Community has not granted permission to develop alternatives on its land, there is no prudent and feasible alternative to avoid use of the mountains. Placing an alternative even farther south of the Community land would not satisfy the purpose and need of the freeway. Therefore, using a portion of the mountains is the only build action available.

ADOT and FHWA will implement all possible measures to reduce impacts on the resource, including:

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

See the section, *Project Commitments*, and Table 3 on the next page for more details.

6. PROJECT COMMITMENTS

For the entire duration of the EIS process, a myriad of mitigation measures and strategies was presented by project team members, the public, agencies, and other project stakeholders. ADOT and FHWA have considered each mitigation measure. In each instance, the two agencies must ensure the appropriate use of transportation funding while considering such factors as effects on driver safety, regulatory requirements associated with proposed mitigation, and NEPA requirements in terms of accepting mitigation for the project. As a result, some proposed mitigation measures have not been included as part of the project. The mitigation as presented in the commitments in Table 3 represents all practicable measures to minimize environmental harm while accounting for the above-referenced factors. FHWA and ADOT are fully responsible for the commitments described in this ROD and commit to the measures listed in Table 3.

7. MONITORING AND ENFORCEMENT

FHWA and ADOT ultimately will be responsible for monitoring and enforcing mitigation measures. Mitigation measures will be implemented as described in Table 3.

If the design or scope of the project changes during the final design or construction phases (for example, if the construction footprint extends outside the area analyzed in the FEIS), ADOT and FHWA will conduct an environmental reevaluation. The reevaluation will determine, through a review of information in the FEIS, whether the FEIS and ROD are still valid or whether additional analysis and/or NEPA documentation are needed. A reevaluation provides evidence for FHWA in determining whether or not the preparation of a new categorical exclusion, environmental assessment, or a supplemental EIS is necessary to advance the project to the next stage [23 C.F.R. § 771.129(c)].

The contractor shall be responsible for implementing, monitoring, and enforcing those mitigation measures and commitments that are assigned by ADOT to the contractor. An Environmental Management Plan (EMP) for the project will be developed by the contractor that describes the approach, based on the environmental commitments from the ROD, for addressing all identified potential environmental impacts by ADOT and the contractor. This plan must be approved by ADOT and FHWA before design and construction can begin.

The comprehensive EMP for the project shall comply with all applicable governmental rules (including environmental laws), commitments, and governmental approvals issued thereunder, whether obtained by ADOT, a utility owner, or the contractor. The EMP, at a minimum, will include:

- contractor and ADOT's environmental personnel and training (provided or received)
- environmental commitments and mitigation measures from the ROD and contract documents and any additional measures developed during final design
- environmental monitoring plan that indicates times, locations, and other primary monitoring parameters
- contents of weekly reports, including the name of inspector, dates, weather conditions, locations, resources addressed, and locations and nature of all issues or violations and recommended remedial actions
- contents of monthly reports that combine the weekly reports into a summary of the month's environmental monitoring activities
- environmental notification contact list
- schedule of activities
- spill containment and countermeasure plan
- hazardous materials management plan, including procedure for discovery of unanticipated hazardous waste or contaminated materials
- unanticipated archeological discovery plan
- final technical noise analysis and mitigation report
- pre- and postconstruction surveys for structures located within one-half mile in the event any blasting and/or heavy ripping is planned for construction purposes
- air quality management plan
- biological resources management plan, including procedures for complying with applicable regulations and for handling, relocating, and, if necessary, treating living creatures encountered on the site
- asbestos control management plan for demolition
- lead-based paint control management plan for demolition
- Stormwater Pollution Prevention Plan
- sedimentation and erosion control plan