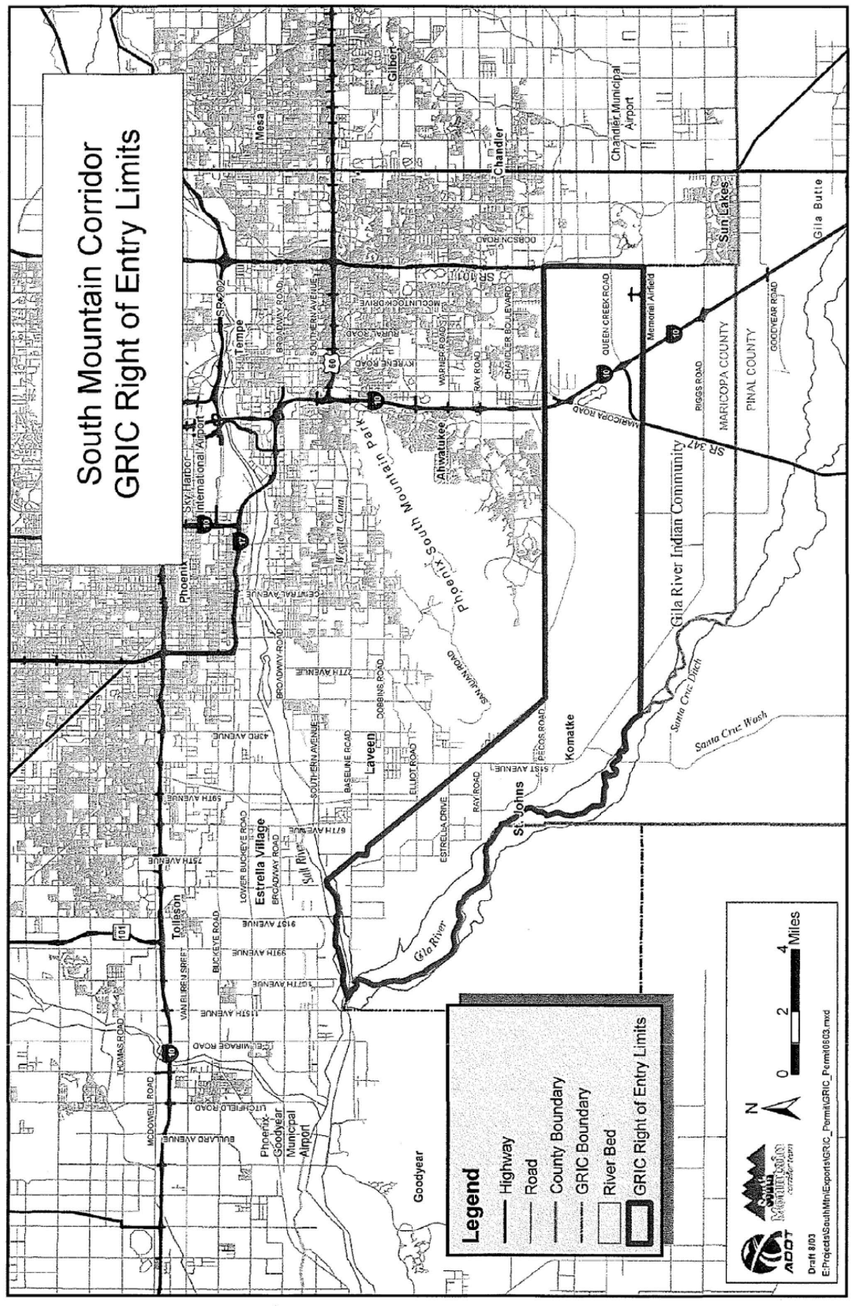

Ms. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
8/5/2003
Page 2

I have attached a list of personnel and a list of vehicle makes, models and license plates that may enter Community lands during the project. Upon receipt of a right-of-entry permit, those accessing Community lands will notify your office 24 hours in advance of their visit.

The filming effort will be undertaken immediately upon receipt of a right-of-entry permit and will be completed within 3 months time. Please advise me if there is any additional information you will need to aid in the approval of this right-of-entry. Thank you for your help with this matter.

Sincerely,

HDR ENGINEERING, INC.

Amelia Edwards

Amelia Edwards, P.E.
Project Manager

Attachments
Right-of-Entry Permit RE-02-01
GRIC Study Area Map
Personnel, vehicle list

cc:
Floyd Roehrich
John Godec
Project File

GILA RIVER INDIAN COMMUNITY
RIGHT-OF-ENTRY LIST
SOUTH MOUNTAIN FREEWAY EIS & DCR
PROJECT VIDEO

Personnel
Amy Edwards
John Godec
Theresa Gunn
Janet Nearhood
Jim Kent
Diana Cleland

Year, Make, Model and License Plate of Vehicles

2000	Land Rover Discovery	452-FWT
1999	Dodge Durango	060-DVP
1998	Honda CRV	430-FZD
1999	Chevy Suburban	728-DTP

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December 16, 2003

Terry Leija
Maricopa County Board of Supervisor
301 W. Jefferson
10th Floor
Phoenix, AZ 85003-2148

Re: South Mountain Freeway Public Meeting

Dear Terry:

During the October 2, 2003 South Mountain Freeway Public Meeting sponsored by the Arizona Department of Transportation at Tolleson High School, Supervisor Wilcox read and provided the attached statement. At the request of Bob Woodring at the Maricopa County Department of Transportation and Floyd Roehrich at the Arizona Department of Transportation, we are providing this statement to you.

If you have any questions regarding this matter or the project in general, please do not hesitate to contact me at 602-522-7755.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards

Amy Edwards, PE

cc: Bob Woodring, MCDOT
Floyd Roehrich, ADOT

HDR Engineering, Inc.
3200 East Camelback Road
Suite 350
Phoenix, AZ 85018-2311
Phone: (602) 522-7700
Fax: (602) 522-7707
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Maricopa County
Board of Supervisors

Mary Rose Garrido Wilcox
District Five
301 W. Jefferson, 10th Floor
Phoenix, Arizona 85003-2148
Phone: 602.506.7092
Fax: 602.506.6524
TDD: 602.506.2000
mrwilcox@mail.maricopa.gov

ADOT
SOUTH MOUNTAIN FREEWAY
TOLLESON HIGH SCHOOL
October 2, 2003

My name is Mary Rose Wilcox. I represent District Five as a member of the Maricopa County Board of Supervisors. I am here tonight to comment on the South Mountain Corridor Study.

I support Alternative 1, which follows the GRIC boundary until halfway between 59th and 63rd Avenues.

In 1986, as a former Phoenix City Council member, I was instrumental in forming a multi-jurisdictional committee that developed the Estrella Comprehensive General Plan. This committee included the cities of Phoenix, Tolleson, Avondale, Maricopa County, private landowners and many other interested parties. After much discussion and planning, the Estrella General Plan was adopted by the Phoenix City Council in 1988, adopted in 1992 by the Maricopa County Board of Supervisors and also adopted by all participating jurisdictions.

I am submitting a copy of the Estrella Comprehensive General Plan, which plans for the Alternative 1 alignment. For almost 20 years, the westside has been making planning decisions based on the premise of the Alternate 1 alignment. I understand that planning must be flexible but major consideration must be given to what has been adopted already. This general plan has been the basis of so much development. For instance, the City of Tolleson has developed industrial parks based upon alternative 1 and mostly importantly, if the other alternatives are recommended, it would devastate the city's commercial tax base by rendering the city's primary commercial corridor useless.

I understand the City of Phoenix is supportive of the 59th Avenue alignment due to the land use development that has occurred in this area.

Changing the original alignment would be detrimental to the major development that has occurred in the cities of Tolleson, Avondale and Phoenix.

I look forward to continuing to work with ADOT as the process of public hearings and planning continues. Thank you.

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December 31, 2003

United States Army Corps of Engineers
L.A. District, Regulatory Branch
Attn: Ms. Dana Owsiany
3636 North Central Ave., Suite 900
Phoenix, AZ. 85012

RE: South Mountain Transportation Corridor Project:
Jurisdictional Waters (Wetland Assessment)

Dear Ms. Owsiany:

Thank you for your time in reviewing the field investigation photographs of the potential wetland area (subject area) located at 83rd Avenue in the Salt River Channel. The subject area is located where three freeway alignments are being considered.

The subject area appeared to be a former gravel pit with wetland features on aerial photographs. Due to the wetland potential of this area, a field investigation of the area was conducted on December 4, 2003. During the field investigation, three soil pits were excavated using a shovel then photographed. In addition, several photographs were taken of the area to show vegetation types, standing water, and general site features. These photographs were given to you for review during our meeting on December 16, 2003. On December 17, 2003 you called to inform us of the results of your internal meeting with Ron Fowler and Robert Dumar. Your review of the site photographs yielded the opinion that the subject area is not a wetland, but the source of water must be confirmed.

HDR appreciates your review and your guidance with this issue. We will provide new information as the Clean Water Act (CWA) permitting process moves forward associated with the project. We will continue to coordinate with you to discuss issues and findings associated with jurisdictional waters.

Sincerely,

HDR ENGINEERING, INC.

Scott Mars, REM

c: Amy Edwards, HDR
Project File

HDR Engineering, Inc.
3200 East Camelback Road
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Phoenix, Arizona 85018
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Fax: (602) 522-7707
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Memo

To: Councilman Stanton and City of Phoenix Staff	
From: Amy Edwards	Project: South Mountain Freeway EIS & L/DCR
CC: Project File	
Date: January 10, 2005	Job No: 00173-525-044

RE: Potential Interchange Locations on Pecos Road Alternative

The HDR team is proceeding with detailed study of the Pecos Road alternative. As part of the process, we need to clearly identify the locations of potential interchanges along this route. In the original 1988 alternative, the interchange locations along Pecos Road were:

- 40th Street
- 24th Street
- 7th Street
- 7th Avenue
- 19th Avenue

As part of our study, we have evaluated where it is geometrically possible to construct interchanges given the development that has occurred within the area since the 1988 study. Our analysis has shown potential interchange locations along Pecos Road at (see attached figure):

- 40th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- 25th Avenue

The differences in the lists are as follows:

- **32nd Street** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
- **Desert Foothills Parkway** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
- **7th Street** - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- **7th Avenue** - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- **17th Avenue** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.

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- **19th Avenue** - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- **25th Avenue** - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.

At this time, these are only potential locations. We are soliciting input from the City of Phoenix regarding your views on each of these locations and if there are others that should be considered.

HDR ONE COMPANY | *Many Solutions*

January 17, 2005

Dr. Todd Bostwick
City Archaeologist
Pueblo Grande Museum
4619 East Washington Street
Phoenix, AZ 85034

Dr. Bostwick,

As requested here is a summary of the South Mountain Environmental Impact Statement project to date. Gila River Indian Community's Cultural Resource Management Program (GRIC-CRMP) is working on the project as subconsultant to HDR. The GRIC-CRMP was tasked with conducting a Class I overview of the study area and a Class III survey of alternative alignments. Attached is a summary of GRIC-CRMP's work to date. A few other key dates with regard to coordination with the City of Phoenix are as follows:

- July 9, 2001 - HDR received notice to proceed from ADOT/FHWA.
- August 8, 2003 - ADOT initiated Section 106 consultations with the City of Phoenix, provided a draft Class I report for review, and requested concurrence that a Programmatic agreement be developed.
- September 8, 2003 - HDR sent fieldwork notification letter to City of Phoenix (the letter was sent to City Hall, not Pueblo Grande).
- September 17, 2003 - City of Phoenix sent ADOT a response letter concurring that a PA should be developed.
- December 9, 2003 - ADOT sent draft Pragmatic Agreement to the City of Phoenix for review.
- December 17, 2003 - City of Phoenix sent ADOT a response letter concurring with the adequacy of the draft Programmatic Agreement.

Clearly, there was a breakdown in communication between our team and your office. HDR fully understands the importance of coordinating with your office and our responsibility as consultants to adhere to the *City of Phoenix Guidelines for Archaeology*, including the Archaeological Fieldwork Protocol section (page 29) which details proper coordination procedures. Please be assured that HDR is fully committed to the proper and ethical management of cultural resources in Phoenix, Arizona, and beyond. To ensure this situation does not happens again, HDR will

HDR Engineering, Inc. | 3200 E. Camelback Road Suite 350 Phoenix, AZ 85018 | Phone: (602) 522-7700 Fax: (602) 522-7707 www.hdrinc.com

require our subconsultants to provide written documentation that they have contacted your office prior to the commencement of a cultural resources project in Phoenix.

Currently, GRIC-CRMP is revising the draft Class III survey report per HDR's comments. The revised draft will be completed by early February and submitted to ADOT for their internal review. Assuming ADOT will have some comments, the GRIC-CRMP will provide a second revision, and the draft Class III report should be ready for distribution to the consulting parties (including your office) around mid-March.

If you have any further questions, would like additional information, or would like to meet to review some of the initial results, please do not hesitate to call me at (602) 522-4318.

Sincerely,

HDR Engineering, Inc.

Mark Brodbeck

Mark Brodbeck, Coordinator
Cultural Resources Section

cc Jon Shoemaker, ADOT HPT
Amy Edwards, HDR PM
Andy Darling, GRIC-CRMP

HDR Engineering, Inc. | 3200 E. Camelback Road Suite 350 Phoenix, AZ 85018 | Phone: (602) 522-7700 Fax: (602) 522-7707 www.hdrinc.com

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Agency Letters and Communication Received After Close of Comment Period of the Draft Environmental Impact Statement

U.S. Department of Transportation
Federal Highway Administration

RECEIVED
PHOENIX DISTRICT OFFICE
2013 JUL -5 PM 1:58
BUREAU OF LAND MANAGEMENT
PHOENIX, AZ

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
http://www.fhwa.dot.gov/azdiv/index.htm

July 2, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Request for Rio Salado Oeste status concurrence

Mr. Jim Andersen, Realty Specialist
Bureau of Land Management
21605 West 4th Avenue
Phoenix, Arizona 85027

Dear Mr. Andersen:

This letter summarizes the current information the South Mountain Freeway study team has compiled regarding the Rio Salado Oeste (RSO) project as it relates to the W59 Alternative of the *South Mountain Freeway (Loop 202), Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), Draft Environmental Impact Statement and Section 4(f) Evaluation.* It should be noted that most of the coordination between the Bureau of Land Management (BLM), City of Phoenix, and the U.S. Army Corps of Engineers (USACE) regarding RSO was in relation to the W55 Alternative. In 2009, the W55 Alternative was shifted to 59th Avenue and was renamed the W59 Alternative. The location of the Salt River/RSO crossing has not changed.

The W59 Alternative would cross the Salt River through the eastern half of a 192-acre BLM parcel. The City of Phoenix has a lease on this parcel under provisions of the Recreation and Public Purposes Act (Lease A-31292). The leased land would be included in the proposed RSO project, which is cosponsored by USACE. Although the lease does not include a reference to the proposed freeway, BLM and the City of Phoenix, in an August 2005 letter, indicated they would work together to amend the lease to show the proposed freeway passing through the parcel if the W55 Alternative was identified as the selected alternative in the environmental impact statement (EIS) and Record of Decision.

In July 2010, the City of Phoenix and USACE completed the *Rio Salado Oeste Conceptual Design Documentation Report*. This report incorporates the location of the proposed South Mountain Freeway as it passes through RSO (see enclosure). According to USACE, the RSO project lacks funding to proceed. As a result, the proposed construction of the South Mountain Freeway in this area would precede RSO. Although traffic noise could affect some species, any wildlife that would inhabit the area after habitat improvements would experience the freeway as



an existing condition and become habituated to traffic noise. The City of Phoenix and USACE view the South Mountain Freeway crossing as an opportunity to use stormwater runoff from the proposed freeway to "irrigate" the river habitat. The study team will continue to consult with BLM, USACE, and the City of Phoenix to coordinate design efforts to minimize impacts on the proposed uses of this land.

If this summary is accurate and reflects the most currently available information, please sign the concurrence line below. If you or others in your organization have additional information, please provide it to the Federal Highway Administration by July 14, 2013, so that it can be incorporated into the Final EIS. If you have any questions, please contact Rebecca Yedlin, FHWA Environmental Coordinator, at (620) 382-8979 or Rebecca.Yedlin@dot.gov.

Thank you for your time and assistance.

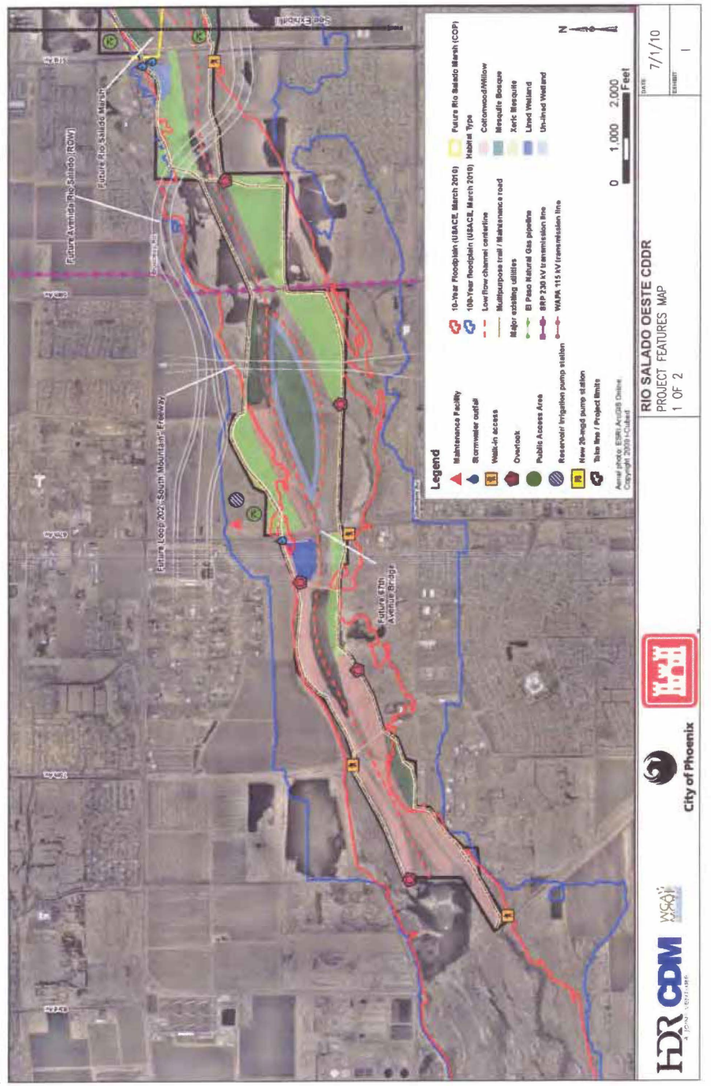
Sincerely,

for Karla S. Petty
Division Administrator

Signature for Bureau of Land Management Concurrence (BLM-Wildlife) — 07/09/2013
NH-202-D(ADY) — Date

Enclosure

cc:
Karen Williams, City of Phoenix, 200 West Washington Street, 12th Floor, Phoenix, AZ 85003
Brian Kenny, U.S. Army Corps of Engineers, 3636 North Central Avenue, Phoenix, AZ 85012
Ben Spargo, HDR Engineering, Inc. , 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018
Scott Stapp, HDR Engineering, Inc. , 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018



U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue
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Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
http://www.fhwa.dot.gov/azdiv/index.htm

July 2, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Request for Rio Salado Oeste status concurrence

Ms. Karen Williams, Rio Salado Coordinator
City of Phoenix
200 West Washington Street, 12th Floor
Phoenix, Arizona 85003

Dear Ms. Williams:

This letter summarizes the current information the South Mountain Freeway study team has compiled regarding the Rio Salado Oeste (RSO) project as it relates to the W59 Alternative of the *South Mountain Freeway (Loop 202), Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), Draft Environmental Impact Statement and Section 4(f) Evaluation.* It should be noted that most of the coordination between the Bureau of Land Management (BLM), City of Phoenix, and the U.S. Army Corps of Engineers (USACE) regarding RSO was in relation to the W55 Alternative. In 2009, the W55 Alternative was shifted to 59th Avenue and was renamed the W59 Alternative. The location of the Salt River/RSO crossing has not changed.

The W59 Alternative would cross the Salt River through the eastern half of a 192-acre BLM parcel. The City of Phoenix has a lease on this parcel under provisions of the Recreation and Public Purposes Act (Lease A-31292). The leased land would be included in the proposed RSO project, which is cosponsored by USACE. Although the lease does not include a reference to the proposed freeway, BLM and the City of Phoenix, in an August 2005 letter, indicated they would work together to amend the lease to show the proposed freeway passing through the parcel if the W55 Alternative was identified as the selected alternative in the environmental impact statement (EIS) and Record of Decision.

In July 2010, the City of Phoenix and USACE completed the *Rio Salado Oeste Conceptual Design Documentation Report*. This report incorporates the location of the proposed South Mountain Freeway as it passes through RSO (see enclosure). According to USACE, the RSO project lacks funding to proceed. As a result, the proposed construction of the South Mountain Freeway in this area would precede RSO. Although traffic noise could affect some species, any wildlife that would inhabit the area after habitat improvements would experience the freeway as

an existing condition and become habituated to traffic noise. The City of Phoenix and USACE view the South Mountain Freeway crossing as an opportunity to use stormwater runoff from the proposed freeway to "irrigate" the river habitat. The study team will continue to consult with BLM, USACE, and the City of Phoenix to coordinate design efforts to minimize impacts on the proposed uses of this land.

If this summary is accurate and reflects the most currently available information, please sign the concurrence line below. If you or others in your organization have additional information, please provide it to the Federal Highway Administration by July 14, 2013, so that it can be incorporated into the Final EIS. If you have any questions, please contact Rebecca Yedlin, FHWA Environmental Coordinator, at (620) 382-8979 or Rebecca.Yedlin@dot.gov.

Thank you for your time and assistance.

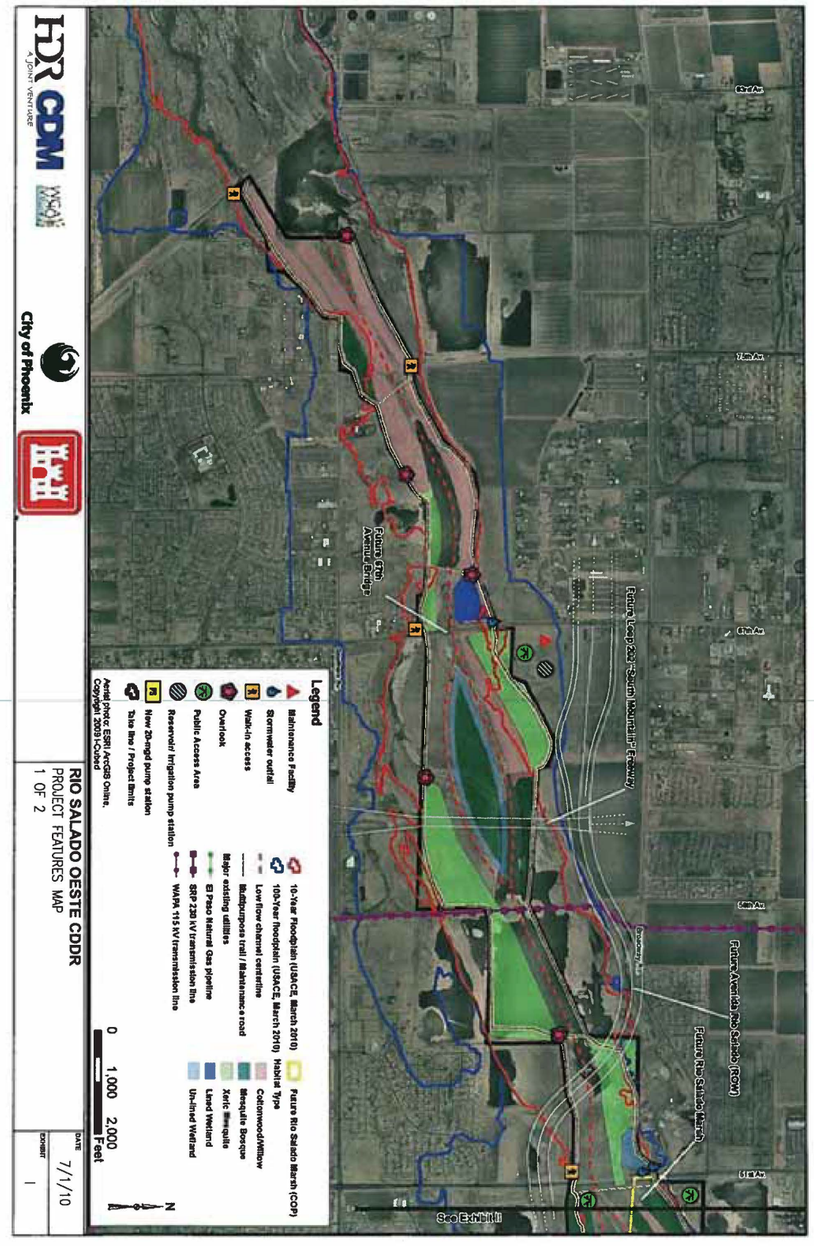
Sincerely,

for Karla S. Petty
Division Administrator

James P. Burke — 8/8/13
Signature for City of Phoenix Concurrence — Date
NH-202-D(ADY)

Enclosure

cc:
Jim Andersen, Bureau of Land Management, 21605 West 4th Avenue, Phoenix, AZ 85027
Brian Kenny, U.S. Army Corps of Engineers, 3636 North Central Avenue, Phoenix, AZ 85012
Ben Spargo, HDR Engineering, Inc., 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018
Scott Stapp, HDR Engineering, Inc., 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018



U.S. Department of Transportation
Federal Highway Administration

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July 8, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Request for Rio Salado Oeste status concurrence

Mr. Brian Kenny, Rio Salado Project Manager
U.S. Army Corps of Engineers
3636 North Central Avenue
Phoenix, Arizona 85012

Dear Mr. Kenny:

The study team is updating information within the *South Mountain Freeway (Loop 202), Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), Draft Environmental Impact Statement and Section 4(f) Evaluation* (Draft EIS) for the production of the Final EIS for the project. Although the team has had informal telephone communications with you regarding the status of the Rio Salado Oeste (RSO) project, the Federal Highway Administration (FHWA) wishes to formally document the status within the Final EIS.

This letter summarizes the current information the team has compiled regarding the RSO project as it relates to the W59 Alternative of the South Mountain Freeway. It should be noted that much of the prior coordination between the Bureau of Land Management (BLM), City of Phoenix, and the U.S. Army Corps of Engineers (USACE) regarding RSO was in relation to the W55 Alternative. In 2009, the W55 Alternative was shifted to 59th Avenue and was renamed the W59 Alternative. The location of the Salt River/RSO crossing has not changed.

The W59 Alternative would cross the Salt River through the eastern half of a 192-acre BLM parcel. The City of Phoenix has a lease on this parcel under provisions of the Recreation and Public Purposes Act (Lease A-31292). The leased land would be included in the proposed RSO project, which is cosponsored by USACE. Although the lease does not include a reference to the proposed freeway, BLM and the City of Phoenix, in an August 2005 letter, indicated they would work together to amend the lease to show the proposed freeway passing through the parcel if the W55 Alternative was identified as the selected alternative in the EIS and Record of Decision.

In July 2010, the City of Phoenix and USACE completed the *Rio Salado Oeste Conceptual Design Documentation Report*. This report incorporates the location of the proposed South Mountain Freeway as it passes through RSO (see enclosure). According to USACE, the RSO project lacks funding to proceed. As a result, the proposed construction of the South Mountain Freeway in this area would precede RSO. Although traffic noise could affect some species, any wildlife that would inhabit the area after habitat improvements would experience the freeway as an existing condition and become habituated to traffic noise. The City of Phoenix and USACE view the South Mountain Freeway crossing as an opportunity to use stormwater runoff from the proposed freeway to "irrigate" the river habitat. The study team will continue to consult with BLM, USACE, and the City of Phoenix to coordinate design efforts to minimize impacts on the proposed uses of this land.

If this summary is accurate and reflects the most currently available information, please sign the concurrence line below. If you or others in your organization have additional information, please provide it to FHWA by July 29, 2013, so that it can be incorporated into the Final EIS. If you have any questions, please contact Rebecca Yedlin, FHWA Environmental Coordinator, at (620) 382-8979 or Rebecca.Yedlin@dot.gov.

Thank you for your time and assistance.

Sincerely,

Raydw

for Karla S. Petty
Division Administrator

Brian W. Kenney

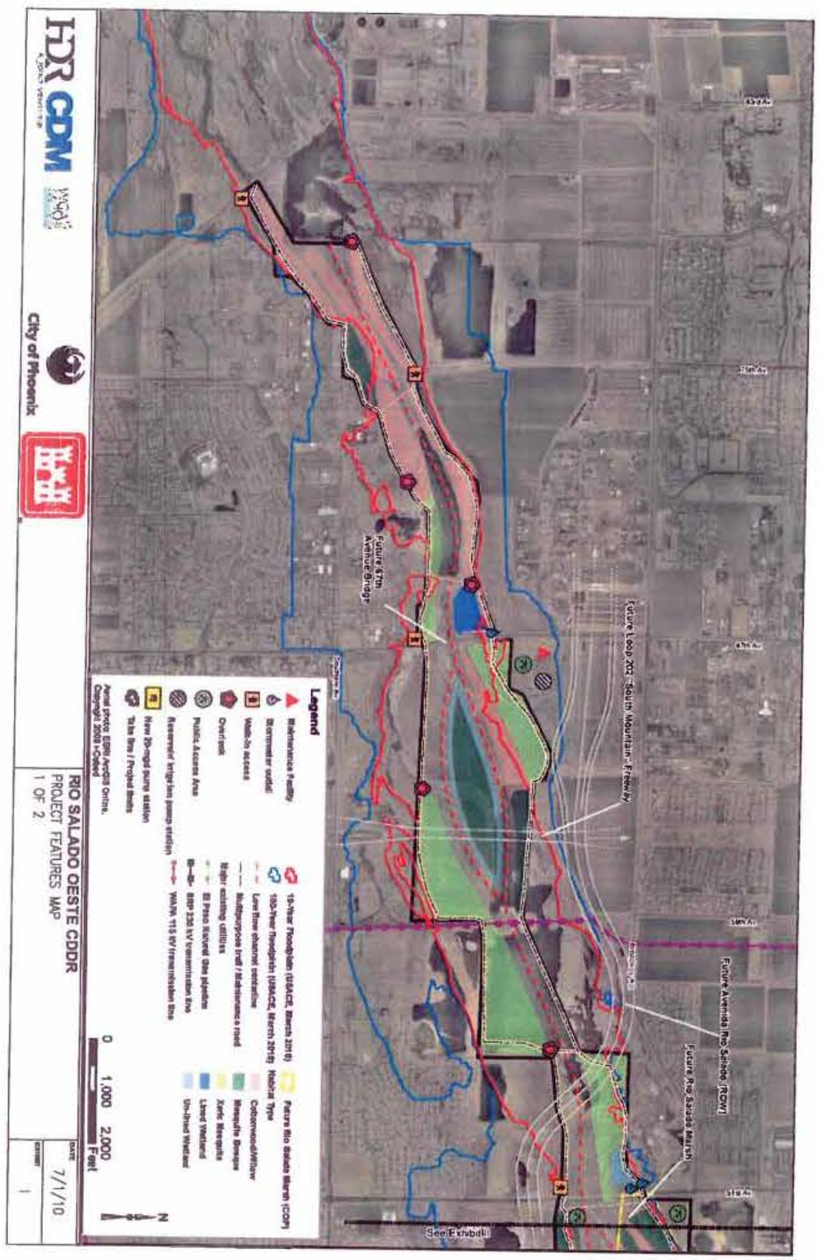
Signature for USACE Concurrence
NH-202-D(ADY)

24 October 2013

Date

Enclosure

cc:
Jim Andersen, Bureau of Land Management, 21605 West 4th Avenue, Phoenix, AZ 85027
Karen Williams, City of Phoenix, 200 West Washington Street, 12th Floor, Phoenix, AZ 85003
Ben Spargo, HDR Engineering, Inc. ,3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018
Scott Stapp, HDR Engineering, Inc., 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018



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August 15, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Receipt of Comments on the South Mountain DEIS

Ms. Patricia Sanderson Port, Regional Environmental Officer
United States Department of the Interior
Office of the Secretary
Pacific Southwest Region
333 Bush Street, Suite 515
San Francisco, California 94104

RE: Comments on the Draft Environmental Impact Statement for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway), TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear Ms. Port:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) have received your July 24, 2013, comments on the South Mountain (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway) Draft Environmental Impact Statement (DEIS).

With the closing of the DEIS public comment period on July 24, 2013, we will now begin addressing the comments received. As required by the National Environmental Policy Act (NEPA), all comments on the DEIS will be carefully considered and responses to these comments will undergo a rigorous preparation, review, and vetting process through ADOT and FHWA as we advance the project through the NEPA process. We anticipate completion of this effort in 2014. Based on our current schedule, after publication of the Final Environmental Impact Statement (FEIS), the document will be subject to a 60-day public review. A Record of Decision on the proposed project would follow.

We appreciate the involvement of the United States Department of the Interior on this project and look forward to continuing our partnership with the Department.

Sincerely,
Karla S. Petty

Karla S. Petty
Division Administrator

cc:
Rebecca Yedlin, Chaun Hill (EM02), Ralph Ellis (EM02), Ben Spargo, HDR Engineering, Inc. 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018

U.S. Department of Transportation
Federal Highway Administration

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August 15, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Receipt of Comments on the South Mountain DEIS

Mr. Jared Blumenfeld
United States Environmental Protection Agency
Office of the Regional Administration, Region IX
75 Hawthorne Street
San Francisco, California 94105-3901

RE: Comments on the Draft Environmental Impact Statement for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway), TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear Mr. Blumenfeld:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) have received your June 20, 2013, comments on the South Mountain (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway) Draft Environmental Impact Statement (DEIS).

With the closing of the DEIS public comment period on July 24, 2013, we will now begin addressing the comments received. As required by the National Environmental Policy Act (NEPA), all comments on the DEIS will be carefully considered and responses to these comments will undergo a rigorous preparation, review, and vetting process through ADOT and FHWA, as we advance the project through the NEPA process. We anticipate completion of this effort in 2014. Based on our current schedule, after publication of the Final Environmental Impact Statement (FEIS), the document will be subject to a 60-day public review. A Record of Decision on the proposed project would follow.

We appreciate the involvement of the United States Environmental Protection Agency Region IX Office on this project and look forward to continuing our partnership with the Agency.

Sincerely,
Karla S. Petty

Karla S. Petty
Division Administrator

cc:
Rebecca Yedlin, Chaun Hill (EM02), Ralph Ellis (EM02), Ben Spargo, HDR Engineering, Inc. 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018

U.S. Department of Transportation
Federal Highway Administration

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August 15, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Receipt of Comments on the South Mountain DEIS

Mr. Gregory Mendoza, Governor
Gila River Indian Community
P.O. Box 97
Sacaton, Arizona 85147

RE: Comments on the Draft Environmental Impact Statement for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway),
TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear Governor Mendoza:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) have received your July 11, 2013, comments on the South Mountain (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway) Draft Environmental Impact Statement (DEIS).

With the closing of the DEIS public comment period on July 24, 2013, we will now begin addressing the comments received. As required by the National Environmental Policy Act (NEPA), all comments on the DEIS will be carefully considered and responses to these comments will undergo a rigorous preparation, review, and vetting process through ADOT and FHWA as we advance the project through the NEPA process. We anticipate completion of this effort in 2014. Based on our current schedule, after publication of the Final Environmental Impact Statement (FEIS), the document will be subject to a 60-day public review. A Record of Decision on the proposed project would follow.

We appreciate the involvement of the Gila River Indian Community on this project and look forward to continuing our partnership with the Community.

Sincerely,

Karla S. Petty

Karla S. Petty
Division Administrator

cc:
Rebecca Yedlin, Chaun Hill (EM02), Ralph Ellis (EM02), Ben Spargo, HDR Engineering, Inc. 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018

U.S. Department of Transportation
Federal Highway Administration

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August 15, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Receipt of Comments on the South Mountain DEIS

Ms. Diane Enos, President
Salt River Pima-Maricopa Indian Community
10005 East Osborn Road
Scottsdale, Arizona 85256-9722

RE: Comments on the Draft Environmental Impact Statement for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway),
TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear President Enos:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) have received your June 12, 2013, comments on the South Mountain (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway) Draft Environmental Impact Statement (DEIS).

With the closing of the DEIS public comment period on July 24, 2013, we will now begin addressing the comments received. As required by the National Environmental Policy Act (NEPA), all comments on the DEIS will be carefully considered and responses to these comments will undergo a rigorous preparation, review, and vetting process through ADOT and FHWA as we advance the project through the NEPA process. We anticipate completion of this effort in 2014. Based on our current schedule, after publication of the Final Environmental Impact Statement (FEIS), the document will be subject to a 60-day public review. A Record of Decision on the proposed project would follow.

We appreciate the involvement of the Salt River Pima-Maricopa Indian Community on this project and look forward to continuing our partnership with the Community.

Sincerely,

Karla S. Petty

Karla S. Petty
Division Administrator

cc:
Rebecca Yedlin, Chaun Hill (EM02), Ralph Ellis (EM02), Ben Spargo, HDR Engineering, Inc. 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018

U.S. Department of Transportation
Federal Highway Administration

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August 15, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Receipt of Comments on the South Mountain DEIS

Ms. Joyce Francis, Habitat Branch Chief
The State of Arizona
Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85007

RE: Comments on the Draft Environmental Impact Statement for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway), TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear Ms. Francis:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) have received your July 24, 2013, comments on the South Mountain (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway) Draft Environmental Impact Statement (DEIS).

With the closing of the DEIS public comment period on July 24, 2013, we will now begin addressing the comments received. As required by the National Environmental Policy Act (NEPA), all comments on the DEIS will be carefully considered and responses to these comments will undergo a rigorous preparation, review, and vetting process through ADOT and FHWA as we advance the project through the NEPA process. We anticipate completion of this effort in 2014. Based on our current schedule, after publication of the Final Environmental Impact Statement (FEIS), the document will be subject to a 60-day public review. A Record of Decision on the proposed project would follow.

We appreciate the involvement of the State of Arizona Game and Fish Department on this project and look forward to continuing our partnership with the Department.

Sincerely,

Karla S. Petty

Karla S. Petty
Division Administrator

cc:
Rebecca Yedlin, Chaun Hill (EM02), Ralph Ellis (EM02), Ben Spargo, HDR Engineering, Inc. 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018

U.S. Department of Transportation
Federal Highway Administration

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

November 1, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
PM_{10} Hotspot Analysis

HDR
RECEIVED
NOV 04 2013
PROJ: _____
FILE: _____
DIST.: _____

Mr. Jared Blumenfeld
United States Environmental Protection Agency
Office of the Regional Administration
Region IX
75 Hawthorne Street
San Francisco, CA 94105-3901

RE: Request to review the PM_{10} Hotspot Modeling Protocol for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway), TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear Mr. Blumenfeld:

The Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) received your July 23, 2013 comments on the South Mountain (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway) Draft Environmental Impact Statement (DEIS). One of the major comments received requested completion of an assessment of potential PM_{10} hotspot impacts.

The project team drafted the PM_{10} modeling framework or protocol, updated with new traffic estimates based on the 2010 Census. It was reviewed and approved by the air quality specialists within ADOT, Arizona Department of Environmental Quality, and FHWA.

FHWA now requests the Environmental Protection Agency (EPA) review the protocol and let us know if you have any comments. We would appreciate any comments you have submitted to us by November 15, 2013.

We appreciate the involvement of the EPA Region IX Office on this project and look forward to continuing our partnership. Please submit your comments to Rebecca Yedlin, FHWA

Environmental Coordinator, 4000 N. Central Ave., Suite 1500, Phoenix, AZ 85012; or Rebecca.Yedlin@dot.gov. If you have any questions, contact Rebecca at 602-382-8979.

Sincerely,

Rebecca Yedlin

Karla S. Petty
Division Administrator

Enclosure

cc:
Colleen McKaughan, USEPA Region 9, mckaughan.colleen@epa.gov
Clifton Meek, USEPA Region 9,, 75 Hawthorne St., San Francisco, CA 94105
Ben Spargo, HDR Engineering, Inc., 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018
Darcy Anderson (EM02)
Brent Cain (EM01)
Jeff Houk
Rebecca Yedlin
RYedlin:cdm

November 1, 2013

South Mountain Freeway DEIS PM_{10} Quantitative Hotspot Analysis Protocol

Project Description

The proposed South Mountain Transportation Corridor (SMTC) will link the Interstate 10 (I-10) corridor west of Phoenix to the I-10 corridor south of Phoenix and consists of three north-south alternative alignments that will connect with an east-west alignment adjacent to the Ahwatukee Foothills. The proposed freeway would serve to provide additional access to I-10 and other Valley locations for residents in the southwest Valley, ease congestion on arterial streets in the southwest Valley and provide a direct link between I-10 to the south and I-10 to the west. The roadway would consist of a divided 8-lane roadway (6 general-purpose lanes and 2 high-occupancy vehicle lanes) with grade-separated interchanges.

The South Mountain Freeway Draft EIS included a qualitative evaluation for PM_{10}. This analysis was conducted for NEPA purposes for the development of the DEIS (a formal draft conformity determination is not required until the FEIS). In March 2006, EPA and FHWA issued a joint guidance document on performing qualitative hotspot analyses in PM2.5 and PM10 nonattainment and maintenance areas. Projects that are of "air quality concern" as defined by 40 C.F.R. § 93.123(b)(1) require a hot-spot analysis. The proposed action is such a project. In December 2010, EPA established transportation conformity guidance for performing quantitative PM2.5 and PM10 hot-spot analyses for transportation projects and established a 2-year grace period. EPA conformity guidance continues to allow qualitative 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 [40 C.F.R. § 93.111(c)]. A PM10 qualitative analysis was performed for this project because the initial air quality technical analysis report was produced in October of 2005. Although the qualitative hotspot analysis would be sufficient under the conformity grace period guidance, the Arizona Department of Transportation (ADOT) plans to update the qualitative analysis to a quantitative analysis for the FEIS to ensure that a state-of-the-art analysis is completed for the proposed project.

Process to Determine Project of Air Quality Concern

Determining whether a project is of air quality concern and requires a PM_{10} quantitative hot-spot analysis is based on the ADOT Checklist for Project Level Conformity – Particulate Matter Nonattainment Area Screening Process. The following sections address the multiple criteria for determining the need for quantification. These criteria are consistent with those listed in the conformity regulations (40 CFR 93.123(a)).

New Highway Capacity Expansion

1. Are the design year total Build condition traffic volumes ≥125,000 annual average daily traffic (AADT) and truck volumes ≥10,000 heavy-trucks per day (8%) in the project vicinity?

   YES – Projected 2035 AADT ranges from 117,000 to 190,000 and projected heavy-trucks range from 3,800 to 17,000. (MAG 9/20/2013)

2. Does the project cause ≥ 6,250 and ≥ 500 increases in AADT and truck volumes, respectively between the Build and No-Build conditions?

   YES – Because this is a new facility, projected increases between the Build and No-Build AADT range from 117,000 to 190,000 and 3,800 to 17,000 additional trucks. (MAG 9/20/2013)

If yes to either of the above questions, it is potentially a project of air quality concern (POAQC) and may require interagency consultation; if no on both, it is not.

Other Considerations:

1. Does the project affect intersections that are of Level-of-Service (LOS) D, E, or F with a significant number of diesel vehicles?

   YES

2. Does the project affect locations, areas or categories of sites that are identified in the PM_{10} or $PM_{2.5}$ applicable implementation plan or implementation plan submissions, as appropriate, as sites of violation or potential violation?

   YES – PM_{10} **Not applicable** - $PM_{2.5}$

3. Is the project considered significant or environmentally controversial with respect to future impact on localized pollutant concentrations (e.g., evaluated using environmental impact statement (EIS) or environmental assessment (EA)? (www.epa.gov/compliance/basics/nepa.html)

   YES – The FHWA considers the potential impact on the project area to be controversial and to generate a great deal of public interest. The project currently has a completed Draft EIS (DEIS).

4. Is the project in a conforming plan and/or TIP?

   YES

Completing a Quantitative Particulate Matter Hot-Spot Analysis

(EPA Office of Transportation and Air Quality EPA-420-F-10-052, December 2010)

1. Determine the need for analysis – is this a project of local air quality concern?

   YES – Both ADOT and the Arizona Department of Environmental Quality (ADEQ) consider this project a POAQC.

2. Determine the approach, models, and data.

   a. Define the project area (area substantially affected by the project, 58 FR 62212) and emission sources.

      The project area encompasses more than 156 square miles. The project area includes the alternative alignments:

      - The north-south alternative alignments area is bordered approximately by McDowell Road to the north, Elliot Road to the south, 51st Avenue to the east, and 107th Avenue to the west. The three highest volume interchanges along the Preferred Alternative will be modeled.

      - The east-west alternative alignment area is bordered approximately by South Mountain Park to the north, the Gila River Indian Community to the south, I-10 to the east, and 51st Avenue to the west.

   b. Determine general approach for modeling the preferred alternative (the W59/E1 Alternatives) and analysis year(s) – year(s) of peak emissions during the time frame of the transportation plan (69 FR 40056).

      Emission rates in 2015, 2025 and 2035 will be estimated using EPA's MOVES2010b program. These analysis years are included in the most recent update to the Maricopa Association of Governments (MAG) regional conformity analysis. Under the Build Alternative emission rates will be developed for the three highest volume interchanges. Each location will be modeled for morning (AM) peak, Midday hours, afternoon (PM) peak, and overnight. PM_{10} emissions will be modeled incorporating operating conditions included in EPA's *Transportation Conformity Guidance for Quantitative Hot-spot Analyses in $PM_{2.5}$ and PM_{10} Nonattainment and Maintenance Areas*, publication number EPA-420-B-10-040, December 2010. Based on the most recent MAG Conformity Analysis, the peak year of emissions will be determined and used to quantify PM_{10} emissions associated with the project.

Following the development of peak year emission rates, the three worst-case interchanges and locations expected to have the highest concentrations under the Build Alternative will be selected in consultation with FHWA for detailed dispersion modeling with CAL3QHCR. Traffic projections by link will be used the analysis. CAL3QHCR dispersion modeling will incorporate a 5 year meteorological data set and other guidelines suggested by EPA guidance for quantitative PM_{10} analyses.

As noted in EPA's "Transportation Conformity Guidance for Quantitative Hot-Spot Analyses in PM2.5 and PM10 Nonattainment and Maintenance Areas" (December 2010), to avoid unnecessary work, EPA recommends modeling the build scenario (including background concentrations) first. In those instances if the design values under the build scenario are less than or equal to the relevant PM10 NAAQS, then the project conforms and no additional modeling is required.

In the event that the design value for the build scenario exceeds the PM10 NAAQS, the no-build scenario (without the South Mountain project) will be modeled. Under that scenario (and following EPA guidance), if the design values for the build scenario are less than or equal to the design values for the no-build scenario , then the project meets the conformity rule's hot-spot requirements.

In either instance if the project fails to meet conformity requirements, mitigation and/or control measures will be considered and additional modeling will be completed to ensure that the build scenario is less than or equal to the PM10 NAAQS or the no-build scenario, as applicable.

Vehicle PM_{10} exhaust emissions are expected to decrease substantially over time; however, brake and tire wear, and re-entrained road dust emissions are not expected to decrease. Re-entrained road dust will be incorporated into model results using emission rates provided by MAG in its most recent Conformity Analysis.

Roadway configurations will be based on available information, comparable freeway designs such as the San Tan Freeway, and will be consistent among the alternatives.

c. Determine National Ambient Air Quality Standards (NAAQS) and Particulate Matter types to be evaluated.

   The evaluation will be performed for PM_{10} with the applicable PM_{10} 24-Hour standard (150 $\mu g/m^3$).

d. Select emissions and dispersion models and methods to be used.

   The PM_{10} emission factor model to be used in this analysis is the EPA model MOVES2010b (revised) released on October 30, 2012. Re-entrained road dust will be incorporated into model results using emission rates provided by MAG. PM_{10} background concentrations will be determined in consultation with MAG, ADOT and FHWA and included with model results. The analysis of PM_{10} impacts will follow the guidelines established by the EPA in *Transportation Conformity Guidance for Quantitative Hot-spot Analyses in $PM_{2.5}$ and PM_{10} Nonattainment and Maintenance Areas*, publication number EPA-420-B-10-040, December 2010.

e. Obtain project-specific data (e.g., fleet mix, peak-hour volumes and average speed).

   New socioeconomic subarea projections based on the 2010 U.S. Census and Arizona Department of Administration (ADOA) county-level projections have been approved by the MAG Regional Council. Based on these new projections, revised traffic data were provided by MAG following completion of the updated traffic projection models; new projections were also provided for truck traffic.

   Fleet mix, vehicle hours travelled (VHT), travel speeds by link and hour, Inspection/Maintenance (I/M) Programs, fuel formulation, fuel supply, age distribution, and other MOVES inputs will be based on MAG data for years 2015, 2025 and 2035 (MAG personal communication from Taejoo Shin 10-17-13).

   Meteorological inputs to MOVES will be based on data from the Phoenix Sky Harbor Airport (surface) and Tucson International Airport (upper air) and be consistent with MAG inputs to MOVES.

3. Estimate on-road motor vehicle emissions using MOVES.

   Using data discussed in Step 2, MOVES PM_{10} emission factors will be calculated for the various roadway variables, using MOVES at the Project scale, and used for input to CAL3QHCR.

4. Estimate emissions from road dust, construction, and additional sources.
   a. Estimate road dust emissions using AP-42 Paved Roads (13.2.1, 2011)

      Re-entrained road dust will be estimated using emission rates provided by MAG. Fugitive dust PM_{10} emission factors for paved roads were calculated using the AP-42 equation and the MAG

region approved silt loading values and other MAG-approved input parameters.

b. Do emissions from other sources need to be considered?

NO - This was agreed to during interagency consultation. Construction dust does not need to be modeled, and there are no major freight terminals or other facilities that need to be included in the model.

5. Select air quality dispersion model, data inputs, and receptors.
   a. Obtain and input required site data (e.g., meteorological).

Five years of surface meteorological data (2008 - 2012) from the Phoenix Sky Harbor Airport and five years of upper air data (2008 - 2012) from the Tucson International Airport will be provided by ADOT and used with CAL3QHCR.

b. Input MOVES and AP-42 outputs (emission factors).

Emission factors from MOVES and AP-42 re-entrained road dust emissions will be incorporated into CAL3QHCR model inputs.

c. Determine number and location of receptors, roadway links, and signal timing.

Receptors will be selected to estimate maximum impacts associated with the roadway and will follow EPA guidance recommendations for receptor placement in CAL3QHCR; receptor height will be set to 1.8 meters. Wind distribution patterns will be reviewed to assist in the selection of receptor locations impacted during stable atmospheric conditions; additional receptors will be located downwind of the modeled roadway. Receptor placement will be based on guidance in EPA-420-B-10-040, Section 7.6.2.

Roadway links will be defined by common characteristics; signal times will be used for queue links and will be based on applicable guidelines.

d. Run air quality dispersion model and obtain concentration results.

CAL3QHCR will be run for each quarter and year of meteorological data for the build, no-build and alternative locations selected for detailed dispersion analysis. Model results will be used to estimate maximum 24-hour PM_{10} concentrations.

6. Determine background concentration using existing monitors in the nonattainment or maintenance area representative of the project area.

Ambient monitoring data will be evaluated and selected carefully to determine appropriate background concentrations for the project area. Although the South Mountain project area includes monitoring stations with some of the highest PM_{10} concentrations in the valley (West 43rd Avenue Site), these concentrations are directly related to industrial and resource mining activities near the monitoring stations and are not representative of the ambient PM_{10} concentrations for the project area. To obtain representative background concentrations, data from a monitoring station in the region that is not impacted by local sources should be used. Data from all monitoring stations in the region will be reviewed to determine the most appropriate value through interagency consultation.
The MAG 2012 Five Percent Plan (Plan) demonstrates attainment of the 24-hour PM_{10} standard for three areas, including portions of the project area. The background values used in the Plan were 14.9 $\mu g/m^3$ for wind speeds less than or equal to 12 miles per hour (mph) (5.4 meters per second [m/s]) and 21.9 $\mu g/m^3$ for wind speeds greater than 12 mph (5.4 m/s). These values were based on data collected at a remote location approximately 30 miles west of the boundary of the project area.

At this time, a background concentration has not been determined; the selection of a background concentration will require coordination and consultation with ADOT, FHWA, and ADEQ. If EPA takes action on the 5% plan before the release of the FEIS, the MAG background value will be used. This approach was agreed to under interagency consultation.

7. Calculate design values and determine conformity.

   a. Add step 5 results to background concentrations to obtain values for the Build scenario.

The 6th highest 24-hour concentration obtained over the 5 years of data for each receptor will be identified. Of these, the highest will be identified. This value will be added to the background concentration and rounded to the nearest $10\mu g/m^3$; this is the highest design value in the Build scenario.

   b. Do the design values allow the project to conform?

The design values will be compared with the 24-hour NAAQS. If the highest build design value is less than or equal to the NAAQS, the project is in conformity. If the build design value is over the NAAQS, the No-build scenario will also be evaluated and compared to the build scenario.

8. Consider mitigation or control measures if the design values are above the NAAQS.

November 1, 2013

Ambient monitoring data will be evaluated and selected carefully to determine appropriate background concentrations for the project area. Although the South Mountain project area includes monitoring stations with some of the highest PM_{10} concentrations in the valley (West 43rd Avenue Site), these concentrations are directly related to industrial and resource mining activities near the monitoring stations and are not representative of the ambient PM_{10} concentrations for the project area. To obtain representative background concentrations, data from a monitoring station in the region that is not impacted by local sources should be used. Data from all monitoring stations in the region will be reviewed to determine the most appropriate value through interagency consultation.
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At this time, a background concentration has not been determined; the selection of a background concentration will require coordination and consultation with ADOT, FHWA, and ADEQ. If EPA takes action on the 5% plan before the release of the FEIS, the MAG background value will be used. This approach was agreed to under interagency consultation.

7. Calculate design values and determine conformity.

    a. Add step 5 results to background concentrations to obtain values for the Build scenario.

        The 6th highest 24-hour concentration obtained over the 5 years of data for each receptor will be identified. Of these, the highest will be identified. This value will be added to the background concentration and rounded to the nearest 10$\mu g/m^3$; this is the highest design value in the Build scenario.

    b. Do the design values allow the project to conform?

        The design values will be compared with the 24-hour NAAQS. If the highest build design value is less than or equal to the NAAQS, the project is in conformity. If the build design value is over the NAAQS, the No-build scenario will also be evaluated and compared to the build scenario.

8. Consider mitigation or control measures if the design values are above the NAAQS.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

December 4, 2013

Rebecca Yedlin
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

Subject: EPA Comments on the PM10 Hot Spot Modeling Protocol for the South Mountain Freeway (Loop 202), I-10 (Papago Freeway) to I-10 (Maricopa Freeway), TRACS No. 202L MA 054 H5764 01L, Federal Project No. NH-202-D(ADY)

Dear Ms. Yedlin:

The U.S. Environmental Protection Agency has reviewed the PM10 Hot Spot Modeling Protocol for the South Mountain Freeway, submitted to our agency on November 1, 2013. The submittal of the modeling protocol for review, and our comments on this document provided below, represent the first interagency coordination between our agencies to partially address the bases for EPA's adverse rating and recommendations provided in our formal comment letter on the DEIS prepared for the South Mountain Freeway (July 23, 2013). The comments provided below provide recommendations for the PM10 Hot Spot Modeling Protocol only, and we note that there are remaining, substantive issues as outlined in the DEIS comment letter that we would like to discuss with FHWA and ADOT once a strategy for addressing the remaining issues has been prepared.

Overall Comment
Based on EPA's review of the South Mountain PM10 hot-spot protocol, we have concerns that the protocol and many of the criteria referenced in the protocol are not consistent with the transportation conformity rule. The document contains many references to decisions made through interagency consultation; however, EPA was not included in this consultation. EPA must also be consulted for evaluating and choosing a model and associated methods and assumptions to be used in hot-spot analysis under 40 CFR 93.105(c)(1)(i). By including EPA earlier, concerns about the "screening process" and the modeling proposed for projects can be resolved earlier in the project timeline. See Section 2.3 of our quantitative hot-spot guidance for more information on interagency consultation requirements for these analyses.

ADOT Checklist for Project Level Conformity
Page 1: The last paragraph mentions the "ADOT Checklist for Project Level Conformity – Particulate Matter Nonattainment Area Screening Process."

> *Comment:* Please provide a copy of this checklist so that we can determine if the checklist's decision criteria are consistent with EPA's conformity rule, preamble and our quantitative hot-spot guidance. Based on our review of the South Mountain PM10 hot-spot protocol, we have concerns that the checklist may not be consistent with the conformity rule. For example, the title of the checklist mentions PM nonattainment areas, but hot-spot analyses also apply in PM maintenance areas.

Determining Whether the Project Needs an Analysis
Page 2: The protocol indicates two questions to consider in determining whether the project must have a hot-spot analysis:

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1. Are the build volumes ≥ 125,000 AADT and truck volumes ≥ 10,000? and
2. Does the project cause an increase in AADT ≥ 6,250, and an increase in truck volumes ≥ 500 trucks?
The protocol states that if the answer is yes to these questions, it is potentially a project of air quality concern, and if the answer is no to both, it is not.

> *Comment:* While EPA agrees this project should have a hot-spot analysis, there are no specific AADT or truck volume thresholds that alone determine whether or not a project must have a hot-spot analysis. Are these decision criteria included in the ADOT checklist? The questions listed under "Other Considerations" are also important in making this decision, even if the answer is no to these first two questions. For example, under "Other Considerations," the protocol asks if the project affects locations identified in the SIP. If the answer is yes, then a hot-spot analysis is required based on the regulation at 40 CFR 93.123(b)(1)(v), regardless of the traffic volumes on the project.

While the decision criteria listed in questions #1 and #2 are levels found in the conformity rule preamble and Appendix B of EPA's quantitative PM hot-spot guidance[1], the levels are only intended as an example rather than a specific threshold. Regular interagency consultation, including EPA, FHWA, ADOT, ADEQ and MAG should be used to determine if a project is of air quality concern and requires a PM hot-spot analysis.

Other Considerations for Determining Whether the Project Needs an Analysis

Page 2: The protocol states, "Other Considerations: 1. Does the project affect intersections that are of Level-of-Service (LOS) D, E, or F with a significant number of diesel vehicles? Yes"

> *Comment:* It is unclear to EPA why the answer to this question is yes, as this is a freeway project. The modeling protocol does not address intersections, and it would need to if this answer is yes. See similar comments below regarding "Determining the Project to be Modeled."

Page 2: The protocol states, "2. Does the project affect locations, areas or categories of sites that are identified in the …[SIP] as sites of violation or potential violation? Yes – PM10"

> *Comment:* EPA does not agree that there are specific locations, areas or categories of sites that are identified in the PM10 SIP as sites of violation that should be considered as potential hot-spots. Therefore the answer to this question should be no. To clarify, this criterion isn't automatically determined to be a yes if the SIP shows there is air quality worse than the NAAQS in the entire nonattainment area.

Defining the Project Area
Page 3, 2a: "The project area encompasses more than 156 square miles. The project area includes the alternative alignments."
Page 4, 2b: "Roadway configurations will be based on available information, comparable freeway designs such as the San Tan Freeway, and will be consistent among the alternatives."

> *Comment :* The protocol and hot-spot analysis need to be more specific about what the project area is. It is unclear how the project area will encompass more than 156 square miles. Since the protocol states that only the Preferred Alternative will be modeled, why does the protocol mention that roadway configurations for the other alternatives will be consistent and included?

[1] The complete name of this guidance is "Transportation Conformity Guidance for Quantitative Hot-spot Analyses in PM2.5 and PM10 Nonattainment and Maintenance Areas," EPA-420-B-13-053, November 2013, found on the web at: http://www.epa.gov/otaq/stateresources/transconf/projectlevel-hotspot.htm.

Section 3.3.2 of EPA's quantitative PM hot-spot guidance states, "…it is necessary to define the project, determine where it is to be located, and ascertain what other emission sources are located in the project area." It is reasonable to model one alternative, but an analysis for the preferred alternative would not serve as the analysis for any other alternative alignment. Therefore, if an alternative alignment other than the preferred is chosen, another analysis would need to be conducted.

Defining the Project to be Modeled
Page 3, 2a: "The three highest volume interchanges along the Preferred Alternative will be modeled."
Page 4, 2b: "… the three worst-case interchanges and locations expected to have the highest concentrations under the Build Alternative will be selected in consultation with FHWA for detailed dispersion modeling with CAL3QHCR."

> *Comment:* The protocol and hot-spot analysis need to be more specific about what will be modeled and EPA requests to also be consulted on the selection of the three worst-case interchanges, consistent with the conformity rule's consultation requirements at 40 CFR 93.105(c)(1)(i).
>
> The protocol and/or the analysis should refer to Section 3.3.2 of EPA's quantitative PM hot-spot guidance to validate the approach of modeling the three highest volume interchanges, as this section states: "For large projects, it may be necessary to analyze multiple locations that are expected to have the highest air quality concentrations and, consequently, the most likely new or worsened PM NAAQS violations. If conformity is demonstrated at such locations, then it can be assumed that conformity is met in the entire project area."
>
> Please clarify how the effects of the project on nearby links would be considered in the modeling, if just the links for the worst interchanges are modeled. EPA's quantitative PM hot-spot guidance states, "The air quality modeling for nearby sources that would be affected by the project must include any reasonable expected changes in operation of the nearby source between the build and no-build scenarios when both scenarios are necessary to demonstrate conformity."

Analysis Years
Page 3, 2b: The protocol says "emission rates in 2015, 2025, and 2035 will be estimated using EPA's MOVES2010b program." It also says "Based on the most recent MAG Conformity Analysis, the peak year of emissions will be determined and used to quantify PM10 emissions associated with the project."

> *Comment:* It is not clear from the protocol whether all three of the years mentioned will be analyzed, or if only one of them will be chosen. There is no explanation in the protocol of why these three years are the *only* ones being considered as the year or years of peak emissions. EPA's conformity regulations and hot-spot guidance do not indicate that the year of peak emissions could be chosen based on the area's regional conformity analysis.
>
> The protocol needs to be clear about what year or years are being analyzed, as well as why the chosen analysis year or years are expected to be years in which peak emissions will occur. Section 2.8 of EPA's quantitative PM hot-spot guidance states: "Areas should analyze the year(s) within the transportation plan… during which peak emissions from the project are expected; and a new NAAQS violation or worsening of an existing violation would most likely occur due to the cumulative impacts of the project and background concentration in the project area." Section 3.10 states that the documentation of the analysis should include "a description of the analysis year(s) examined and the factors considered in determining the year(s) of peak emissions."

The protocol does not mention when the project will be open to traffic. Will the project be opened in 2015, or would this be a construction year? The next year mentioned by the protocol is 2025. However, if the project is opened to traffic several years before 2025, then 2025 may not be the year of peak emissions. The peak may occur before 2025 or may occur during a year of construction. Please provide more rationale on what year the peak emissions could be occurring and consult with EPA on that determination.

CAL3QHCR Version

Page 4, 2b: "… the three worst-case interchanges and locations expected to have the highest concentrations under the Build Alternative will be selected in consultation with FHWA for detailed dispersion modeling with CAL3QHCR."

Comment: What version of CAL3QHCR will be used? Please see EPA's website at http://www.epa.gov/ttn/scram/dispersion_prefrec.htm#cal3qhc for the currently approved version of the model.

Background Concentrations

Page 5, 2d: "PM10 background concentrations will be determined in consultation with MAG, ADOT, and FHWA…"

Comment 1: Background concentrations must be chosen through the process established by the area's interagency consultation procedures (40 CFR 93.105(c)(1)(i)). EPA must also be consulted on the selection of background concentrations for this project under 40 CFR 93.105(c)(1)(i). Based on our review, we have concerns regarding the protocol's discussion about background concentrations. Our overall recommendation is that a nearby monitor be used to determine a representative background concentration for hot spot monitoring.

In Section 8.3.1 of the guidance, EPA discusses factors for "Using a Single Monitor" in a PM hot-spot analysis, e.g., "Background concentrations data should be as representative as possible for the project area examined by the PM hot-spot analysis. In most cases, the simplest approach will be to use data from the monitor closest to and upwind of the project area." EPA's guidance further discusses considerations for choosing a monitor on which to base background concentrations, including whether there are similar characteristics between the monitor location and the project area (the density and mix of emission sources around the monitor location, how well the monitor captures the influence of nearby sources not affected by the project, land use and terrain, height of the monitor probe, purpose and geographic scale of the monitor), distance of the monitor from the project area, and wind patterns between the monitor and the project area.

Page 7, 6: "To obtain representative background concentrations, data from a monitoring station in the region that is not impacted by local sources should be used."

Comment 2: It is unclear what is meant by "local sources," but this statement is of concern. Section 8.3 of EPA's quantitative PM hot-spot guidance states, "PM hot-spot analyses should also include background concentrations from "other sources" as well as any nearby sources that are not included in modeling." The guidance defines "nearby sources" as those which would be reflected in the background concentrations unless affected by the project, in which case they would be modeled, and "other sources" as those in the project area not from the project or any nearby sources.

Page 7, 6: The protocol states that if EPA takes action on the 5% plan before the release of the FEIS, the MAG background value will be used, and that this approach was agreed to under interagency consultation.

The protocol also states that the background values used in the plan "were based on data collected at a remote location approximately 30 miles west of the boundary of the project area."

Comment 3: It is not clear that the background concentrations calculated for SIP modeling, which reflects air quality without the influence of any sources in the nonattainment area, would adequately represent background concentrations at the project area. We do not agree that data 30 miles west of the boundary of the project area would be representative of the project area and meet the criteria described in EPA's quantitative PM hot-spot guidance. We were not included in the interagency consultation on this issue, as is required. We are not aware of any data in the 5% plan that would be adequate for use for hot spot background data for this analysis.

Page 7, 6: The protocol states "The MAG 2012 Five Percent Plan (Plan) demonstrates attainment of the 24-hour PM10 standard for three areas, including portions of the project area."

Comment 4: Please explain how this is relevant to the hot-spot analysis? Are you suggesting that the modeling for the 5% plan could provide background concentrations rather than AQ monitoring data?

Construction Dust

Page 6, 4b: The protocol indicates that through interagency consultation, it has been decided that construction dust does not need to be modeled.

Comment: Please provide more background on the construction period of this project? Is it 5 years or less? EPA consultation must be included in this protocol for such decisions (40 CFR 93.105(c)(1)(i)), therefore this issue should be re-examined. If the construction period will be greater than five years, construction-related emissions must be included in the hot-spot analysis.

Meteorological Data

Comment 1: This is another part of the analysis where interagency consultation that includes ADEQ and EPA should be used to ensure that meteorological data is selected that is representative of the project location and appropriate for use with the selected air quality model. EPA requests additional information for why the Phoenix Sky Harbor Airport meteorological station is considered representative of the project area for the proposed project based on the factors described in Section 7.5.1. of EPA's quantitative hot-spot guidance. We also request additional information on how selected meteorological data is proposed to be used for emissions and air quality modeling, as described below.

Page 5, 2e: "Meteorological inputs to MOVES will be based on data from the Phoenix Sky Harbor Airport (surface) and Tucson International Airport (upper air) and be consistent with MAG inputs to MOVES.

Comment 2: For MOVES, temperature and humidity data will be needed; MOVES does not need upper air data, but this data will be needed for air quality modeling. Please confirm specifically how the temperature/humidity data for the hot-spot analysis are consistent with those used for the area's regional emissions analysis (40 CFR 93.123(c)(3)).

Page 6, 5a: The protocol states, "Five years of surface meteorological data (2008-2012) … will be provided by ADOT and used with CAL3QHCR."

Comment 3: Please provide additional information regarding the proposed method for pre-processing the meteorological data for these years for use with CAL3QHCR. Please note that our guidance does not include a technically supported method for using AERMET pre-processed data with CAL3QHCR.

Receptor Locations
Page 6, 5c: The protocol includes the statement, "Wind distribution patterns will be reviewed to assist in the selection of receptor location impacted during stable atmospheric conditions; additional receptors will be placed downwind of the modeled roadway."

Comment: Section 7.6 of EPA's quantitative PM hot-spot guidance provides general guidance that should be followed when placing receptors. Receptors need to be placed around the entire project being modeled. Interagency consultation must be used, including EPA, to determine the placement of receptors.

No-build Assumptions
Page 8, 7b: "If the build design value is over the NAAQS, the No-build scenario will also be evaluated and compared to the build scenario."

Comment: The protocol does not describe the process that will be used to evaluate the no-build scenario. The build and no-build analysis should not have the same assumptions about population and trip making in the project area. New socioeconomic projections will be needed to reflect future conditions without the project being built. Please see comments in the EPA letter on the projects DEIS in regard to this point. MAG's sub-regional socioeconomic forecasting model, UrbanSim, has been used for similar "what if scenarios" in past applications in other locations (e.g., Salt Lake City). Consultation with EPA will be necessary when defining the no-build scenario.

EPA appreciates the opportunity to review the protocol and we are available to discuss all comments and recommendations provided. If you have any questions, please contact Karina O'Connor at (775) 434-8176;oconnor.karina@epa.gov, or Clifton Meek, the lead reviewer for the DEIS, at (415) 972-3370; meek.clifton@epa.gov. Please also contact Clifton Meek to schedule an interagency meeting to discuss the entirety of the recommendations provided from EPA to FHWA following our review of the South Mountain DEIS.

Sincerely,

Connell Dunning
Transportation Team Supervisor
Environmental Review Office

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
U.S. Courthouse – Federal Building
230 N. First Avenue, Suite 509
Phoenix, Arizona 85003-1733
(602) 280-8801

JAN 31 2014

Audrey Unger
HDR Engineering
3200 East Camelback Road, Suite 350
Phoenix, Arizona 85018

RE: Updated NRCS-CPA-106 FPPA Farmland Conversion Impact Rating
South Mountain Freeway

Dear Audrey Unger:

The Natural Resources Conservation Service (NRCS) has general responsibility, nationwide, for implementing the Farmland Protection Policy Act (FPPA) and reviewing projects that may affect prime and unique important farmland and/or wetlands associated with agriculture. This is an update to the NRCS-CPA-106 form for the South Mountain Freeway.

After reviewing information you provided, the following is noted:

1. The proposed project is subject to the FPPA because they are funded by a Federal agency or program (United States Code 4201 and 7 Code of Federal Regulations 658).

2. Analysis of 2013 NAIP Imagery for Arizona, along with the updated prime and unique farmland designation, reveals that the proposed project area has been changed since the previous evaluation.

Because this area is prime and unique farmland, we have modified the original NRCS-CPA-106 form (Farmland Conversion Impact Rating for Corridor Type Projects), which includes alternative corridors for the South Mountain Transportation Corridor (W59, W71, W101WFR, W101CPR, W101EPR, W101WPR, W101CFR, E1, W101EFR). Please select your preferred alternative by completing and returning the enclosed NRCS-CPA-106 form at your earliest convenience.

Should you have any questions, please contact Andrew Burnes, GIS Specialist, at 602-280-8840, or via email at andrew.burnes@az.usda.gov. Thank you for the opportunity to review the proposed project.

Sincerely,

KEISHA L. TATEM
State Conservationist

Enclosure

Helping People Help the Land

An Equal Opportunity Provider and Employer

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*

3. Date of Land Evaluation Request: 11/18/13
4. Sheet 1 of 3
1. Name of Project: South Mountain Transportation Corridor
5. Federal Agency Involved: Federal Highway Administration
2. Type of Project: EIS/LDCR
6. County and State: Maricopa County, Arizona

PART II *(To be completed by NRCS)*

1. Date Request Received by NRCS: 11/18/13
2. Person Completing Form: Andrew Burnes
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form.) YES ☑ NO ☐
4. Acres Irrigated: 267,295 | Average Farm Size: 302
5. Major Crop(s): alfalfa, cotton, grains
6. Farmable Land in Government Jurisdiction: Acres: 267,295 % 3.2
7. Amount of Farmland As Defined in FPPA: Acres: 190,182 % 3.2
8. Name Of Land Evaluation System Used: N/A
9. Name of Local Site Assessment System: N/A
10. Date Land Evaluation Returned by NRCS:

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment - Western Section			
	W59	W71	W101WFR	W101CPR
A. Total Acres To Be Converted Directly	588	501	779	746
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	588	501	779	746
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	588	501	779	746
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	24	25	25	23
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*	85	87	87	81
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))* — Maximum Points				
1. Area in Nonurban Use — 15	10	9	10	9
2. Perimeter in Nonurban Use — 10	7	7	7	6
3. Percent Of Corridor Being Farmed — 20	12	12	12	11
4. Protection Provided By State And Local Government — 20	0	0	0	0
5. Size of Present Farm Unit Compared To Average — 10	5	5	5	5
6. Creation Of Nonfarmable Farmland — 25	10	10	10	10
7. Availablility Of Farm Support Services — 5	3	3	3	3
8. On-Farm Investments — 20	15	15	15	15
9. Effects Of Conversion On Farm Support Services — 25	8	8	8	8
10. Compatibility With Existing Agricultural Use — 10	4	4	4	4
TOTAL CORRIDOR ASSESSMENT POINTS — 160	74	73	74	71
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	85	87	87	81
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	74	73	74	71
TOTAL POINTS *(Total of above 2 lines)* — 260	159	160	161	152

1. Corridor Selected:
2. Total Acres of Farmlands to be Converted by Project:
3. Date Of Selection:
4. Was A Local Site Assessment Used? YES ☐ NO ☐
5. Reason For Selection:

Signature of Person Completing this Part: | DATE

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

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*

3. Date of Land Evaluation Request: 11/18/13
4. Sheet 2 of 3
1. Name of Project: South Mountain Transportation Corridor
5. Federal Agency Involved: Federal Highway Administration
2. Type of Project: EIS/LDCR
6. County and State: Maricopa County, Arizona

PART II *(To be completed by NRCS)*

1. Date Request Received by NRCS: 11/18/13
2. Person Completing Form: Andrew Burnes
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form.) YES ☑ NO ☐
4. Acres Irrigated: 267,295 | Average Farm Size: 302
5. Major Crop(s): alfalfa, cotton, grains
6. Farmable Land in Government Jurisdiction: Acres: 267,295 % 3.2
7. Amount of Farmland As Defined in FPPA: Acres: 190,182 % 3.2
8. Name Of Land Evaluation System Used: N/A
9. Name of Local Site Assessment System: N/A
10. Date Land Evaluation Returned by NRCS:

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment - Western Section			
	W101EPR	W101WPR		W101CFR
A. Total Acres To Be Converted Directly	744	788		737
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	744	788		737
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	744	788		737
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	21	23		25
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*	88	85		85
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))* — Maximum Points				
1. Area in Nonurban Use — 15	9	10		9
2. Perimeter in Nonurban Use — 10	6	7		7
3. Percent Of Corridor Being Farmed — 20	11	12		12
4. Protection Provided By State And Local Government — 20	0	0		0
5. Size of Present Farm Unit Compared To Average — 10	5	5		5
6. Creation Of Nonfarmable Farmland — 25	10	10		10
7. Availablility Of Farm Support Services — 5	3	3		3
8. On-Farm Investments — 20	15	15		15
9. Effects Of Conversion On Farm Support Services — 25	8	8		8
10. Compatibility With Existing Agricultural Use — 10	4	4		4
TOTAL CORRIDOR ASSESSMENT POINTS — 160	71	74		73
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	88	85		85
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	71	74		73
TOTAL POINTS *(Total of above 2 lines)* — 260	159	159		158

1. Corridor Selected:
2. Total Acres of Farmlands to be Converted by Project:
~~3. Date Of Selection:~~
~~4. Was A Local Site Assessment Used?~~ ~~YES~~ ☐ ~~NO~~ ☐
5. Reason For Selection:

Signature of ~~Person Completing this Part:~~ | ~~DATE~~

~~NOTE: Complete~~ a form for each segment with more than one Alternate Corridor

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request	4. Sheet 3 of 3
1. Name of Project: **South Mountain Transportation Corridor**	5. Federal Agency Involved: **Federal Highway Administration**	
2. Type of Project: **EIS**	6. County and State: **Maricopa County, Arizona**	
PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS: **11/18/13**	2. Person Completing Form: **Andrew Burnes**
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form.) YES ☑ NO ☐		4. Acres Irrigated: **267,295** / Average Farm Size: **302**
5. Major Crop(s): **alfalfa, cotton, grains**	6. Farmable Land in Government Jurisdiction — Acres: **267,295** % **3.2**	7. Amount of Farmland As Defined in FPPA — Acres: **190,182** % **3.2**
8. Name Of Land Evaluation System Used: **N/A**	9. Name of Local Site Assessment System: **N/A**	10. Date Land Evaluation Returned by NRCS

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Western & Eastern Sections			
	W101EFR	**E1**		
A. Total Acres To Be Converted Directly	**735**	**135**		
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	**735**	**135**		
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	**735**	**135**		
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	**22**	**22**		
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*	88	88		
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))* — Maximum Points				
1. Area in Nonurban Use — 15	**9**	**6**		
2. Perimeter in Nonurban Use — 10	**6**	**5**		
3. Percent Of Corridor Being Farmed — 20	**12**	**0**		
4. Protection Provided By State And Local Government — 20	**0**	**0**		
5. Size of Present Farm Unit Compared To Average — 10	**5**	**0**		
6. Creation Of Nonfarmable Farmland — 25	**10**	**0**		
7. Availablility Of Farm Support Services — 5	**3**	**0**		
8. On-Farm Investments — 20	**15**	**0**		
9. Effects Of Conversion On Farm Support Services — 25	**8**	**0**		
10. Compatibility With Existing Agricultural Use — 10	**4**	**4**		
TOTAL CORRIDOR ASSESSMENT POINTS — 160	**72**	**15**		
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	88	88		
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	**72**	**15**		
TOTAL POINTS *(Total of above 2 lines)* — 260	160	103		

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part: | DATE

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

NRCS-CPA-106 *(Reverse)*

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?
More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with $1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

ADOT

Environmental Services

Janice K. Brewer, Governor
John S. Halikowski, Director
John H. Nichols, Deputy Director

May 13, 2014

Dr. Joyce Francis
Habitat Branch Chief
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000

Subject: Transmittal of Courtesy Copy of Biological Evaluation for South Mountain Transportation Corridor; ADOT Project No. 202L MA 054 H5764 01L; Federal-aid Project No. NH-202-D(ADY)

Dear Dr. Francis:

The Federal Highway Administration (FHWA), as the lead federal agency, in conjunction with the Arizona Department of Transportation (ADOT), as the project sponsoring agency, propose to build an approximately 22-mile long freeway, on new alignment, connecting Interstate 10 (I-10) (Maricopa Freeway) south of Phoenix with I-10 (Papago Freeway) west of Phoenix, following an east-to-west alignment along Pecos Road through the western tip of the South Mountains, then north to I-10 between 57th and 63rd avenues. The project is located within the City of Phoenix and the communities of the Estrella Village, Laveen Village, and Ahwatukee Foothills Village in Maricopa County. The project would consist of an eight-lane facility (four in each direction of traffic), would span the 100-year floodplain of the Salt River with bridges, and would pass through the west end of the South Mountains including a small portion of South Mountain Park and Preserve.

The enclosed Biological Evaluation (BE) describes the proposed project and addresses the current Maricopa County list of threatened, endangered, and candidate species and the bald eagle in reference to the Bald and Golden Eagle Protection Act. The Arizona Species of Greatest Conservation Need were also assessed in Table A-1 in the appendix. The species listed below were evaluated in detail due to known occurrences and presence of suitable habitat within or near the project area:

Yuma clapper rail	*Rallus longirostris yumanensis*	Endangered
Western yellow-billed cuckoo	*Coccyzus americanus occidentalis*	Proposed Threatened
Bald eagle	*Haliaeetus leucocephalus*	Bald and Golden Eagle Protection Act
Sonoran desert tortoise	*Gopherus morafkai*	Candidate
Tucson shovel-nosed snake	*Chionactis occipitalis klauberi*	Candidate

Based on the analyses presented in the BE, FHWA has determined that the proposed project would have no effect on the Yuma clapper rail and no effect on the Western yellow-billed cuckoo. FHWA has also determined that the proposed project will not result in "take" under the Bald and Golden Eagle Protection Act. FHWA has concluded that the proposed project may impact individual Sonoran desert tortoises and individual Tucson shovel-nosed snakes, both Candidate species under the Endangered Species Act.

At this time, FHWA is transmitting the BE to the Gila River Indian Community for review and to the US Fish and Wildlife Service to request technical assistance regarding minimizing impacts to the Sonoran desert tortoise and the Tucson shovel-nosed snake as well as review of the "no effect" determinations for the Yuma clapper rail and Western yellow-billed cuckoo and the "no take" finding for the Bald eagle.

ADOT is transmitting this copy of the BE to Arizona Game and Fish Department (AGFD) to provide information related to questions raised in the comments provided by AGFD on the Draft Environmental Impact Statement for the South Mountain Freeway. I would like to thank both Kelly Wolff-Krauter and Scott Sprague for discussing the project and general concerns as the BE was developed. ADOT is looking forward to further participation and input from AGFD personnel in the final project design process if the decision is made to move forward. Please contact me either by phone (602-292-0301) or e-mail (kgade@azdot.gov) if you have questions or concerns regarding the South Mountain Freeway project or coordination with ADOT in general. I would also be happy to provide a paper copy of the BE upon request.

Sincerely,

Kris Gade
Roadside Resources Specialist
ADOT Environmental Services
1611 W. Jackson St, MD EM04
Phoenix, AZ 85007

Enclosure

cc with enclosure (via email):
Kelly Wolff-Krauter, AGFD
Cristina Jones, AGFD
Scott Sprague, AGFD
Ray Schweinsburg, AGFD

cc (via email):
Steve Spangle, USFWS
Rebecca Yedlin, FHWA

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
http://www.fhwa.dot.gov/azdiv/index.htm

May 14, 2014

In Reply Refer To:
202-D(ADY)
HOP-AZ

202-D(ADY)
202L MA 054 H5764 01L
South Mountain Transportation Corridor
USFWS File Number AESO/SE 2-21-02-I-005
Request for Technical Assistance

Mr. Steve Spangle, Field Supervisor
U.S. Fish and Wildlife Service
Arizona Ecological Services Field Office
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951

Dear Mr. Spangle:

The Federal Highway Administration (FHWA), as the lead federal agency, in conjunction with the Arizona Department of Transportation (ADOT), as the project sponsoring agency, propose to build an approximately 22-mile long freeway, on new alignment, connecting Interstate 10 (I-10) (Maricopa Freeway) south of Phoenix with I-10 (Papago Freeway) west of Phoenix, following an east-to-west alignment along Pecos Road through the western tip of the South Mountains, then north to I-10 between 57th and 63rd avenues. The project is located within the City of Phoenix and the communities of the Estrella Village, Laveen Village, and Ahwatukee Foothills Village in Maricopa County. The project would consist of an eight-lane facility (four in each direction of traffic), would span the 100-year floodplain of the Salt River with bridges, and would pass through the west end of the South Mountains including a small portion of South Mountain Park and Preserve.

The enclosed Biological Evaluation (BE) describes the proposed project and addresses the current Maricopa County list of threatened, endangered, and candidate species and the bald eagle in reference to the Bald and Golden Eagle Protection Act. The species listed below were evaluated in detail due to known occurrences and presence of suitable habitat within or near the project area:

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Sonoran desert tortoise	*Gopherus morafkai*	Candidate
Tucson shovel-nosed snake	*Chionactis occipitalis klauberi*	Candidate

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At this time, FHWA is requesting technical assistance with minimizing impacts to the Sonoran desert tortoise and the Tucson shovel-nosed snake as well as review of the "no effect" determinations for the Yuma clapper rail and Western yellow-billed cuckoo and the "no take" finding for the Bald eagle. A response is requested by June 16, 2014; any comments will be included in the Final Environmental Impact Statement for the project. If there are any questions or concerns, please contact Rebecca Yedlin, FHWA Environmental Coordinator at (602) 382-8979 or e-mail at rebecca.yedlin@dot.gov, or Kris Gade, ADOT Roadside Resources Specialist at (602) 292-0301 or e-mail at kgade@azdot.gov. Thank you for your assistance.

Sincerely,

for Karla S. Petty
Division Administrator

Enclosure

cc:
Mr. Gregory Mendoza, Governor, Gila River Indian Community, P.O. Box 97, Sacaton, AZ 85147
Mr. Charles Enos, Department of Environmental Quality, Gila River Indian Community, P.O. Box 97, Sacaton, AZ 85147

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
http://www.fhwa.dot.gov/azdiv/index.htm

May 14, 2014

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
202L MA 054 H5764 01L
South Mountain Transportation Corridor
Transmittal of Biological Evaluation

Mr. Charles Enos
Department of Water Quality
Gila River Indian Community
Post Office Box 97
Sacaton, Arizona 85147

Dear Mr. Enos:

The Federal Highway Administration (FHWA), as the lead federal agency, in conjunction with the Arizona Department of Transportation (ADOT), as the project sponsoring agency, propose to build an approximately 22-mile long freeway, on new alignment, connecting Interstate 10 (I-10) (Maricopa Freeway) south of Phoenix with I-10 (Papago Freeway) west of Phoenix, following an east-to-west alignment along Pecos Road through the western tip of the South Mountains, then north to I-10 between 57th and 63rd avenues. The project is located within the City of Phoenix and the communities of the Estrella Village, Laveen Village, and Ahwatukee Foothills Village in Maricopa County. The project would consist of an eight-lane facility (four in each direction of traffic), would span the 100-year floodplain of the Salt River with bridges, and would pass through the west end of the South Mountains including a small portion of South Mountain Park and Preserve.

The enclosed Biological Evaluation (BE) describes the proposed project and addresses the current Maricopa County list of threatened, endangered, and candidate species and the bald eagle in reference to the Bald and Golden Eagle Protection Act. The species listed below were evaluated in detail due to known occurrences and presence of suitable habitat within or near the project area:

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Bald eagle	*Haliaeetus leucocephalus*	Bald and Golden Eagle Protection Act
Sonoran desert tortoise	*Gopherus morafkai*	Candidate
Tucson shovel-nosed snake	*Chionactis occipitalis klauberi*	Candidate

Based on the analyses presented in the BE, FHWA has determined that the proposed project would have no effect on the Yuma clapper rail and no effect on the Western yellow-billed cuckoo. FHWA has also determined that the proposed project will not result in "take" under the Bald and Golden Eagle Protection Act. FHWA has concluded that the proposed project may impact individual Sonoran desert tortoises and individual Tucson shovel-nosed snakes, both Candidate species under the Endangered Species Act.

FHWA is providing the BE for review by the Gila River Indian Community and respectfully requests that comments on the document be provided by June 16, 2014. The BE is also being submitted to the United Fish and Wildlife Service with a request for technical assistance with minimizing impacts to the Sonoran desert tortoise and the Tucson shovel-nosed snake as well as review of the "no effect" determinations for the Yuma clapper rail and Western yellow-billed cuckoo and the "no take" finding for the Bald eagle. Comments received on the BE will be included in the Final Environmental Impact Statement for the project. If there are any questions or concerns, please contact Rebecca Yedlin, FHWA Environmental Coordinator at (602) 382-8979 or rebecca.yedlin@dot.gov, or Kris Gade, ADOT Roadside Resources Specialist at (602) 292-0301 or kgade@azdot.gov. Thank you for your cooperation.

Sincerely,

for Karla S. Petty
Division Administrator

Enclosure

cc:
Mr. Gregory Mendoza, Governor, Gila River Indian Community, P.O. Box 97, Sacaton, AZ 85147

Gregory Mendoza
Governor

JUN 2 - 2014

Stephen Roe Lewis
Lieutenant Governor

GILA RIVER INDIAN COMMUNITY
Executive Office
"A New Generation of Leadership Serving the People"

May 30, 2014

Karla S. Petty, Arizona Division Administrator, FHWA
4000 North Central Avenue
Suite 1500
Phoenix, AZ 85012-3500

Re: Request for Comment Period Extension - South Mountain Transportation Corridor Biological Evaluation (HN-202-D(ADY))

Dear Ms. Petty,

The Gila River Indian Community (the Community) has received your May 14, 2014 letter and Biological Evaluation (BE) concerning the South Mountain Transportation Corridor project (Project). You have requested that the Community provide comments on the BE by June 16, 2014. As a stakeholder with a significant interest in the Project, the Community appreciates the opportunity to review and comment on the BE, and intends to do so. In order to allow the Community to properly review and prepare adequate comments, the Community requests an extension of the comment period until August 15, 2014.

The BE is a comprehensive, voluminous (close to 100 pages) and highly technical report that addresses the Project's potential impacts to threatened and endangered species in addition to culturally significant plant and animal life, which are issues of great importance to the Community. Preparing BE comments will require technical and legal reviews of the BE by the Community's Department of Environmental Quality, Cultural Resource Management Program, and Office of General Counsel. Once prepared, comments must be approved by the Tribal Council's Natural Resources Standing Committee (NRSC), the Cultural Resources Standing Committee, and the Government and Management Resources Standing Committee and the Tribal Council itself. The Community requires an extension of the comment deadline, to August 15, 2014, in order to allow for adequate time to review the BE, prepare comments, and secure the required Standing Committees and Tribal Council approvals.

Please respond to me at your earliest convenience regarding this comment period extension request. Thank you for the opportunity to review and comment on the BE.

Sincerely,

Gregory Mendoza, Governor
Gila River Indian Community

525 West Gu u Ki • Post Office Box 97 • Sacaton, Arizona 85147 • Telephone: (520) 562-9841 • Fax Line: (520) 562-9849
web: www.gilariver.org

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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

June 3, 2014

In Reply Refer To:
202-D(ADY)
HOP-AZ

202-D(ADY)
202L MA 054 H5764 01L
South Mountain Transportation Corridor
Timeframe for Review of Biological Evaluation

Mr. Gregory Mendoza, Governor
Gila River Indian Community Executive Office
525 West Gu u Ki
P.O. Box 97
Sacaton, Arizona 85147

Dear Governor Mendoza:

The Federal Highway Administration (FHWA) has received the Gila River Indian Community's (the Community) request dated May 30, 2014, for a time extension to complete review of the Biological Evaluation prepared for the proposed South Mountain Transportation Corridor Project. FHWA requested comments by June 16, 2014 in the transmittal of the report. Your letter requests a review extension to August 15, 2014 in order to complete the technical and legal reviews of the document and to receive the approvals required by the Community.

We understand and appreciate the complexity of the Community's review and approval process. However, the standard time for review and comment provided to the Community and to other consulting parties is 30 days. In light of your internal process, FHWA will double the standard time period to 60 days and request to receive comments from the Community no later than July 15, 2014.

We appreciate the involvement of the Community with this project and look forward to continuing our partnership. If there are any questions or concerns, please contact Rebecca Yedlin, FHWA Environmental Coordinator, at (602) 382-8979. Please submit your comments by mail to Rebecca Yedlin, 4000 N. Central Ave., Suite 1500, Phoenix, AZ 85012; or by email to Rebecca.Yedlin@dot.gov. Thank you for your assistance.

Sincerely,

Karla S. Petty
Division Administrator

cc:
Mr. Charles Enos, Department of Environmental Quality, Gila River Indian Community, P.O. Box 97, Sacaton, AZ 85147

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue
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Phone: (602) 379-3646
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http://www.fhwa.dot.gov/azdiv/index.htm

June 2, 2014

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01L
South Mountain Freeway (Loop 202)
Air Quality Technical Report

Mr. Jared Blumenfeld
U.S. Environmental Protection Agency
Office of the Regional Administration
Region IX
75 Hawthorne Street
San Francisco, California 94105-3901

Dear Mr. Blumenfeld:

The Arizona Department of Transportation and the Federal Highway Administration (FHWA) have completed the updated air quality analyses for the proposed South Mountain Freeway (Loop 202), Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), for inclusion in the Final Environmental Impact Statement (FEIS). These analyses, documented in the enclosed Air Quality Technical Report, address some of the U.S. Environmental Protection Agency's major comments on the Draft Environmental Impact Statement (DEIS) dated July 23, 2013. The updated analyses are described in the following paragraphs.

The Maricopa Association of Governments adopted new socioeconomic projections in July 2013. Those revised projections were used to develop new traffic projections for the proposed freeway, which were, in turn, used to update the air quality analyses. In addition, the qualitative particulate matter (PM_{10}) hot-spot analysis performed in the DEIS was updated to a quantitative PM_{10} analysis to ensure that a state-of-the-art analysis was completed for the proposed action. Also, the quantitative mobile source air toxics (MSATs) inventory analysis and the carbon monoxide (CO) evaluation presented in the DEIS were updated to reflect the U.S. Environmental Protection Agency's updates in modeling methodology.

Based on the PM_{10} and CO analyses conducted for the Recommended Alternative, it has been determined that the proposed action would not cause an exceedance of the PM_{10} or CO National Ambient Air Quality Standards. The project would comply with transportation conformity regulations at 40 Code of Federal Regulations Part 93 and with conformity provisions of Section 176(c) of the Clean Air Act.

The proposed action is included in the Maricopa Association of Governments *Regional Transportation Plan* for 2035, which was found to conform to the State's air quality implementation plan by FHWA on February 12, 2014. It is also included in the Fiscal Year 2014–2018 Transportation Improvement Program. The design concept and scope of the project as modeled in the hot-spot analyses are consistent with those used in the regional emissions analysis for the *Regional Transportation Plan* and Transportation Improvement Program conformity determinations.

The regional emissions modeling demonstrated that future-year MSAT emissions in the Study Area (assuming build-out of the Recommended Alternative) would be lower than the 2012 emission estimates, even with a 47 percent increase in regional vehicle miles traveled in 2035. In the Study Area, constructing the Recommended Alternative would have a marginal effect on annual emissions in 2025 (less than a 1 percent difference in total annual emissions in 2025 and in 2035 between the Recommended Alternative and No-Action Alternative). With the Recommended Alternative in 2035, modeled MSAT emissions would decrease by 57 to 93 percent, with a 47 percent increase in vehicle miles traveled in the regional area compared with 2012 conditions.

FHWA now requests that the U.S. Environmental Protection Agency review the updated Air Quality Technical Report and provide any comments. A conference call between your Office and FHWA to discuss your agency's comments on the Report is scheduled for June 17, 2014.

We appreciate the involvement of the Region IX Office with this project and look forward to continuing our partnership. If you have any questions, contact Rebecca Yedlin, FHWA Environmental Coordinator at (602) 382-8979; or by email at Rebecca.Yedlin@dot.gov.

Sincerely,

for Karla S. Petty
Division Administrator

Enclosure

cc:
Ms. Colleen McKaughan (same as addressee)
Mr. Clifton Meek (same as addressee)
Mr. Ben Spargo, HDR Engineering, Inc., 3200 E. Camelback Rd., Suite 350, Phoenix, AZ 85018

United States Department of the Interior
U.S. Fish and Wildlife Service
Arizona Ecological Services Office
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 Fax: (602) 242-2513

In reply refer to:
AESO/SE
02EAAZ00-2013-TA-0365
02EAAZ00-2010-CPA-0056

June 10, 2014

Karla S. Petty, Division Administrator
Federal Highway Administration
Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

From: Field Supervisor

Subject: South Mountain Transportation Corridor, City of Phoenix, Maricopa County, Arizona (ADOT Project No. 202L MA 054 H5764 01L)

Thank you for your correspondence requesting technical assistance from the U.S. Fish and Wildlife Service (FWS) in accordance with section 7 of the Endangered Species Act (Act) of 1973 (16 U.S.C 1531-1544), as amended. Your correspondence was dated May 14, 2014, and was received in this office on May 20, 2014. Your letter and Biological Evaluation (BE) described the proposed South Mountain Transportation Corridor project to take place in the City of Phoenix, Maricopa County, Arizona. This technical assistance is provided based on the information given in the BE. The Federal Highway Administration (FHWA) concluded that the proposed construction would have no effect on the Yuma clapper rail (*Rallus longirostris yumanensis*), and the Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*). You also concluded the proposed action may impact the Tucson shovel-nosed snake (*Chionactis occipitalis klauberi*) and Sonoran Desert tortoise (*Gopherus morafkai*), both of which are candidates for listing under the Act, and requested our technical assistance. Please note that "no effect" determinations by Federal action agencies do not require concurrence or further comments from the FWS.

The proposed project includes the construction of an eight-lane divided freeway. The freeway would run through suburban, rural-agricultural, and undeveloped land, and cross over 49 ephemeral washes and the Salt River. In the area where it crosses the Salt River, the freeway would include a pier-supported bridge that would span the 100-year floodplain. Blasting would occur through the western end of South Mountain, resulting in ground disturbance of more than one acre of land. This project has been a part of the *Maricopa Association of Governments (MAG) Freeway/Expressway Plan* since 1985 when it was placed on the state highway system by the State Transportation Board. The corridor would connect Interstate 10 (I-10) (Maricopa Freeway) which is south of Phoenix, with

I-10 (Papago Freeway) which is west of the city. A more complete description of the proposed action can be found in the South Mountain Freeway Draft Environmental Impact Statement (DEIS).

Given the information provided in the letter and the nature of the project, we provide the following technical assistance for the Tucson shovel-nosed snake and Sonoran desert tortoise. If plans for this project change, or if new information becomes available on the distribution or abundance of a listed species in the area, this technical assistance and the need for section 7 consultation may need to be reconsidered.

Tucson shovel-nosed snake
The proposed project site is within the range of the Tucson shovel-nosed snake. The snake is more likely to be most active in April and May. If a construction action that may harm the snake (i.e., surface disturbance such as grading) could be performed during cool and cold weather months, this timing would help to minimize effects. For revegetation, we recommend using native shrubs, grasses and forbs that have a high value to rodents (which provide burrows for the snake) as well as insect and arachnid production (which provide food for the snake). Roads are a significant source of mortality for snakes because roads retain heat that snakes use for thermoregulation; therefore, we recommend that you refer to the Arizona Department of Transportation's Wildlife Funneling document (http://www.azdot.gov/docs/default-source/planning/wildlife_funnel_fencing_summary.pdf?sfvrsn=2) where funnel fencing for reptiles is described. Wildlife crossing are planned to be integrated into the construction, and we recommend that relevant funnel fencing techniques be incorporated in the design of these crossings.

Sonoran desert tortoise
We understand that your proposed project occurs within the distribution of the Sonoran desert tortoise. The corridor area is located within suitable habitat for the tortoise; therefore it is likely that the tortoise may occur in the action area. We recommend coordination with the Arizona Game and Fish Department, and incorporation of their *Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects* (http://www.azgfd.gov/hgis/pdfs/Tortoisehandlingguidelines.pdf) into the proposed project. Surveying the ROW, prior to construction, for burrows, and avoidance of those sites is suggested. Minimization measures to reduce the invasion of potential nonnative plant species are also recommended.

Eagles and Migratory Birds
We encourage you to be aware of compliance with the Bald and Golden Eagle Protection Act (Eagle Act) and also the Migratory Bird Treaty Act (MBTA) when planning and implementing your project. Due to their wide-ranging wintering and foraging behavior, both eagle species could briefly occur within your project area. For information on protections under the Eagle Act, please refer to the regulatory definition of the term "disturb" (72 FR 31132) published in the Federal Register on June 5, 2007, and FWS's National Bald Eagle Management Guidelines (72 FR 31156) http://www.fws.gov/MississippiES/pdf/Eagle%20Guidelines.pdf. Additional information regarding eagles is available at: http://www.fws.gov/migratorybirds/BaldAndGoldenEagleMangaement.htm. Also, information specific to Arizona bald eagle conservation and recommended measures can be retrieved at: http://swbemc.org/pdf/NGTR173%20BaldEagleConservationAgreement.pdf.

Burrowing owls (*Athene cunicularia*) are another species known to occur along roadways, and are also protected under the MBTA. The Burrowing Owl Project Clearance Guidance for Landowners, a document put together by the Arizona Burrowing Owl Working Group, can be found at http://www.azgfd.gov/pdfs/w_c/owl/burrowingowlclearanceprotocol.pdf. For more information regarding the MBTA and permitting process, please visit the following web site: http://www.fws.gov/migratorybirds/mbpermits.html.

We recommend that you evaluate the project area to determine if surveys for eagles or owls are needed. If these birds are present, we encourage you to implement the guidelines and protocols described above for both eagles and owls.

For a more in-depth report of potentially protected species in the project area we recommend a review of the Arizona Game and Fish Department's Environmental Review On-Line Tool, found at http://www.azgfd.gov/hgis/.

In keeping with our trust responsibilities to American Indian Tribes, by copy of this memorandum, we will notify the Ak-Chin, Gila River Indian, Pascua Yaqui, Hopi, and Salt River Pima-Maricopa Indian Communities which may be affected by this proposed action and encourage you to invite the Bureau of Indian Affairs to participate in the review of your proposed action. We also encourage you to coordinate the review of this project with the Arizona Game and Fish Department.

Thank you again for your efforts to conserve endangered species. Please refer to consultation number 02EAAZ00-2013-TA-0365 for any further correspondence on this project. If you require further assistance or if you have any questions, contact Nichole Engelmann (ext. 237) or Mike Martinez (ext. 224).

Sincerely,

Brenda A Smith

for Field Supervisor
Steven L. Spangle

cc (electronic):
Ron Tipton, Bureau of Land Management, Lower Sonoran Field Office, Phoenix, AZ Regional Supervisor, Arizona Game and Fish Department, Phoenix, AZ
Branch Chief, Environmental Quality Services, Western Regional Office, Bureau of Indian Affairs, Phoenix, AZ
Manager Cultural Resources, Ak-Chin Indian Community, Maricopa, AZ
Tribal Historic Preservation Officer, Gila River Indian Community, Sacaton, AZ
Natural Resources Department, Hopi Tribe, Kykotsmovi, AZ
Land Department, Pascua Yaqui Tribe, Tucson, AZ
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(Attn: M. Alanen, J. Servoss, G. Beatty, B. Wooldridge, K. Robertson, J. Nystedt)

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