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NEWSPAPER ADVERTISEMENTS

Appendix B-1, Newspaper Advertisements, contains copies of the newspaper tear sheets that advertised the publication of the Final Environmental Impact Statement and Errata.
Final Environmental Impact Statement for the Loop 202 South Mountain Freeway Available

On November 26, 2014, the Arizona Department of Transportation and Federal Highway Administration published an addendum (called an “Errata”) to the Final Environmental Impact Statement (FEIS) for the Loop 202 South Mountain Freeway Study. The Errata is available for a 30-day review until December 27, 2014 at azdot.gov/southmountainfreeway and at the following locations during normal business hours:

- Office Public Library - Desert Sage
  7602 W Encanto Blvd, Phoenix, AZ 85035
  602.268.8089

- Phoenix Public Library – Desert Sage
  7602 W Encanto Blvd, Phoenix, AZ 85035
  602.268.8089

- Phoenix Public Library – Sunnyslope
  4535 E Indian School Rd, Phoenix, AZ 85040
  602.268.8089

- Phoenix Public Library – Burton Barr
  1212 N Central Ave, Phoenix, AZ 85004
  602.268.8089

- Chandler Sunset Library
  4900 W Ray Rd, Chandler, AZ 85226
  480.782.3000

- Sam Garcia Western Avenue Library
  460 E Western Ave, Avondale, AZ 85323
  623.332.2605

- Tolleson West Public Library
  6565 W Van Buren St, Tolleson, AZ 85353
  623.438.2796

The process, which includes both the Draft EIS and Final EIS, was conducted in accordance with the National Environmental Policy Act and has identified a preferred alternative route for this freeway corridor—running east and west along Peck Road and then north and south between 50th and 53rd avenues, connecting with Interstate 10 and Interstate 105 at the planned Loop 202 interchange. The Draft EIS also included the following analyses of potential impacts associated with the proposed freeway.

The Draft EIS was prepared in April 2013 and made available for a 40-day comment period, including a public hearing held on May 21, 2013.

Response to public and agency comments on the Draft EIS are provided in Volume III of the Final EIS. Additional comments inadvertently unrecorded in the Final EIS, along with responses to those comments, are provided in the Errata. Comments received during the Errata and Final EIS review periods will be considered in the “Record of Decision,” the final decision-making document prepared by the Federal Highway Administration. The Record of Decision is expected to be available for public review in early 2015.

For more information, visit azdot.gov/southmountainfreeway, email projects@azdot.gov, phone 602.722.3908, or write to ADOT Community Relations, 1055 W Jackson St, Phoenix, AZ 85007.
APPENDIX C-1

GILA RIVER INDIAN COMMUNITY COORDINATION

Appendix C-1, Gila River Indian Community Coordination, contains correspondence from the Arizona Department of Transportation to the Gila River Indian Community regarding whether the Gila River Indian Community would like to hold a forum to give its members the opportunity to provide oral testimony on the Final Environmental Impact Statement.

ADOT

Intermodal Transportation

June 29, 2014

Governor Greg Mendoza
Gila River Indian Community
525 West Gila Ki
Sacaton, AZ 85147

Subject: Proposed South Mountain Freeway Public Involvement

Dear Governor Mendoza:

The Arizona Department of Transportation (ADOT), in partnership with the U.S. Federal Highway Administration, is working to complete the Final Environmental Impact Statement (FEIS) for the proposed South Mountain Freeway (Loop 202), which is part of the Maricopa Association of Government’s Regional Transportation Plan. As part of the Draft Environmental Impact Statement process, ADOT received comments regarding oral tradition of the Gila River Indian Community. In recognition of the Community’s traditions and in agreement with our previous government to government communication protocol, ADOT seeks guidance on how to best accommodate the comments received in this final stage of public involvement for the FEIS.

If there is interest from the Gila River Indian Community leadership, ADOT proposes that the two entities, in partnership, conduct a forum for Community members during the 60-day review timeframe for the FEIS. This forum, if desired, would allow members of the Community to provide oral testimony on the FEIS at a time, place and in a manner that is mutually agreeable.

We respectfully request a response to this inquiry by September 19, 2014 to allow for the appropriate arrangements to be made, should a forum be desired during the 60-day review period, which is scheduled to begin in late September.

Sincerely,

Robert Samour, PE
Senior Deputy State Engineer

CC: Lt. Governor Stephen R. Lewis
    Manuel Johnson

ARIZONA DEPARTMENT OF TRANSPORTATION
206 S. 17th Ave. | Phoenix, AZ 85007 | adot.gov
Arizona Department of Transportation
205 S. 17th Ave | Phoenix, AZ 85007 | azdot.gov
II. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

To succeed in this Civil Rights complaint, the complainant does not have to show that there was a deliberate, intentional discrimination by ADOT, but rather, that there is a discriminatory effect/disparate impact that gives rise to a section 601 Title VI of the Civil Rights Act of 1964 violation. Section 601 of Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Section 602 of Title VI states that "Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity activity in any program or activity is..." is authorized and directed to effectuate the provisions of section 601. Section 602 prohibits recipients of Federal funds to engage in any activities that result in discriminatory effect or disparate impact against individuals, groups, or whole communities of a certain race, color, or national origin. The discriminatory effect/disparate impact can occur when a seemingly neutral decision or action results in an unjustifiable adverse affect. Or in other words, when action or inaction by a recipient of Federal funds that may appear on its face and is not accompanied with any intent to discriminate, but nevertheless negatively affects an individual, group of people, or a whole community of a certain race, color, or national origin, without any substantial legitimate justification, violates Title VI.

The actions of ADOT were clearly not neutral and were made with total awareness and acknowledgement that the proposed freeway route through the sacred mountain would have serious negative cultural, spiritual and health impacts on a protected class of people.

III. THE COMPLAINANTS

Complainant GRAC is a grassroots organization of the Akimel O’odham, (River People) and Maricopa (Pima Pueblo) indigenous peoples of the GRIC. The GRIC’s reservation abuts the proposed project site, the GRIC and its people including the complainant have strong cultural and spiritual ties to South Mountain and they use the project site for cultural and spiritual purposes. Under Title VI, Native Americans are a protected class and historically have been discriminated against by the US government. GRAC advocates for the protection of the environment and the sacred and cultural sites of the Gila River Indian Community and its people’s. Its mission is "to inform indigenous peoples on environmental issues affecting their communities." GRAC was formed in the early 2000s when action was needed to stop Stericycle, a medical waste incineration facility, located on the GRIC reservation from continuing to illegally burn medical and non-medical waste imported into the reservation and emit Hazardous Air Emissions (HAE). GRAC also led the successful campaign to prevent Remco, another private hazardous waste facility operating on the GRIC reservation without the required federal permits, from continuing to violate hazardous waste laws and pollute the area and residents. GRAC tribal members and the tribe held the South Mountain sacred and see it as central to its creation story. GRAC opposes the proposed South Mountain Loop 202 because the project would desecrate the South Mountain by going through it, resulting in a disparate impact—culturally and spiritually on the GRIC, and in disparate economic effects on the GRIC tribal members.

Complainant GRAC brings this Civil Rights Complaint on behalf of its GRIC tribal members who have been discriminated against by ADOT’s inadequate consultation and unequal public participation process and who would be disproportionately affected by the implementation of the South Mountain Loop due to devastating cultural, spiritual, health and environmental impacts.

The GRIC includes the tribes of the Akimel O’odham, (River People), and the Maricopa (Pima Pueblo). The Akimel O’odham, who have inhabited the Sonoran Desert for before Europeans settled the Americas, are native to central and southern Arizona and are descendants of the Hohokam, whose artifacts have been dated as far back as 10,000 years ago. Known as the “desert farmers” by some, the Akimel O’odham were sophisticated engineers and farmers, successfully providing a variety of crops in the Sonoran desert landscape. The Maricopas are a Yuman tribal people. As early as the mid-1700s, the Maricopas arrived from their lower Colorado River area homelands.
In 1859, GRIC was established as the first reservation in part of what later became Arizona. In 1862, when water flowed freely, GRIC was growing more than one million pounds of wheat a year; however, between the 1870s and 1880s, water supplies drastically diminished due to upstream diversions by non-Native farmers. These diversions reduced farming almost nonexistence. Between approximately 1880 and 1925, GRIC faced mass famine and starvation. Due to the need for outside assistance, diet and way of life completely changed. Alcoholism became a major problem and the GRIC “experienced the loss of certain cultural and artistic traditions and rituals.”

This time became one of the darkest moments in their long history. In the 1950s, circumstances began to improve when the U.S. government completed Coolidge Dam on the upper Gila River, which created the San Carlos Reservoir. This restored some farming practices. Eventually, small businesses, schools, health centers, and new housing began to appear on the reservation. However, GRIC faces one of the highest levels of diabetes in the United States, thought to be directly a result of the disappearance of the traditional lifestyle and diet.

The GRIC history also includes forced boarding school for children, which not only was psychologically and physically oppressive but was culturally and socially oppressive, as it was institutionalized Native American children into non-Native American Indian speaking and practicing children.

Today, encompassing 327,000 acres along the Gila River, GRIC is the seventh largest federally recognized reservation in Arizona. It is in both Pinal and Maricopa counties and is 17 miles south of downtown Phoenix. Approximately 14,000 of the 21,000 enrolled GRIC members live on the reservation. Approximately 566 of GRIC tribal members on the reservation are under 18 and 2,748 or 65% are under 18, 575 or 6% of GRIC tribal members are 65 or older. The Akimel O’odham (River People) comprise 50% of the GRIC reservation and the Pueblo (Matapona), who live at the west end of the South Mountains, comprise about 10% of the GRIC reservation. GRIC is organized into seven territorial districts. GRIC has an executive branch, comprised of a governor and lieutenant governor; a legislature, made up of a Community Council consisting of members from the seven territorial districts of the reservation; and a judicial branch, with a Community Court of seven judges that provides services to approximately 20,000 members of GRIC.

GRIC’s economy has been growing via agricultural, gaming, and the development of industrial parks. GRIC is currently one of the largest agricultural vendors in the state of Arizona, farming cotton, wheat, millet, alfalfa, barley, melons, pistachios, olives, citrus, and vegetables. Now that it has finally settled an ongoing water dispute and will be receiving enough water to sustain itself, it plans to put in approximately 166,000 more acres of agriculture in the next 20 years. GRIC has three casinos, Wild Horse Pass, Lone Butte, and Vee Quiva. GRIC operates three industrial parks. Like the US states, GRIC has its own transportation and environmental departments.

As a Native Nation, the federal government has a direct trust relationship with the GRIC and its people. The basis for this special legal relationship is found directly in the Constitution and memorialized in treaties. This trust relationship applies to all Federal agencies and to Federal actions outside Indian reservations. Due to this trust relationship, the government has a special legal responsibility to review this complaint according to the unique requirements owed to the GRIC by the government.

Because of the 1992 National Historic Preservation Act (NHPA) Amendments, the GRIC has a Tribal Historic Preservation Officer (THPO) to assist in identifying and nominating historic properties or historic resources on their tribal lands. For the National Park Service (NPS) to place

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12 According to Article II, Sec. 4 of the Gila River Indian Community Constitution, “No Council shall have the power to enact ordinances, subject to review of the Secretary of the Interior.” http://www.pr.gov/AGA/AGA/pl carrier.html (last visited June 9, 2013).
15 No.
on the National Register of Historic Places (NRHP) of 1966. The purpose of the NRHP is to "preserve the historical and cultural foundations of the Nation as living parts of community life." The NRHP "established the National Register of Historic Places and the requirements under Section 106 of that Act that require federal agencies to take into account the effects of their actions on historic properties listed on or eligible for inclusion on the National Register." The South Mountain has been approved as a traditional cultural property "eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community."

IV. THE ARIZONA DEPARTMENT OF TRANSPORTATION

ADOT, a state government agency created in 1974, is the sponsor of the proposed construction and operations of the South Mountain Loop 202. It is "responsible for collecting transportation revenues and for planning, constructing, and maintaining Arizona's highway infrastructure," as well as the state's public transportation and municipal airports. Its mission is "to provide a safe, efficient, cost-effective transportation system." On April 26, 2013, ADOT released a DEIS for the Loop 202 South Mountain Freeway Study. ADOT is a recipient of federal highway funds and is thus subject to and required to comply with the non-discrimination requirements of Title VI of the U.S. Civil Rights Act.

V. RIPENESS

This complaint is timely filed because it is in response to the improper and discriminatory action taken by ADOT's April 26, 2013 sponsorship and release of the DEIS for the Loop 202 South Mountain Freeway Study that was prepared by the Federal Highway Administration (FHWA), a federal lead agency for the proposed action, in cooperation with the U.S. Army Corps of Engineers (USACE), the U.S. Bureau of Indian Affairs (BIA), and the Western Area Power Administration.

VI. STATEMENT OF FACTS

A. SOUTH MOUNTAIN (Makah, Arivawwan)

The South Mountain, known to the Pima language as the Makah, and in the Maricopa language, Arivawwan, consists of the Ma-a Taaliks, Gila, and Guaashale Mountain Ranges. It stands the northern boundary of the GRIC reservation. A portion of Main Ridge North and Main Ridge South of the South Mountain is on the GRIC, and serves as the "Community's main, direct physical link to the South Mountain." The South Mountain is "a sacred place, an area of historical and cultural significance to the Mekotham, and is where their ancestors lived.

On January 6, 1982, the Gila River Indian Community Tribal Council adopted an ordinance declaring "as a matter of Community policy and legislative determination, that the public interests of the Pima-Maricopa people and the interests of all other persons living within the jurisdiction of the Gila River Indian Community require that the Community adopt a means whereby all sites, locations, structures, and objects of sacred, historical or scientific interest or nature will be protected from desecration, destruction, theft, or other interference." Then in 1989, the Gila River Indian Community Tribal Council adopted a resolution to preserve the lands of their Hidatsa ancestors, by approving the Policy Statement of the Four Southern Tribes (Salt River Pima-Maricopa Indian Community, Ak Chin Indian Community, Tohono O’odham Nation, and the Gila River Indian Community) which ousts the Four Tribes intent to protect, promote, and preserve cultural affinity to the Hidatsa.

On April 4, 2007, the Gila River Indian Community Tribal Council adopted a tribal resolution affirming that the South Mountain is "a sacred place / traditional cultural property that must be kept inviolate." Thereby recording the sacredness and significance of South Mountain.
Mountain to the people of the GRIC and its tribal government. This important tribal resolution is attached as Exhibit A and incorporated into this complaint. The resolution states the GRIC Community Council “strongly opposes any alteration of the South Mountain Range for any purpose...and any alteration...would be a violation of the cultural and religious beliefs of the Gila River Indian Community and would have a negative cumulative effect on the continuing lifeways of the people of the Gila River Indian Community.”

Not only is South Mountain itself sacred, but there are also numerous sites with highly significant meaning and purpose to the GRIC. There are many ancestral burial and archaeological sites, and ancient shrines. Further, the Colorado River Indian Tribes, Salt River Pima-Maricopa Indian Community, the Ak-Chin Indian Community, the Tonkawa O’odham Nation, and the Pascua Yaqui Tribe also hold the South Mountain sacred.

Muld of the South Mountain is within the South Mountain Park Preserve (SMPP), which is a 16,600 mile park preserve in the Sonoran desert in Phoenix, Arizona. First created in 1924 during the New Deal era, 13,000 acres of the land were brought from the federal government by the city of Phoenix for a “pensioners park.” Then, in 1972, the Bureau of Land Management (“BLM”) conveyed 9,200 acres of land to the City of Phoenix where some of that land was converted into the SMPP.

Then, in April 2009, 247 acres of State Trust Land, were purchased from the Arizona Land Department. The SMPP is a historic property and is eligible


The Trust for Public Land: Conserving Land for People, The 100 Cities City Parks Challenge available at https://secure.tpl.org/100cityparkchallenge/most-updated-update.

This desert is approximately 100,000 square miles spanning San Diego, California, and into Southern Arizona. The Sonoran Desert is one of the most climate deserts in the world. http://www.siblings.org/san-diego/nature/100-mile-blowout-of-the-sonoran-desert.html (last visited July 8, 2013); Further, the Sonoran desert is providing unique ecosystem services to humans, some already identified, the climate change. http://www.american.org (last visited July 8, 2013).


AZOT, South Mountain Study Teams, chapter 5 Section 4.2 Evaluation at 25.

By 1888, the building of what became known as South Mountain 200 began. Through years of neglecting with the City of Phoenix, and after many unsuccessful auctions, the 247 acre parcel next to Chandler Boulevard was auctioned and sold separately on April 2, 1999 for $1.66 million. The Development Agreement for the parcel provided for a preserve, fire station and park, and also pensé the way for sale and development of approximately 300 acres south of Chandler Boulevard when the market returns.” This only was the south of Arizona Open Space Parks. (Arizona State Agency Publications, Arizona State Land Department: Annual Report 2008-2009, p. 11 available at

For living in the nationally Recognized Historic Places. As stated previously, some of the south mountain is within the GRIC’s northern territorial area, giving the GRIC a claim to get to other areas of the South Mountain from the reservation. As the DEIS states, the portions of the South Mountain on Community land are not at the western end: the Main Ridge North and Main Ridge South. These ridges “serve as the Community’s main, direct physical link to the mountains.” The SMPP, which includes the South Mountain, one of their TCPPs, preserves cultural, historical, geological, and ecological resources relevant to the GILA tribal members.

For the GRIC, the concept of creation is not something in the past but an ongoing process, one that is intrinsically part of and are obligated to participate in. The GRIC fulfill this duty through ceremonies and rituals designed to preserve and stabilize the earth. Failure to fulfill those obligations is thought to result in great harm to the earth and the people who depend on it. Ceremonies and rituals undertakes for specific purposes in accordance with instructions handed down from generation to generation. Rituals are performed in prescribed locations that are unique and specific sites pass as different spiritual properties and significance.

Some traditionalists and Elders of the GRIC see portions of the South Mountain for periodic ceremonies and rituals. These are special people who are the keepers of the tribal peoples’ heritage and culture who possess an essential role believed to sustain the tribal people as a whole. These ceremonies and rituals have been passed on through the ages and have been performed for ages.

Traditionalists also are people who follow the natural Native American way of living from the earth: picking and harvesting traditional cultural foods like the fruit of the saguaro and medicine, and teaching and getting the young in the cultural and spiritual way.

II. SOUTH MOUNTAIN LOOP 202 PROPOSAL

The South Mountain Loop 202 is a proposed eight-lane, 22-mile highway in southwestern Maricopa County, Arizona. If constructed, it would be the last section of the proposed master plan Regional Freeway and Highway System first proposed in 1983 by
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Maricopa Association of Governments ("MAG"),32 that when connected to a surface transportation system would allegedly: "reduce increasing congestion on the Interstate Highway System in the urban area; facilitate and more effectively distribute the regional movement of goods and delivery of services; more evenly distribute traffic on the major arterial street grid and reduce regional traffic using the grid; better serve already-existing regional traffic; provide an alternate route for pass-through traffic; provide an integrated intermodal network of freeways strategically located to accommodate local and regional land use planning; enhance local mobility by removing regional traffic from the local road network; create infrastructure to support the regional bus transit system component of the intermod) Long Range Transportation Plan (LRTP) (MAG 2001a; encourage and direct planned growth."

Although the master plan Regional Freeway and Highway System has done without this last section, the DEIS asserts that this section is necessary. The DEIS states that "over the past 20 years, Phoenix-area population, housing, and employment experienced some of the fastest growth in the nation...and from the early 1950s to the mid-1990s, population in the MAG region grew by over 200 percent. The DEIS assumes that population growth will continue at the same rate as did between the 1950s to mid-1990s and that Maricopa County’s population will add an average of 1 million a decade from 2005-2035.33 The DEIS states that "intended 70 percent of projected increases in population, housing, and employment from 2005 to 2033 for the entire MAG region were projected to occur in the southwest and southeast portions of the Phoenix metropolitan area" and would benefit from the highway system to get back and forth to central Phoenix.34 The DEIS cites public support for the South Mountain Loop by "Voter approval of the one-half cent sales tax in 1983 (Proposition 300) and its continued endorsement in 2004 (Proposition 400) for continued public support for investment in regional transportation projects...results from the Maricopa County Officer Campaign...[Maricopa County 2004a] that show voters in 90 percent of the county’s 1,058 voting precincts voted in favor of Propositions 400 and the projects it would fund; and voters in 81 percent of the 31 voting precincts in the Study Area favored Proposition 400 and the projects it would fund.35"

The DEIS also asserts that pollution will actually be reduced, ultimately improving air quality with the South Mountain Loop 202. The stated reason for this viewpoint is that the bill for the existing roadway is traffic and congestion. With the South Mountain Loop 202, some cars would have an alternative route for driving back and forth to downtown Phoenix. The DEIS lists out several options, called "action alternatives" to choose from for implementing the proposal.36 One action alternative is a no-build.37 The DEIS evaluation concluded that the No-Build Alternative would not satisfy the projects purpose and need: the purpose and need are based on sociodemographic factors (population, housing, and employment projections); regional transportation demands (traffic and congestion); and existing and projected transportation system capacity deficiencies (present and future transportation system management, transportation demand management, transit, street network expansion, land use, and a combination of the transportation systems).38 The DEIS states that with population growth, and its rising costs in traffic and congestion, and even future alternative freeway modes that have been planned and likely would be funded, like for example, increasing bus routes, could not solve the purpose and need that the South Mountain Loop would fulfill. Chapter 3 states that "these alternatives alone would have limited effectiveness in reducing overall traffic congestion in the Study Area and, therefore, would not meet the purpose and need criteria; specifically, they would not adequately address projected capacity and mobility needs of the MAG region...[Based on projected regional travel demand and the extent of mobility needs of the MAG region and in the Study Area, arterial street network improvements alone would not meet the needs of the MAG region; and The Land Use Alternative is not a viable alternative because no plans exist to alter planned land use in the region]. Thus the build options consist of choosing one western alternative - W59, W71, and W100, and all the available eastern action alternative - D1. All western alternatives begin at 1-10 (Pinapago Freeway) and proceed east to a common point to all as an alignment parallel and adjacent to the GRIC boundary. All alternatives would cross Union Pacific RR, Salt River, Roosevelt Canal, Laveen Area Conveyance Channel, and all require 10 improvement.39

There is only one eastern alternative because the only other alternative that ADOT had considered was a route on ORIC land, which the GRIC rejected. DEIS states "the E1 Alternative is the only action alternative developed for the Eastern Section. Despite efforts by ADOT and FHWA to seek permission to study an alternative in detail on Community land, permission has not been granted. Therefore, ADOT, with concurrence from FHWA, identified the E1 Alternative as its Preferred Alternative to the Eastern Section."40

32 ADOT, South Mountain Study Teams, Chapter 4 Adjusted Environment, Environmental Consequences, and Affiliations et al. (Update Regional Transportation Plan, p. 18). (http://www.maricopa.gov/Resterra/RTS_2010_Annual_Report/AR-17.pdf). The Maricopa Association of Governments (MAG) is the metropolitan planning organization (MPO) for transportation planning in the Maricopa County region; the planning agency for the region is air quality and water quality; and the designated agency for developing transportation elements in the region. (Maricopa Association of Governments, 2001). The DEIS refits MAG’s planning from 2005 to 2030 and its projection population for the proposed South Mountain Highway. (Arizona Department of Transportation, Strategic Plan fiscal years 2013-2017 http://www.azdot.gov/azdot1/strategic_SalesTaxPlan.pdf). ADOT, South Mountain Study Teams, Chapter 1 Purpose and Need, p. 4. Available at http://www.maricopa.gov/fgvhs/Vehicle_Freeway_Laws/2020/Regional/Monteray/DF04/ADOT-050635-Change-1-Purpose-and-Need.pdf ADOT, Long Range Transportation Plan, 2011-2040 includes a route of roadway project rooted in inequity, with the South Mountain Loop being third place. The one case for the Honeymoon Freeway, which is part of the CANAMED Trade Corridor, runs through Arizona, Nevada, Utah, Idaho, and Montana, and linking to the Russian provinces of Siberia and the Mexican states of Sonora, Sinaloa, Nayarit, and Hidalgo. It is argued by PACER, and others, that if South Mountain (extended) will be used by such drivers looking for a trip to more easily get through the American war, something ADOT asserts is not the purpose of the loop. Even if it is not the purpose of the loop, it would be a result of the South Mountain Loop. Since the CANAMED corridor has easy access, and there is a route plan in that is better from the existing roadway: truckers will use it.

33 ADOT, South Mountain Study Teams, Chapter 3 at 5; Maricopa County is the most populated county in Arizona and it also one of the largest counties in the United States, and Phoenix, the state’s capital, is its largest city. Maricopa’s population was 3,873,137 in 2011. (United States Census Bureau, 2011 Interstate Metropolitan Profile). http://www.census.gov/quickfacts/ (last visited June 17, 2011)).

34 ADOT, South Mountain Study Teams, Chapter 3 at 7.

35 Id. at 3.

36 Id. at 4.

37 ADOT, South Mountain Study Teams, Chapter 1 Purpose and Need at 9.

38 ADOT, South Mountain Study Teams, Chapter 1 Purpose and Need at 11: 15.


40 ADOT, South Mountain Study Teams, Chapter 1 Proposes at 38. Maricopa County is the most populated county in Arizona and is also one of the largest counties in the United States.

41 ADOT, South Mountain Study Teams, Chapter 3 alternatives at 48.

42 ADOT, South Mountain Study Teams, Chapter 3 at 38.
The DEIS states: “Based on the alternatives screening process, environmental impacts assessment and stakeholder input, ADOT, with the concurrence from FHWA, identified the W19 Alternative as its Preferred Alternative in the Western Section and the EI Alternative in the Eastern Section.” This “preferred” route would be down Pesic Road in the Ahwatukee Foothills, through the western portion of the South Mountain Preserve, including through the South Mountain itself, and up 59th Avenue through Laveen. The DEIS approximates that 31.3% of the 16,600 acres of the SMPP would be taken for the proposed highway and 9.9 miles of Loop 202 would pass through the southwestern edge of South Mountain. Cuts to South Mountain would be a 220-foot cut through one ridge, a 190-foot cut to another, and a 70-foot cut to a third for an estimated cost of $30 million.

C. ADOT AND THE DEIS ACKNOWLEDGE SACRED AND CULTURAL SIGNIFICANCE OF SOUTH MOUNTAIN

The DEIS acknowledges that the South Mountain is sacred to the GERIC, is a TCP, and further, is National Register of Historic Places (“NRHP”)-eligible. The DEIS indicates that ten locations have been identified by GERIC as places of cultural importance: the South Mountains, two prehistoric village sites, an active divine site, two prehistoric petroglyph sites, and four prehistoric wall sites, which qualify as NRHP-eligible TCPs.181 The NRHP eligibility of two of the properties was confirmed by FHWA through consultation with the GERIC.182 Five TCPs have been identified within the project area of “potential effects.” The DEIS specifically states that the South Mountains were determined eligible for NRHP listing as a TCP under Criteria A and B.183

The DEIS states: “The Community has expressed to ADOT and FHWA its concern about any alignment through the South Mountains and the irreversible impacts on the South Mountains from the proposed actions. To the Community, the South Mountains are part of a continuum of life and not an individual entity that can be isolated and analyzed.”

The DEIS further acknowledges that the GERIC is opposed to any destruction of the South Mountain. It states “the mountains are considered sacred—playing a role in tribal cultures, identities, histories, and oral traditions—and appear in many creation stories. Many traditional

181 ADOT, South Mountain Study Team, Chapter 3, Evaluation at 65, 69.
182 ADOT, South Mountain Study Team, Summary at 33.
183 Id. at 12.
185 ADOT, South Mountain Study Team, Summary at 29.
186 ADOT, South Mountain Study Team, chapter 4, A coupled Environment, Environmental Consequences, and Mitigation at 140.
187 Id. Under Criteria A, properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad pattern of American history and under Criteria B, properties may be eligible for the National Register if they are associated with the lives of persons significant in American past. (National Register Bulletin, How to apply the National Register Criteria for Evaluation 1997 http://www.nps.gov/ehgd/docs/hoboken/pdf/nr5_1.pdf (last visited June 15, 2013).)
188 ADOT, South Mountain Study Team, Chapter 3, Evaluation at 3-26.

189 Further, ADOT is aware that GERIC prefers the no-build alternative.189

The DEIS states that their preferred-action alternative would cut through the South Mountains resulting in removing two archaeological sites identified as contributing components of the South Mountains TCP, (considered NRHP-eligible under Criteria A and B) modifying the “spiritual landscape of Native peoples; altering access by Native American groups to culturally important places; interfering with ceremonial practices and religious activities of some Native American groups.”190

The DEIS also states: “two contributing components to the TCP are located within the Study Area, one of which is considered NRHP-eligible under Criteria A. The first site is...unique and possibly associated with traditional religious and ceremonial activities associated with the South Mountains. The second site is situated within the South Mountains TCP. These sites continue to function in the Living Akimel O’odham and Pee Pux communities and often serve as spiritual places (Tribe Historic Preservation Office [THPO] response [not concurrence] regarding NRHP-eligibility of the South Mountains as a TCP and its contributing components was received on August 17, 2011; consultation is ongoing).”

Further, the DEIS acknowledges that the portions of the South Mountains on GERIC located on the western end serve as the “Community’s main, direct physical link to the mountains.”191 Further, it states, “the EI Alternative would result in direct use of the TCP. Approximately 3 miles of freeway alignment would pass through the mountains and would affect the southern and southwestern portions of the TCP.”192

Further, the DEIS states “While the conversion and permanent loss of part of the mountains to a transportation use by the proposed action is a concern, the Community expressed concern focuses on impacts on history, culture, traditions, and the ability to maintain and continue the cultural identity of the communities. Within the context of the TCP, the proposed action would be a physical barrier on the landscape, altering traditional access to sacred sites, disrupting traditional cultural practices, and degrading the overall integrity of the cultural tradition and identity. Even with mitigation, implementation of the proposed action would alter the direct physical connection Community members have between their homeland and the South Mountains and would restrict the ability to visit or use these locations in a traditional cultural manner.”193

After stating all of the above, the DEIS states that the EI Alternative was designed in such a way as to avoid a site that is a contributing element to the South Mountains TCP, resulting in no direct use of this TCP element. A R/W fence would limit access to the site by freeway
users, but Community members would continue to gain access to the site as they currently do.138

Nevertheless, the DEIS then states, “even with mitigation, implementation of the proposed action would alter the direct physical connection Community members have between their homeland and the South Mountains and would require the ability to visit or see these locations in a traditional cultural manner.”139

The DEIS later states, “alternatives to avoid use of the South Mountains TCP were evaluated and determined to be not prudent and feasible.”140

The DEIS states that besides the South Mountain itself, another TCP would be affected. Although not physically damaged by the construction of the South Mountain Loop, this TCP would also be affected and would be affected by highway related consequences, i.e. noise. The DEIS states: “AZ T12:112 (ASM) is used by contemporary Community members actively maintaining their traditional religious and ceremonial practices and beliefs. The site and its use are part of a broad pattern of traditional religious and ceremonial practices and beliefs that defined the cultural identity, continuity, and traditions of the Akimel O’odham. Therefore, the site is eligible for listing in the NRHP under Criterion A as a TCP.” However, it states, this “resource does not have site-sensitive activities or viewed characteristics that contribute to its importance as a section 106 resource. Therefore, according to 33 C.F.R. § 774.15, no further analysis of these proximity impacts to determine whether they would substantially impact the resource is necessary.”141

The DEIS concludes, “In summary, the intrusion of the proposed freeway into the South Mountains, including especially the cuts into three ridgelines, would likely be perceived as severe by many members of the Community. The above measures have been and/or would be undertaken to avoid, reduce, or otherwise mitigate impacts on the South Mountains TCP and on AZ T12:112 (ASM). The proposed freeway would be located in an area used frequently by members of the Community, one that provides direct access to the South Mountains. Thus, the proposed action would adversely affect physical access to the TCP and adversely affect another TCP within the South Mountain TCP. Perhaps more important to members of the Community, the proposed action might be perceived as severing the Community’s spiritual connection to the mountain.”142

VII. ARGUMENT

Discrimination against people on the basis of color, race, or national origin is prohibited under Title VI. Title VI provides that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”143 One form of discrimination prohibited in action that causes a disparate impact on a protected class of people. For the DEIS to move forward, it cannot violate Title VI.144

However, if the South Mountain Loop 202 is constructed, the distribution of negative impacts and burdens would be highly unequal to the GCRIC and for the foregoing reasons, Title VI was violated by ADOT because:

- the proposed route through South Mountain would knowingly, improperly, and illegally deplete a site with profound sacred and spiritual significance resulting in an unjustifiable disparate impact on the GCRIC;
- construction and the effects of vehicle and truck traffic on the proposed South Mountain Loop 202 would result in pollution causing deprivations and cumulative health effects causing a disparate impact on the GCRIC and its tribal members, including members of GRACE, and;
- inadequate consultation and inadequate process was given to the GCRIC.

A. SOUTH MOUNTAIN LOOP 202 DISPARATE CUMULATIVE SPIRITUAL AND CULTURAL EFFECTS ON THE GCRIC, INCLUDING GRACE COMPLAINTANTS

GRIC grievance about the proposed South Mountain Loop 202 have common themes. Like the following, they identify the great cultural and spiritual meaning the South Mountains signify to the GCRIC: “our people feel that the mountains is a sacred place and we should respect it.”145 “we need to protect it because that mountain is sacred to our people.”146 you don’t know what it means to us having the mountain there, it won’t be the same if it should be gone,”147 and “when I was younger I recall being taught about our people’s heritage... I remember being taught by my elders that we come from South Mountain.”148 See attachment: Another GCRIC tribal member stated “as we were growing up we were taught that our land was sacred and that we need to protect it at all cost. South Mountain... is one of our sacred mountains.”149 See attachment: Plainly put, construction of the South Mountain Loop 202 would devalue a natural landscape with profound sacred and spiritual significance to the GCRIC. One GCRIC tribal member wrote that “my connection to South Mountain is that it is a very sacred place to me and my people.”150 See attachment. Another said “it is a sacred mountain to our people... and... it was once sacred to our ancestors... there are stories about that mountain I was told by my elders, and there are plans that grow on this mountain that we use today for healing, aging, and blessing.”151 See attachment.

Cutting and blasting the South Mountain to place a highway through it would result in a major disparate impact on the GCRIC. One tribal member stated “the mountain is central to the

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138 This is the first time that the CRIC had to notify the citizens of the surrounding communities of the possibility of an ADOT-sponsored project. A second notice was to be held on November 7, 2011, which ADOT had offered to return for allowing us into the basin to view the reservation. (Debra John, The Republic, 30 September 2011, p. 12.)

139 South Mountain Loop 202, Mar. 25, 2011

140 South Mountain Loop 202, Mar. 25, 2011

141 South Mountain Loop 202 review, Mar. 25, 2011

142 South Mountain Loop 202, Mar. 25, 2011

143 South Mountain Loop 202, Mar. 25, 2011

144 South Mountain Loop 202, Mar. 25, 2011

145 South Mountain Loop 202, Mar. 25, 2011

146 South Mountain Loop 202, Mar. 25, 2011

147 South Mountain Loop 202, Mar. 25, 2011

148 South Mountain Loop 202, Mar. 25, 2011

149 South Mountain Loop 202, Mar. 25, 2011

150 South Mountain Loop 202, Mar. 25, 2011

151 South Mountain Loop 202, Mar. 25, 2011

152 South Mountain Loop 202, Mar. 25, 2011

153 South Mountain Loop 202, Mar. 25, 2011
O’odham creation story and continues to be a place to hold ceremonies by and for the O’odham people. The mountain is also sacred to us because of the plant life we use for medicinal and ceremonial purposes and also because of the wildlife we hunt to sustain ourselves. The construction of this freeway would greatly harm the wellbeing of the mountain and therefore will bring harm to the O’odham. See attachment.

South Mountain is a very major and significant part of the GRC spiritual and cultural life. It is a place of importance with esteemed meaning; it is associated with integrity, strength, patience and offers immeasurable cultural and spiritual benefits to the GRC. It has been there on the landscape and has witnessed time and the elements in good and bad times with generations of GRC ancestors. Becoming a major historical and spiritual theme in the GRC’s lives, stories, teachings, rituals, ceremonies, and medicines are derived from South Mountain. One tribal member stated “South Mountain is important to me because it’s part of our heritage. There are many teachings that go with that mountain. Stories and songs that our generations to carry on.” See attachment.

Another stated “according to our oral history South Mountain is a sacred mountain to our people. Akimel O’odham legend and stories talk about South Mountains being the home of the deity for our tribe. There are also stories about aridic and petroglyphs from our ancestors the Hohokam located on South Mountain.” See attachment. Another GRC tribal member stated “Our oral history and legends state that South Mountain is the home of ‘Elder Brother’ (Tíu’s) deity of the Akimel O’odham Tribe (Gila River Indian Community Tribe). South Mountain was also once inhabited by our ancestors the Hohokam. The Hohokam has been acknowledged by archaeologist, anthropologist and historians to be one of the first settlers of this region. South Mountain is also a place of worship, sacred ceremonies are performed, prayer and offerings are made and shrines are built to honor ‘Tíu’ and our ancestors.” See attachment.

Disturbing South Mountain would be desecrating it and desecrating it would be harming the GRC itself. “To take the South Mountain away is a great impact to the Gila River Indian Community. It would be losing a part of us even more.” See attachment. “To hear of this mountain being destroyed has put a great hurt in my spiritual life...The mountain has given me much in my life. It has kept me strong, wise, peaceful, and healthy.” See attachment. Much harm would occur because this significant historical and cultural site that has been handed down through the generations is rich with the past, its heritage reaches into the present and connects with the GRC living today. One tribal member stated “I have a very loving connection to South Mountain. In my late teens I left my hometown of Ajo, Arizona to attend Arizona State University. As a young woman far from home it was a difficult adjustment to live in the city, but going to South Mountain helped with this transition...as a young mother raising a child in the late sixties I decided I often went to South Mountain to meditate when times became tough or if I was unable to return to Gila River for family emergencies. South Mountain has always made me feel closer to home and closer to my O’odham Hlaam.” See attachment.

122 Cite Masa Nuh, GRC tribal member ART § 1.
123 First Nation Montana, GRC tribal member ART § 1.
124 Peggy Mee Mapee, GRC tribal member ART § 2 July 6, 2013.
125 Joseph Mapee, GRC tribal member ART § 3 July 23, 2013.
126 First Nation Montana, GRC tribal member ART § 1.
128 Peggy Mee Mapee, GRC tribal member ART § 2 July 6, 2013.
129 GRC and GRC tribal members in GRACE have repeatedly and publicly communicated the sacred significance of South Mountain, while at the same time, opposing ADOT’s actions and the South Mountain Loop 202 project. However, ADOT has consistently ignored these communications and continued its efforts to plan the South Mountain Loop 202 through the South Mountain. One tribal member lamented “You may see the Mountain as an obstacle! But we see it as a refuge for our animals, a place where we can take our children and teach them our culture. It may not seem like a lot but the Mountains mean so much to our communities.” See attachment.

In April 20, 2008, the Arizona Republic published an article entitled, Gila resolution calls freeway path ‘wealthy land’. The article reads “The (GRC) council in April 2001 designated the South Mountain Range as a ‘sacred place/traditional cultural property’ that must not be violated. The council said any alteration of the range ‘for any purpose would be a violation of the cultural and religious beliefs of the Gila River Indian Community.’”

Nevertheless, ADOT’s August 2008 Draft Technical Report Summary states “direct impacts on cultural resources from construction could result in their partial or total loss.” It goes on to state “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 (GRC) and the Salt River Pima-Maricopa Indian Community have both passed Tribal Resolutions designating the South Mountain as a TCP and the Colorado River Indian tribes have said that they also consider the South Mountains a TCP. The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) recognize the South Mountains as a TCP.”

During a MAG public comment meeting on the South Mountain Loop 202 on December 21, 2009, GRC tribal members and supporters pled with the government association to stop their plan to go through the South Mountain and “protect the heritage of their people.” With a banner outside stating “standing against those who ruin the land” tribal members expressed their “deep and abiding love” for South Mountain and “their responsibility to protect” it for their ancestors and future generations. One youth stated “this pressure has to stop...we had a river taken away...our lands have been reduced enough...our ancestors should not have had to go through what they did for a highway to go basically past their cemetery.” A speaker from Protecting Arizona’s Resources and Children (“PARC”) pointed out that GRC at that time was
being pressured to permit a highway either through their limited reservation or through sacred ancestral land shotting their reservation—both of which have sacred and traditional values."122

Also in that meaning, GRIC tribal members stated how their ancestors are a part of the
"sacred territory" of South Mountain and how the tribal members of GRIC continue to be
defined by it.123 One tribal member expressed his concern that this domination was "just another
attack to take more land" from indigenous people, whose historical legacy is one of losing
more and more of their land by non-indigenous people.124 He further stated with the absence
how South Mountain is where they "become part of the reservation and it is a sacred
area that cannot be touched." Another speaker stated his elders taught him that South Mountain
"can't be disturbed and if disturbed, would cause problems" to the world.125 Another stated that
"this (cultural land of his ancestors) is what binds us together"; and another stated that "desecration
of the South Mountain would break and kill them."126 Another pointed out to the audience the
consequences the tribal members have already had to make like having to tolerate sacred places
in the SMNP being desecrated with graffiti and trash.127 She said it was unfair and wrong
that now they are expected to permit their sacred South Mountain to be bulldozed for a highway.

GRACE co-founder, Lori Riddle, also spoke to the audience during the 2009 MAG
public comment meeting. She stated that GRACE was opposed to the project because the
proposal "impacts[d] on fundamental "cultural sensitivities" of indigenous peoples of the
GRIC." Further she said, the GRIC "honor the land...honor the mountains."128 This is where
they "pay...for future...gather...strength."129 This is a "heritage that goes back hundreds and
thousands of years."130 Frustated with ADOT's failure to respect tribal concerns about
the proposed desecration of the sacred mountain, Riddle had to say once again "the community has
already done(s) not have a highway."131

The November, 11, 2009, Abatwakus Foothills News article, Questions remain on
blasting into South Mountain, questioned the soundness of "blasting through...major ridges of
South Mountain in the park, which the Gila River Indian Community (GRIC) considers sacred.
It went on to quote Shannon Rivers, a member of GRIC, who said that the South Mountain "has
burial sites, archeological sites and shrines." The article also quoted Lori Riddle's concerns with
cutting into the ridges of the sacred South Mountain. Riddle stated, "when they talk about

122 Id at 300, a move through the reservation was being pressured on the GRIC.

123 YouTube, South Mountain Freeway Project - Public Comments Part 1 I found at

124 YouTube, South Mountain Freeway Project - Public Comments Part 1 I found at

125 Id.

126 Id.

127 Id.

128 Id.

129 Id.

130 Id.

131 Id.
B. South Mountain Loop 202: Disparate Cumulative Health and Environmental Effects on the GRIC, Including Grace Complaintants

With approximately 67,000 cars travelling daily between Phoenix and Tucson on Interstate 10 (one of the three interstate highways that serve as the thoroughfares for nearly all truck traffic) only a small fraction of these cars are driven by trial members.121 However, because approximately 25 miles of Interstate 10, two lanes in each direction, is running through the GRIC, pollution is being created and emitted onto the GRIC.121 The GRIC asserts that this is its single biggest source of air pollution in the community.121 There are also two million cars owned by people who live, work, and commute within the greater Phoenix area, causing pollution, while car ownership in GRIC is low because GRIC members work and live in the same districts.121 The GRIC even goes so far to encourage occupants to its casinos to use buses from the nearby urban areas on a regular basis to reduce single occupancy car traffic to its Casinos.121 However, even with this proactive approach to the environment, the 2005 Joint Air Toxics Assessment Program (JATAP) report states that GRIC has high particulate matter (“PM”) and volatile organic compounds (“VOC”) in its air.120 The South Mountain Loop 202 would be yet another source of pollution not created by the GRIC but affecting the GRIC.

Maricopa County has struggled to meet the National Ambient Air Quality Standards (NAAQS) for particular matters (PM).123 The American Lung Association states that the Air 2011, gave Maricopa County a grade of F for the period between 2009-2011 in High Particle Pollution 24-hr days.120 It also ranked Phoenix-Mesa-Chandler, AZ 14th in Most Polluted by Year-Round Particle Pollution (Annual PM 2.5) and 21st in Most Polluted by Short Term Particle

Pollution (24-hour PM 2.5).118 According to the EPA Green Book, Maricopa County has been in nonattainment in Particulate Matter (PM-10) since 1997.119 PM-10 is a "complex mixture of extremely small particles and liquid droplets...made up of a number of components, including acids...organic chemicals, metals, and soil or dust particles."119 PM-10 are "inhalable coarse particles" that can be found near roadways and dusty industries.118 They can affect the heart and lungs and cause serious health effects.119 Those most at risk to PM-10 are people with heart or lung disease,120 older adults, children, and physically active people.121 People with diabetes may also be at risk.121 Further, new studies suggest that exposure to high particle levels may also be associated with low birth weight in infants, pre-term deliveries, and possibly fetal and infant deaths.121 Long-term exposure has been associated with problems such as reduced lung function and the development of chronic bronchitis and even premature death.121 Short-term exposure to particles can aggravate lung disease, causing asthma attacks and acute bronchitis, and may also increase susceptibility to respiratory infections.121 Almost every one of the PM-10 exceedances has been detected at the air quality monitor at 43d Avenue and Broadway Road. Because the air is already heavily polluted, the placement of a freeway about a mile and a half upwind from this monitor will have a diagnostic impact on the health and welfare of the GRIC, who are situated next to the proposed site. The GRIC has the highest level of diabetes in the nation; those with diabetes are more susceptible to irritation from PM-10 and more susceptible to other medical conditions. Additionally, during the construction phase, thousands of tons of dirt would be moved across upwind of the 43d Avenue and Broadway Road monitor causing increased levels of PM. The proposed path of the South Mountain Loop 202 would cause PM over the Salt River bed, where extensive earth-moving will be necessary for the construction of the bridges. Blasting South Mountain would also release enormous amounts of PM, and the natural wind currents and prevailing wind patterns would push this PM toward the air monitor at 43d Avenue.

Because people areconstituting Valley Fever (Coccidioidomycosis) in Southern Arizona (especially in the Phoenix and Tucson areas),122 Valley Fever is a threat. The two species of coccidioides fungi that cause Valley Fever are commonly found in the soil of specific areas, one of which is Arizona’s Sonoran desert, and are stirred into the air by anything that disintegrates the soil like construction.122 Moreover, Native Americans are more susceptible to developing serious
infestation from it then are rakes.110 If the South Mountain Loop 202 is constructed there would be a real risk to the members of the GRIC.

The GRIC would also be disproportionately affected by negative environmental consequences to its agriculture sector. Agriculture plays an important role for the GRIC and is a major sector in GRIC’s economic development plan.111 15,000 acres of Community Farms on the GRIC support a variety of crops such as cotton, wheat, millet, alfalfa, barley, melons, peanuts, olives, citrus, and vegetables. And independent farming operations cultivate an additional 22,000 acres of similar crops, bringing the total agricultural product value to an excess of $85 million.112 Now with its newly restored water rights, the GRIC is planning on developing a much larger agriculture industry. However, PM decreases crop production, and because of this, not only will the health of the crops be compromised but the profit from the GRIC’s agriculture will be compromised by the air pollution from the South Mountain Loop 202.

Maricopa County has also been in nonattainment in 8-hour ozone since 1997 and in 1-hour ozone since 2004 and in 3-hour ozone since 2012.113 The American Lung Association’s State of the Air 2013, gave Maricopa County a grade of F for the period between 2006-2010 in High Ozone days114 and 21st in Most Ozone-Polluted Cities.115 Ozone is formed when pollutants emitted by cars, power plants, industrial boilers, refineries, chemical plants, and other sources react chemically in the presence of sunlight.116 Those most at risk are children, adults who are active outdoors, adults - including older adults - with respiratory diseases, as well as asthmatics, and people with unusual susceptibility to ozone.117 Ozone can aggravate asthma and inflame and damage the lining of the lungs that can in turn cause long-term health effects and a lower quality of life.118 Higher ozone levels would have a disproportionate effect on the people of the GRIC. First, many GRIC members have asthma and other respiratory problems. Ozone increases will exacerbate existing problems. Second, because the Hassayampa Froway CANYONEX route is not yet being built, the South Mountain Loop would be used as a bypass for truck drivers traveling from Canada to Mexico. This would also have a major disproportionate effect on the GRIC. With Interstate 10 already running through the GRIC, more diesel trucks near the GRIC would only increase pollution, some of which are cancer-causing.119 Diesel fumes from trucks can create the same amount of air pollution as 150 passenger cars120 and diesel exhaust has been linked to lung cancer and the development of asthma.121 Moreover, although the United States has implemented national heavy-duty diesel emissions standards and 13.5 ultra-low-sulfur diesel (“ULSD”) fuel requirements, Mexico has not made significant progress in implementing its heavy-duty diesel emissions standards nor has it transitioned to ULSD.122 And, although the Arizona Department of Air Quality monitors 1997 through 2008 diesel powered vehicles in the metro Phoenix (Area A) and Tucson (Area B), commercial vehicles that are licensed in multiple states are not.123 Further, some trucks using the South Mountain Loop 202 will be carrying hazardous materials causing major risk to the GRIC. Although the DEIS admits that the South Mountain Loop 202 will be used to transport hazardous waste, it does not include an emergency plan for the different communities that could be affected by accidents by transportation of hazardous waste.

There is also a risk of a pollution hot spot developing in the GRIC because of the leveling of mountain ridges and the placement of a highway with speeding cars and trucks on the flattened area situating the GRIC. The GRIC reservation is situated between the Sierra Estrella to the west running north and south along the entire distance of the GRIC on the western edge, the South Mountain to its north separating the GRIC from Phoenix and Tempe, and the Salt River Mountains on the southeast side, separating the GRIC from Gilbert and Apache Junction.124 “These natural barriers are large enough and have sufficient altitude to prevent pollution from traveling onto GRIC even during periods of inversion and stagnant air.”125 The South Mountain Loop will eliminate the natural barrier of the South Mountains separating the GRIC from the heavily polluting cities of Phoenix and Tempe. Further, the new car and truck emissions will be emitted near the GRIC. Under certain wind and weather patterns, those emissions will be captured and contained within the remaining ranges in the GRIC causing a hotspot. Like past off-reservation pollution activities, the GRIC will have to bear the consequences of pollution not created by them but migrating to its lands.

The GRIC also would be disproportionately affected by other public health concerns, concerns of which were not mentioned in the DEIS. The GRIC struggles with substance abuse, such as alcoholism and methamphetamine addiction, and have been struggling with a high suicide rate.126 American Indian and Alaska Native (AI/AN) people are significantly more likely to report past-year alcohol and substance use disorders than any other race.127 And suicide rates for AI/AN people are 1.7 times higher than the U.S. all-races rate.128 Further, several sources

indicate the AVANs are at higher risk for certain mental health disorders than other racial/ethnic groups. The Office of Minority Health reports that AVANs experience higher rates than the nation in the following areas: serious psychological distress; feelings of sadness, hopelessness, and worthlessness; feelings of nervousness or restlessness; and suicide. The Indian Health Service, the Federal Health Program for American Indians and Alaska Natives, recognizes that one major reason for these higher national rates of substance abuse and psychological problems is historical trauma. Historical trauma describes the cumulative effects of the massive group trauma experienced by AVAN people and nations since the arrival of European settlers on the American continent. This trauma has taken various forms, from outright violence of wars and forced relocation to damaging prohibitions on Native languages and cultural and religious practices. Historical trauma has many dimensions, but one important aspect is that at, as with any trauma situation, parents and caregivers who have been traumatized often pass on trauma-responsive patterns to their children. This means that the effects of historical trauma in AVAN communities include not just past or present acts of oppression and racism the AVAN people have been victimized by, but also the ways that trauma response behaviors are internalized, repeated, and passed on within AVAN families and communities.

The people of the GRIC, like many other Native Americans in the US, have continued to socially and psychologically struggle to heal from losing traditional ways of life, homeland, language, traditions, and customs. This has been a long, slow process. Because cultural identity and psychological health are related, healing is thwarted by continued marginalization of their culture and worldview. ADOT, deliberately destroying more culture unacceptably is discriminatory and irresponsible. It is discriminatory because the act destroys an integral part of the GRIC’s identity while history shows that Native Americans and the people of the GRIC have lost an incredible amount of their culture already. The GRIC in particular have been embattled in a water right dispute for decades. The loss of water has changed their way of life in very significant ways like food production, diet, independence, etc. And only just recently are the GRIC’s water rights being restored after having had to struggle for almost a century with severely reduced water flows. Moreover, ADOT’s action is discriminatory because modern psychology shows that cultural identity and environment play a major role in human health, especially for Native Americans who have a unique relationship with their culture and the natural environment.

Not only will a second mountain be destroyed but access to historical, ancestral land will be more limited, less accessible, and will be disturbed by noise, cars, and pollution. The landscape will be more fragmented and urbanized, quality not compatible with sacredness. Modern psychology is not the only message to ADOT: the GRIC’s 2007 Community Council resolution stated that “they strongly oppose(s) any alteration of the South Mountain Range for any purpose... and any alteration... would be a violation of the cultural and religious beliefs of the Gila River Indian Community and would have a negative cumulative effect on the continuing lifeways of the people of the Gila River Indian Community.” ADOT’s decision is irresponsible because the government is sponsoring a program that significantly reduces Native American culture and identity while at the same time knowing the integral relationship the GRIC has with the South Mountain and presenting all the tools to recognize that Title VI of the Civil Rights Act is being violated.

C. ADOT DISCRIMINATED BY NOT CONDUCTING ADEQUATE CONSULTATION TO PREVENT A disparate IMPACT AND BY PROVIDING INADEQUATE NOTICE, ACCESS, AND PUBLIC PARTICIPATION OPPORTUNITIES FOR GRIC AND GRACE TRIBAL MEMBERS

GRIC tribal members are speaking out strongly because GRIC feel that they have not been properly included, consulted, and heard. In analyzing ADOT’s procedure and process before and after the release of the DEIS, it is apparent that ADOT did not comply with Title VI’s requirement that no person may be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, or national origin. It is also apparent that ADOT did not comply with NEPA’s provision to provide for “all Americans safe, helpful, productive, and aesthetically pleasing surroundings” or to take a “systematic, interdisciplinary approach” to aid in considering environmental and community factors in decision making.

Ignoring the fact that GRIC, as a Native American people with community centered values and a strong sense of responsibility to protect the integrity of the past, present, and future generations, ADOT has embraced MAO’s interpretation that the South Mountain Loop 202 is an absolute necessary component of the MAO master-plan. MAO’s subcommittee, the Transportation Policy Council (TPC), plans for and sets aside money for transportation projects in the Maricopa County region and provides the overall plan for all modes of transportation in Maricopa County; in heavy filled with basists leaders and corporate executives, who have a bias toward seeing the South Mountain constructed. The GRIC however must make decisions that protect their culturally rich ancestral lands and the health and well being of present and future generations of GRIC. The TPC includes executives from trucking companies (Swell, Knight), shopping mall owners and operators (Macerich), several realty companies, casino architects (The Killian Companies), and a construction firm that builds freeways (TFN Construction). ADOT, who is captive to MAO’s belief that the project is necessary, has designed the DEIS so as to create the impression that the South Mountain Loop 202 must be built and no other alternatives are prudent or feasible, downplaying and ignoring the disparate impacts that would result if the South Mountain Loop 202 were constructed.

31 Id.
ADOT has minimally consulted with the GRIC in the scoping and preparing of the DEIS both officially and unofficially. While ADOT indicates that it has conducted 178 meetings with GRIC on the South Mountain Loop 202 proposal between 2001 to 2012, only three, all in 2011, were identified as cultural resource consultation meetings and none were attended by the BIA. Further, these cultural resource consultation meetings were described as “Meetings Focused on the Proposed On-Community Alignment, 2010-2013” with no efforts to satisfy the goals of a cultural resource consultation meeting. The National Park Services’ guidance for federal historic preservation programs states: “Consultation means the process of seeking, discussing, and considering the views of others, and, where feasible, making agreement with them on how historic properties should be identified, considered, and managed. Consultation is not the exchange of ideas, not simply providing information.” Further, consultation should start early for a proposed project, not 9 years after conducting meetings. And those best equipped to communicate the tribe’s sensibilities to cultural places should be consulted with and just not sit with as to satisfy what it believes is its Title VI and EJ requirements.

ADOT spent the last 9 years just informing GRIC representatives what its plans were and trying to “coordinate” its agenda – not consulting; ADOT worked mainly with the Natural Resources Standing Committee (NSRC) and the Transportation Technical Team (TTT). The NSRC is a special committee reporting to the Community Council that reviews all land use actions under its jurisdiction, acts as a key decision-making agent in actions pertaining to land use actions on Community land, and issues right-of-entry permits for non-Community members wishing to conduct a survey or other data collection tasks on Community land.” And the TTT is a special committee established by the Community Council…to facilitate informed decisions on transportation requests. These two committees do not participate in consultation, which is something very different from making land use decisions, issuing right-of-entry permits for non-Community members, and facilitating informed decisions on transportation requests. Moreover, ADOT did not conduct the informational scoping meetings itself. The DEIS states that in August 2010 while ADOT believed it still could secure an on-reservation alignment, it presented an environmental and engineering overview outlining the freeway and its

impacts on GRIC land to the TTT, who with the help of the Public Information Office solicited recommendations and comments from GRIC tribal members on an off-reservation and an on-reservation alignment.

The DEIS states that meetings were held from December 2010 through March 2011 in each of the seven districts, with some districts having multiple meetings. The DEIS notes that meetings were also held with special interest groups and a total of 15 meetings occurred. GRACE states that these meetings were heard about only if one participated in certain closed meetings and only certain people were invited to those closed meetings. Further, many in attendance questioned why ADOT was not conducting these meetings but rather GRIC representatives. It appears that ADOT inappropriately gave its duty for scoping and community outreach to tribal representatives, and failed to make sufficient and direct efforts to engage GRIC tribal members between December 2010 and March 2011.

The only information publicized in the GRIC that the general GRIC community had before they voted in February 2012 to voice their opposition about the South Mountain was a paid ad by Pengeos in the December 2011 and January 2012 GRIC telling tribal members that an on-reservation build would save South Mountain and an off-reservation build would desecrate South Mountain and an article by GRACE in the January 2012 GRIC expressing that it was an option, which meant that neither the reservation would be built on nor would South Mountain be desecrated. Still, unprepared in knowing how an off and an on-reservation build would impact the GRIC negatively, without conducting consultation and arguably never communicating with the general GRIC community themselves, ADOT moved forward with designing only one eastern alternative through the South Mountain. Needless to say, many GRIC tribal members felt they had not been consulted. One GRIC tribal member stated: “A.D.O.T. did not ask in proper manners what as a community we would like done or not done with our sacred place of gathering.” See attachment.

As a sovereign nation with historical, cultural, and spiritual connections with lands no longer fully assessable but which they have rights to, adequate consultation is necessary. Not only does the HRPA require consultations with the GRIC because the South Mountain is a TCP with religious and cultural significance but Executive Order (13288) Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations also calls for consultations. Executive Order (13288) states “Each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disparities in health and adverse human health or environmental effects of its programs, policies, and activities on minority populations.” Nothwithstanding, after ADOT’s meetings with the GRIC, Chapter 2’s Gila River Indian Community Coordination ends with, “

2012

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according to Executive Order 12894, on environmental justice, and with Title VI of the Civil Rights Act of 1964 (Title VI), the coordination efforts outlined in this chapter established that reasonable efforts have been made to engage and provide the Community’s population access to the EIS process for the proposed action.

ADOT’s weak coordination efforts and flimsy access to the EIS process however are not enough. Title VI fundamentally requires consultation where exchange of ideas happens to prevent disparate impacts that Title VI prohibits. One-sided informational meetings, which most of the various GRIC meetings were between 2003 and 2012 do not give a community the potential to affect the opinions of the decision makers. The meetings to discuss the South Mountain Loops 202 were only for technical, information gathering, and for ADOT to present its intent and not for consultation. For example, while the DEIS acknowledges that the Community Council is “the primary decision-making and legislative body for the Community...consisting of 17 members elected by residents of the Community’s seven districts,” ADOT only coordinated two meetings with them, one in 2003 that only included council representatives from districts 4, 6, and 7 and another in 2005. It is apparent ADOT was only meeting to satisfy what it allegedly believed (its requirements were under Executive Order 12894 and Title VI) to “coordinate” and “engage” the GRIC and, moreover, to “ensure full and fair participation” — again, not to truly consult or to consider anything but an on-reservation or a South Mountain Preserve alternative.

Additionally, ADOT’s meetings between 2001 and 2012 with the GRIC were not even full and fair. As a potential especially affected group, full and fair mean equal opportunity to participate and communicate upon positions. For example, between 2010 and 2012, some of the 76 meetings focused on the proposed on-reservation alignment were conducted in districts three or five because as chapter 2 GRIC Coordinating states, they would have been “less affected” by as on reservation alignment. This is not true because overall, the reservation is community land and any change of use will affect all tribal members. Further, a re-build is an equally legitimate option that NEPA requires analyzed. However, the meetings between 2001 and 2009 were conducted under the assumption that an alternative on the reservation was obtainable, while the meetings between 2010 and 2012 were conducted under the assumption an on-reservation alignment could be ultimately negotiated: none of the meetings therefore consulted and considered alternatives focusing on the effects and impacts on the GRIC for using GRIC land or the effects and impacts on the GRIC for demoting sacred land. For example, chapter 2 of the 202 South Mountain Study Team, Chapter 2 Oglala River Indian Community, Coordination at 11. 24 ADOT, South Mountain Study Team, Chapter 2 Oglala River Indian Community Coordination at 11. 25 ADOT, South Mountain Study Team, Chapter 2 Oglala River Indian Community Coordination at 3. 26 ADOT, South Mountain Study Team, Chapter 4 Affected Environment, Environmental Consequences, and Mitigation at 20. 27 ADOT, South Mountain Study Team, Chapter 3 Affected Environment, Environmental Consequences, and Mitigation at 20.

reservation... See attachment. Another tribal member stated “I don’t know why they can’t build a meeting in each District to see what the people think. Even though it is for landowners. But I think it is going to affect the whole reservation.” 23

GRIC’s issues and concerns of the environmental, health, and cultural cumulative impacts on them and the misuse of transportation dollars for unnecessary highway expansion in the name of parochial economic development could not be considered in the decision making process because they were ignored by ADOT’s tunnel vision agenda of obtaining an on-reservation alignment so that they could pave the South Mountain and the Apache-Sitgreaves. 28 No evidence suggests that the GRIC’s concerns were appropriately considered: why else after the GRIC voted for a no-build29 did ADOT end up with only one non-tribal alternative that goes through the GRIC’s sacred mountain.

The Community forum meetings during the 90 day comment period also were not full and fair. 30 As a native with an oral tradition centered around community involvement and community consultation, (which is different from a written tradition that is individualistic and easily transferable by non-community engagement), the one ADOT meeting on the reservation did not allow for formal “public testimony.” Rather, the meeting only allowed participants to report to a court reporter who recorded GRIC members’ comments individually. This was similar as the May 21st downtown Phoenix public hearing allowed people to speak with a court reporter, complete a comment form, or give a formal 3-minute comment (public testimony). By the time GRIC’s community forum meeting came around June 22, 2013, there company held only three Phoenix public hearing narrowed into only speaking with a court reporter or completing a comment form. Attendees at the GRIC community forum meeting were also forbidden to bring signs and banners to communicate and voice their opinions. Three restrictions were a great insult to tribal members, especially since they listed excluded from the DEIS scope and preparation of the ESAs. Also, the same video that was played at the beginning of the release of the DEIS and that can be found on the website was played over and over at this meeting instead of providing tribal members the opportunity to address everyone at the meeting.

24 ADOT, South Mountain Study Team, Chapter 2 Oglala River Indian Community Coordination at 11. 25 ADOT, South Mountain Study Team, Chapter 2 Oglala River Indian Community Coordination at 3. 28 ADOT, South Mountain Study Team, Chapter 4 Affected Environment, Environmental Consequences, and Mitigation at 20. 27 ADOT, South Mountain Study Team, Chapter 3 Affected Environment, Environmental Consequences, and Mitigation at 8.

28 ADOT, South Mountain Study Team, Chapter 3 Affected Environment, Environmental Consequences, and Mitigation at 8.
Many Community members voiced disappointment in the form of the forum, which they said was completely from ADOT’s perspective and not a dialogue. One GRIC tribal member stated: “I was unable to attend the ONE and only meeting that I would have been allowed to speak at publicly. As stated before I don’t travel to the Phoenix metro-area due to the distance, pollution and the noise. I am an elder that is in a wheelchair, which needs assistance to get around. Attending this meeting was impractical for me and the ONE meeting held in the Gila River Indian Community was held over fifty miles from my home. I felt that ADOT violated my civil rights by not allowing anyone to speak at the meeting held in the Gila River Indian Community, as well as other meetings held in other communities. I was raised by oral traditions, I was taught to speak out and I have a right to be heard in a public forum.” See attachment.

Another GRIC tribal member said “I feel ADOT discriminated against us at the last public forum held in Komatke, AZ. Gila River Indian Community members were not able to voice their public comments. No matter where the meetings are held. All parties whether you are against or for the freeway should be able to speak. No meeting should be one sided for any reason what so ever. This is very sad. Again this is a flaw in the overall process that was put together, which should not be.” See attachment.

Note was also inadequate. The June meeting was not published on GRIN until an ADOT advertisement appeared on GRIN the day before the actual event. This did not give tribal members enough notice to plan and prepare to attend the meeting, especially because many GRIC members lack transportation. To make matters worse, transportation was not provided to the GRIC as promised for the downtown Phoenix public hearing. Because of this, minimal GRIC participation at the Phoenix meeting was possible. In attempting to obtain community transportation for the Phoenix event, GRACE representatives, Lori Riddle, called to speak with ADOT on numerous occasions to ask about transportation assistance. However, no one ever picked up. She had to leave messages and left several until ADOT’s answering machine became too full to allow her to leave any more messages. Then, when she then turned to MAG’s Senior Engineer Bob Haefner for assistance in resolving this issue, he only strangled her shoulders at her and said but I was just discovered that the ADOT answering machine was designed to take up to 12 or so messages at a time. He said nothing else and did nothing to help. Not until the Phoenix meeting, did ADOT then hand out instructions about transportation assistance. And, then when GRACE tried to secure transportation for GRIC tribal members for the on-location public forum meeting on June 22, 2011, ADOT failed to provide visas to pick up tribal members that many of the GRIC needed to attend the meeting. At the last moment, ADOT put the responsibility on the GRIC requesting that GRACE representative, Lori Riddle, provide ADOT with a list of those who needed transportation with their current information and addresses, because of the time constraints, this was not possible to provide.

One GRIC tribal member summed up ADOT’s performance with the GRIC: “the manner in which ADOT has pursued the Gila River community member’s voice and cooperation regarding the Draft Environmental Impact Study and the planning process has been poor to say the least. There was very little communication between the GRIC and MAG and ADOT. When community members were made aware of public hearings and meetings, it was short notice and not sympathetic to our community members lack of transportation. Furthermore, when ADOT did hold a “Public Forum” in GRIC, members were not to voice their statements verbally as others were able to do at the Phoenix hearings.” See attachment.

ADOT also circulated and gave out inaccurate information about the GRIC, creating the false impression that the GRIC did not have as much to lose in the South Mountain Loop 202. While participating in this ADOT community forum meeting on the GRIC, GRIC attendees recognized that while in the DES there are two TCPs discussed, both of which would be completely destroyed if the proposed freeway extension was built, the ADOT posters at the meeting did not show this. When the attendees asked the ADOT representatives why this was so, different representatives replied in various ways: one said that the posters were outdated, another said there were no inaccuracies, and another stated that the inaccuracies were up for interpretation. The posters also did not list other O’odham cultural resources such as prehistoric sites and prehistoric rock art as sacred sites. It was only after the meeting that anyone learned how much damage the inaccurate and incomplete presentation of the GRIC’s many cultural and sacred areas and artifacts have done in regards to the dialogue and understanding of this project. It also shows what is produced by inadequate consultation, fair and full participation, and actual coordination.

D. NO SUBSTANTIAL LEGITIMATE Justification for South Mountain Loop 202 and FEASIBLE, REASONABLE AND NON-DISCRIMINATORY ALTERNATIVES EXIST FOR ADOT

As evidenced in the facts of the DES, ADOT is well aware of the sacredness of the South Mountain and the role that the mountain plays in the GRIC tribal members’ culture and heritage. Title VI requires that recipients of federal funding such as ADOT must not take actions that have a disproportionate effect or impact on peoples of a specific color, race, or national origin such as the people of the GRIC who are Native Americans.

With sacred places that must be undisturbed and where rituals and ceremonies cannot even be conducted without the right environment, the South Mountain Loop would disproportionately impact GRIC tribal members. Here, there is an Indigenous Peoples, whose culture is melded with its relationship with the South Mountain environment—known as a sacred territory—from which they get physical, mental, and spiritual life. The desecration of South Mountain by construction and operation of a highway loop would result in a substantial disparat impact and a prohibited discriminatory effect. Further, the health and environmental impacts would also be disproportionately burdensome on the GRIC. Native Americans are supposed to be afforded civil rights protections from the majority: this is why GRACE requests ADOT to protect and to not
purposes create a disparate impact on a protected class of people that would have a nonmonumental and disastrous effect on the welfare and quality of life of the GRC. Title VI itself was not defined, nor was it evaluated effectively in the DES. ADOT’s August 2008 South Mountain Transportation Corridor Study Citizens Advisory Team Draft Technical Report Summary/Cultural Resources states that “by law, adverse impacts on cultural resources determined eligible for listing in the NHPA must be mitigated. The degree of mitigation required will be directly related to the historic designation as described by Section 106. Direct impacts from construction on cultural resources determined to be of religious or traditional cultural importance by Native American groups or others could result in de-listing of a sacred place. A potential indirect impact might be a community’s loss of access to a culturally important place as a result of construction restrictions.”

ADOT’s August 2008 South Mountain Transportation Corridor Study Citizens Advisory Team Draft Technical Report Summary/Environmental Justice acknowledged that GRC was a protected people under Title VI; however, it made no mention of evaluating sacred places through the lens of Section 106 of the NHPA that requires agencies “to take into account the effects of their undertakings on historic properties, and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment.” It does not eliminate the necessity of evaluating the disparate impact of losing sacred places, culture, heritage, etc. based on Title VI. In this document, Title VI was not emphasized.

In chapter 4 of ADOT’s DES, Title VI is only mentioned as a subset of Environmental Justice and the 1984 Executive Order 12893 on environmental justice; moreover, it is not defined. Title VI is not a policy or an executive order, but is the law and must be complied with as the rule of the law. Only in a short sidebar, chapter 4 says, “in addressing environmental justice, it is important to understand whether the proposed action would have disproportionately high and adverse impacts on the protected population.” But it doesn’t say this in regards to Title VI or spell out its criteria. Rather, it directs the reader to go on to Land Use, Social Conditions, Disagreements and Resolutions, Economic Impacts, Air Quality, Noise, Cultural Resources, Visual Resources, Prime and Unique Farmlands, and Temporary Construction Impacts, which are essentially various sections of the DES that are over hundreds of pages long.

ADOT’s August 2008 South Mountain Transportation Corridor Study Citizens Advisory Team Draft Technical Report Summary/Cultural Resources states on August 28, 2008, p. 3, Direct:


ADOT’s August 2008 South Mountain Transportation Corridor Study Citizens Advisory Team Draft Technical Report Summary/Environmental Justice states:


ADOT is aware that CEQA is being used as a protecton law. It is not intended because of risk not by itself. The US Census currently identifies the following races: white, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and other Pacific Islander. Race, Ethnicity (last-visited 06/21/2011) http://www.census.gov/iafactdev/genealogy/39_06252011.htm

Further, the protection is because of a history of discrimination; therefore, the disparate impact may be evaluated through the lens of the Equal Protection Clause of the Constitution. As such, race, ethnicity, cultural discrimination/biasly.


This section on Title VI means defining what is in it not defining it later, concluding a topic in a subsection of environmental justice. Title VI does have a place in environmental justice, but Title VI is much more than environmental justice.

ADOT, South Mountain Study Team, Chapter 4: Affected Environment, Environmental Compliance, and Mitigation at 38.
make the South Mountain Loop absolutely necessary. Further, it argues that a no-build solution is not a feasible alternative. The DEIS states that the proposed project’s purpose and need is to get people off the southern part of Phoenix out of the existing roads onto another route, and to assert that this cannot be satisfied without creating this specific Loop. The DEIS asserts that moreover, this proposal has been supported since 1985 and would complete the last part of the master plan. Therefore, it is claimed that a no-build could not fulfill this purpose and need. However, if the essential purpose and need is to reduce congestion, a no-build alternative using various transportation modalities, including rail serving the southwest and southeast suburbs of Phoenix, and that included changes in zoning, used the Census Bureau’s more realistic medium population prediction rather than the high prediction projection, acknowledge that the 2006 economic downturn has changed the future demographics of the area, and took a hard look on who actually would be using the South Mountain Loop 203, the purpose and need would still be fulfilled. One no-build alternatives PARC has suggested is light rail along Pecos Road that would go through a small portion of the GRIC (with permission) rather than cutting through South Mountain.

181 The DEIS states that increases voters would use for a one-half cent make one for transportation funding in 1985, then extend the life of the bonds via proposition 400, and then renewing bonds by NAAS showed that even a majority of voters supported proposition 400, there is overall public support for the South Mountain Loop. Phoenix’s web proposition 400 and 400 are general propositions for regional transportation projects and not for the South Mountain Loop specifically. Further, the South Mountain Loop proposed has been created continuously and is proposed by many. Many fear the South Mountain Loop outed, both for congestion and tax expenses. (Read Tucson “Fran’s Fav.” Phoenix Arizonarealestate. Feb. https://www.joelwintersd.com/2011/06/22/ the-vision that June 23, 2013). For example, many people of the Ahwatukee Foothills are opposed to the project. The loop would demolish many built-in houses in Ahwatukee in the South Mountain Loop was set at 11 miles. It is important, why wasn’t it already built and why the state let this development go so long. Promoting Arizona’s Resources and Children (PARC) also believes the project is unnecessary, financially irresponsible, and contrary to the public interest. A-Hors, Ahwatukee, Ahwatukee Foothills News, PARC no later public reading about Loomis 283 May 8, 2013.(Updated July 16, 2013). http://www.ahwatukee-community. focusonlomel_EP_256b6987 -1a94-43e8-803e-762d26b6f7b3.html). South Mountain Foothills Bureau of services, Ecological Economics #15-408.)


183 Paul Meens, Transit for Sustainable Beyond the Automotive Age Database 2010.

184 Rachel Marines, Phoenix, The Clean Air Impacts of Retrofits in Phoenix Using the Clean Air Change More Americans A New in Change the Gap, found at http://aaaftpfsmds.doc/Environment/Climate_Cover_Report_FINAL.html (June 23, 2013). Enhance your capacity you just added another 10 miles to your route. The loop Route 1-10 (with Sunrasa) to 5TH Avenue is 22 miles, and then add another 5 miles to be back in Central and you have a total of 27 miles. The densest distance from the core to the Loop is 11 miles (Jim Blatt, Ahwatukee Foothills News, Proposed South Mountain Freeway will Displace Phoenix to our environment, http://www.ahwatukeechronicle.com/ahwatuckemain/content_b1c164b6-68ef-429d-a542-604001880018.html (June 23, 2013).

185 ADOT, South Mountain Study Team, Chapter 2: Purpose and Need Basis is https://www.smdotwork.com/monitoring/purpose/7.}

The DEIS analysis of the no-build asserts that more pollution would result with pollution and that the U.S. Environmental Protection Agency’s air quality standards could not be met if the project went through. However, building more highway miles will only increase more driving and more pollution. And it would only motivate more urban sprawl that supports further development into the Sonoran desert of cultural significance. However, the Sonoran desert is being reduced at record speed causing the loss of major ecosystems services. (For example, the Sonoran desert regulates temperature. “As the Phoenix metropolitan area continues to sprawl, replacing Sonoran desert with more development” the urban heat island will expand from the urban core further into suburban regions.” What Arizona’s unchecked urban sprawl is creating is unacceptability. Because the area, in the past century, is now expanding in its transport infrastructure. The urban heat island actually affects people of lower socioeconomic status, elderly, and others, like Native Americans. Moreover, because of their inaccurate assumptions and relative indifference, the urban versus no-build differences in percentage of trips in the study area, travel time to downtown, and differences in miles of 1-10 with 3+ hours of congestion do not identify a substantial legitimate justification for the financial cost, pollution consequences, and displace impact to the GILA, as well as in the additional consequence of added congestion on existing roadways for example, to bypass the additional 10 miles the loop would put on the Ahwatukee Foothills residents on their way to downtown Phoenix. According to the DEIS, the percent change in traffic on arterial streets would be 5% and the percent change in traffic on freeway would be 2%. Further, the DEIS estimates 10 saved minutes for travel time from Laveen to downtown and 5 saved minutes for Ahwatukee to downtown if the South Mountain Loop was constructed. And, the DEIS estimates that with the South Mountain Loop, there would be 3 less miles of 1-10 with 3+ hours of congestion in the morning and 12 less hours of congestion in the evening. The substantial legitemate justification argument fails by the fact that E-1 as the preferred alternative for the east side had no other alternatives from which to compare or choose because, as the DEIS states, GRIC Sobel ADOT from using GRIC reservation land for the South.
Mountain Loop. The DEIS does not make it clear why there were no other alternatives. Putting in the failed attempt with GRIC indicates there was a real assumption by ADOT that GRIC should have permitted the highway through its territory. And because ADOT rejected the request, only one other option was available, and one that would also disproportionately impact the GRIC.206

By late 1998, ADOT had spent $24 million on Possis Road right of way. And now, ADOT says it owns about 85 percent of the land it needs along Possis Road.207 From the facts, having a disparate effect on the GRIC, either by putting the South Mountain in the GRIC’s back yard or through its sacred mountain has never been a deterrent to ADOT.208

Regulations implementing NEPA explain that an EIS “shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives.”209 And the Ninth Circuit has determined that agencies should be afforded considerable discretion in defining the purpose and need of a project.210 However, this discretion is not without limitations.211 For example, “an agency cannot define its objectives in unnecessarily narrow terms.”212 And “[a]n agency will not be permitted to narrow the objective of its action artificially and thereby circumvent the requirements that relevant alternatives be considered.”213

Because there is no other alternative, the purpose and need for the proposed project is unreasonable.

ADOT’s Long Range Transportation Plan: 2010-2035, enumerates several goals and objectives for building transportation systems. They are: improve mobility and accessibility; preserve and maintain the system; support economic growth; link transportation and land use; consider natural, cultural, and environmental resources; enhance safety and security; strengthen partnerships; and promote fiscal stewardship. ADOT’s Long Range Transportation Plan is seriously flawed by giving natural, cultural, and environmental resources only consideration.

206 After Governor Fife Symington fired the GRIC, it wrote a letter dated January 27, 1996 to ADOT’s Director John Hallbrook volunteering to allow a study of the effects of an On-Corridor Loop 202 alignment in order “to mitigate any negative impact our culture and land have because “despite our desire for a free-for-all option, we recognize that there is a high likelihood that the Loop 202 Morgan area will be built,” Governor Fife of Arizona expressed concern in a February 1, 2010 letter stating “I am hopeful the opportunity that may exist to consider the economic development potential of this much-needed transportation corridor” and “I am pleased to know that you are part of the conversation and that there is a path forward for the ongoing talks about the conditions of the Community’s corporative.”Wait is based on Governor Fife’s response that Arizona is not interested in GRIC’s value and needs but that only requiring that the GRIC “cooperate.” GRIC Executive Director of the Governor’s Department of Commerce, January 27, 2010 letter to ADOT, John Hallbrook, ADOT Governor, Feb. 1, 2010 letter to Governor William B. Rhodes, GRIC.

207 ADOT’s spokesman Tim Tolsky stated during the ADOT outreach in Kanab on June 22, 2013 that “a possible Gila River easel will come off the table unless the Community changes its stance either toward a community or County Council action. If such a reversal occurs any time before the final record of decision on the freeway is reached in 2014, the alternate Gila River alignment would be studied. As of now, there’s no indication that that’s changing, in the project is moving ahead with the 21st alternative—That’s the only thing that’s on the table.” (Joshua Jennings, GRIC Website, ADOT outreach at proposed 202 route. 21st of June in Kanab http://www.gricwa.org/legacy/gprime/nov2012/alternative-proposed-202 ierrational-to-kabola/21st-virtual July 13, 2013.)


210 Matson, 117 F.3d at 1066.

211 Id.

212 City of Byward v. The Bowman United States Dept of Tranp., 123 F.3d 142, 113 (5th Cir.1997).

213 See also City of New York v. United States Dept of Tranp., 71 F.3d 722, 743 (2d Cir.1993).

explained before, just considering significant cultural resources will limit federal funding. Further, in light of the goals and objectives, the South Mountain Loop 202 actually weakens partnerships, as the GRIC is a partner in transportation projects: marginalizing partners weaker, not strengthened partnerships. The South Mountain Loop 202 is also contrary to the promotion of fiscal stewardship. The South Mountain Highway will cost twice as much as any other highway that ADOT has built in the past, the 181 and the 202 loop cost about 40 to 66 million per mile. South Mountain would cost about 80 million per mile.214 The DEIS also fails to even include and therefore estimate the cost of the highly contaminated areas in the path of the proposed South Mountain 202 that would have to be cleaned up for the highway to be put up.215

The South Mountain Loop 202 is neither legitimate and integral to ADOT’s mission nor is it necessary. The South Mountain Loop 202 would not be efficient or cost-effective. It would be more efficient to design a transportation mode that will strategically complement the realistic population projections, socioeconomic needs and current transportation modes to reign in urban sprawl and promote smart growth. It is not cost effective because it is going to be twice as much as other highway projects, 10 million of which would just be used to cover going through South Mountain. Having the highway through the ridges will require lots of maintenance, which will require ongoing costs.216

Population growth, socioeconomic development and limits to current transportation modes do not bear a manifest demonstrable relationship to going through South Mountain. There are numerous ways to accommodate population growth, create smart growth and invest and improve in present transportation modes and public transportation without going through South Mountain. As PARC and others suggest, there are alternatives that are comparably effective with less of a disparate impact. Therefore, there is no substantial legitimate justification for the disparate impact on the GRIC.

If ADOT wants to fulfill the purpose and need of reducing congestion and traffic and at the same time, follow the Arizona Transportation Plan, several alternatives offered by PARC are feasible: (1) Light rail along Possis Road but going through a small portion of the GRIC (with permission) rather than cutting through South Mountain; (2) 8-10 lane Loop 202 following Baseline Road from 31st Ave to I-10; (3) 8-10 lane Loop 202 from I-10 near Avondale going along the west side of the Estrella Mountains and then cutting between the Estrella and Maricopa Mountains. Then connecting the southern boundary of the GRIC to the I-10 north of Casa Grande; (4) 8-10 lane freeway along Route 85 from I-10 at Buckeye to I-10 at Gila Bend as a “real” truck by-pass; (5) 8-10 lane freeway along Route State Route 85 from I-10 at Buckeye to I-10 at Gila Bend as a “real” truck by-pass.


215 The proposed path of the freeway crosses environmental property now occupied 10 miles of Aravaipa. A group proposes to transform field conditions towards PRP. (EPLS) an estimated 1,200 acres of desert scrubland (FEC1), 3,000 acres of desert scrubland (FEC2), 1,200 acres of desert scrubland (FEC3), 1,200 acres of desert scrubland (FEC4), 1,200 acres of desert scrubland (FEC5) and desert in the areas around 1,200 acres and Vincent Farm in PRP. A new area just below the area is at the rear of the area of Aravaipa Creek Estuarine Area and Protection Area.)

216 Assurance Revolving Fund (PWARF), which is the state’s equivalent of a Superfund Site. (ADOT, West Run Water Quality, Private Bender, Arlington, August 21, 2014, 1:35 PM.) http://www.arizona.gov/docs/avondale/waterquality/warf/pwarf.pdf) By purchasing this contaminated land from ADOT, the state of Arizona would have to address the liability for the clean-up of those contaminates, along with the liability for adverse health impacts suffered by the local area. This would be an enormous environmental impact.

217 FHWA does not provide funding for continued maintenance of hillside road after construction. ADOT does not provide maintenance highway modern road funding so salient such differences from hillside—R and fitted maintain current measure of the original examination test management practice.
by-pass; (6) 8-10 lane freeway along one of the routes described in 2, 3, or 4, and remember it as the I-10 through Phoenix as I-110 or the like, making it obvious that it is for Phoenix traffic only. Additional alternatives are improve the Broadway Curve by applying good engineering directly to the interchange in that area; build a road to help I-10 traffic reach I-10 West, much as Pecos Road helps Ahwatukee reach I-10 East; and improve SR 85 to a freeway and reman the truck bypass I-15 to better facilitate and encourage all pass-through traffic to travel around the valley instead of through it.

Further, just by applying smart technology on existing highway, infrastructure projects would look entirely different. For example, traffic planners know solutions to alleviating congestion that could be applied to the Phoenix metropolitan area. For example simple solutions is a toll-free 311 traffic telephone system. Another technology is based on a network of freeway cameras and sensors that would measure and monitor the amount of traffic and predict how long a journey will take; information then could be fed to mobile devices and the electronic message signs on freeways that tell motorists how long it will take to reach certain intersections. Highway signs could also give alerts of traffic jams miles in advance and advise people to take detours. The signs could also signal lane closures miles before cars approach a bottleneck. Also, some cerrted lanes might be better off converted back into regular lanes. And, more signs urging slow traffic to stay to the right could also relieve congestion.

VIII. REMEDIES

For all the reasons above, ADOT violated Title VI of the Civil Rights Act by engaging in discrimination based on race, national origin, and national number. In order to provide effective remedies for the discrimination set forth in this Complaint, ADOT must:

(1) exclude any route for the proposed freeway that would go near or through the South Mountain or GHR districts not otherwise identified as environmentally significant by agencies; and
(2) adopt an environmental justice policy that will ensure compliance with Title VI for all current and future projects;

(3) and prohibit future federal funding to ADOT if the South Mountain Loop 202 is built.

Submitted by: Lori Riddle
on behalf of the Gila River Alliance for a Clean Environment.

253 PEC, Possible Alternatives as Staff, http://www.p44.10/0.188-promo/?page=103 (last visited June 29, 2013).
254 Id.
255 Id.
256 Id.
257 Id.
258 Id.
259 Id.
Gila River Alliance for a Clean Environment (GRACE)

EMBARGO UNTIL 7 AM TUESDAY JULY 30, 2013 Contact: Lori Ruddle 520-610-3405; Joseph Mone 520-610-4337
GILA RIVER INDIAN COMMUNITY TRIBAL MEMBERS TO SERVE ARIZONA DEPARTMENT OF TRANSPORTATION WITH FEDERAL TITLE VI CIVIL RIGHTS COMPLAINT FOR ADOT’S PROPOSED BLASTING OF SACRED SOUTH MOUNTAIN AND DESCRIBATION OF SACRED SITES IF SOUTH MOUNTAIN LOOP 202 FREeways IS BUILT
PRESS CONFERENCE AND SERVING ADOT WITH CIVIL RIGHTS COMPLAINT:
TUESDAY, JULY 30, 2013 8 AM
IN FRONT OF ARIZONA DEPARTMENT OF TRANSPORTATION 206 S. 17TH AVE., PHOENIX, ARIZONA

Phoenix, AZ – Gila River Indian Community tribal members and their community group the Gila River Alliance for a Clean Environment will have a press conference on Tuesday, July 30, 2013 at 8 AM to announce that they have filed a federal civil rights complaint under ‘Title VI of the United States Civil Rights Act against the Arizona Department of Transportation. The press conference will take place in front of ADOT, 206 S 17th Ave., Phoenix, Arizona.

Following the press conference, tribal members with the Gila River Alliance for a Clean Environment will serve ADOT with a copy of the civil rights complaint.

The civil rights complaint alleges that ADOT violated the civil rights of Native peoples of the Gila River Indian Community by proposing and promoting the South Mountain Loop 202 Freeway that would negatively and disparately impact Gila River Indian Community tribal members by desecrating their sacred South Mountain and causing disparate health impacts. The complaint is being filed with the United States Department of Transportation, as ADOT is a recipient of funds from the USDOT/Federal Highway Administration and is subject to the non-discrimination provisions of ‘Title VI.

‘Title VI states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Tribal members, a protected class of people, were discriminated against because:

• ADOT knowingly and purposely designed the South Mountain Loop 202 through the GRIC’s sacred South Mountain, despite recognizing and acknowledging that the South Mountain Loop 202 would have a serious and major disparate impact on tribal members culturally, spiritually, and religiously.
• ADOT purposely designed a narrow purpose and need for the DES based on inaccurate and false estimates of population projections and users of the South Mountain Loop 202 Freeway, narrow assumptions of potential alternative transportation modalities, and ignored the environmental and sociological consequences of creating more freeway rather than moving toward smart growth, eliminating any alternative that would not have a disparate and a negative cumulative effect on the Gila River Indian Community and its people;
• ADOT failed to analyze the South Mountain Loop 202’s disparate health, environmental, and economic impacts on the tribe and tribal members who already experience higher rates of diabetes and asthma that would be exacerbated if the South Mountain Loop 202 were constructed;
• ADOT provided inadequate consultation and informed consent, access, notice, and meaningful participation in the Draft Environmental Impact Statement scoping and planning to the Gila River Indian Community tribal members.
• The civil rights complaint requests that the federal government cease all further funding to ADOT if the South Mountain Loop 202 project is built due to the devastating cultural, spiritual and health impacts on tribal members that would unacceptably and illegally violate civil rights of tribal members.

In addition, the Gila River Alliance for a Clean Environment will be filing international complaints with UN Special Rapporteurs on human rights and fundamental freedoms of indigenous people, cultural rights, and freedom of religion.
RESOLUTION NO. GR-41-87

A RESOLUTION DESIGNATING THE SOUTHEAST MOUNTAIN RANGE (Minidaya, An'kawa) AS A SACRED PLACE AND TRADITIONAL CULTURAL PROPERTY OF THE GILA RIVER INDIAN COMMUNITY.

WHEREAS, the Gila River Indian Community Council (“the Community Council”) is the governing body of the Gila River Indian Community (“the Community”); and

WHEREAS, the Community Council on January 5, 1987, did adopt Ordinance No. GR-01-87 under Title XV of the Gila River Community Law and Order Code in which “[t]he term ‘Indian’ is defined as a member of a Community policy and legislative determination, that the public interest of the Pima-Maricopa people and the interests of all other persons living within the jurisdiction of the Gila River Indian Community require that the Community adopt a manner whereby all sites, locations, structures, and objects of sacred, historical, or scientific interest or value will be preserved from desecration, destruction, theft, or other destruction.”

WHEREAS, the Community Council through Resolution GR-15-89 did approve the Policy Statement of the Four Southern Tribes (Salt River Pima-Maricopa Indian Community, Ak Chin Indian Community, Tohono O’odham Nation, and the Gila River Indian Community) which outlines the Four Tribes intent to protect, promote, and preserve cultural affinity to the Hoof/Keem; and

WHEREAS, the Community Council has always held the preservation of historical, archaeological, cultural, religious sites as a high priority and recognizes the need to protect the cultural heritages of the Akimel O’odham (Pima) and the Pecos Pah (Maricopa); and

WHEREAS, the identification and authentication of sacred places / traditional cultural properties is the sole responsibility of the federally recognized tribes according to its unique culture; and

WHEREAS, the Community does recognize certain locations to be sacred places / traditional cultural properties based on the unique cultural and spiritual beliefs of the Akimel O’odham (Pima) and the Pecos Pah (Maricopa); and

WHEREAS, the Gila River Indian Community Council (the “Community Council”) is the governing body of the Gila River Indian Community (the “Community”); and

WHEREAS, the Community Council, on January 5, 1987, did adopt Ordinance No. GR-01-87 under Title XV of the Gila River Community Law and Order Code in which “[t]he term ‘Indian’ is defined as a member of a Community policy and legislative determination, that the public interest of the Pima-Maricopa people and the interests of all other persons living within the jurisdiction of the Gila River Indian Community require that the Community adopt a manner whereby all sites, locations, structures, and objects of sacred, historical, or scientific interest or value will be preserved from desecration, destruction, theft, or other destruction.”

NOW THEREFORE, BE IT RESOLVED, that the Community Council hereby does acknowledge and recognize that the South Mountain Range in its entirety is a sacred place / traditional cultural property and must be kept intact.

BE IT FURTHER RESOLVED, that the Community Council hereby strongly opposes any alteration of the South Mountain Range for any purpose that would be a violation of the cultural and religious beliefs of the Gila River Indian Community and would have a negative cumulative effect on the continuing lifeways of the people of the Gila River Indian Community.

BE IT FINALLY RESOLVED, that the Governor, or in his absence, the Lieutenant Governor, is hereby authorized to sign and execute such document as may be necessary to effectuate the resolution.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a) (7), (9), (10), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1980, and approved by the Secretary of the Interior on March 17, 1980, the foregoing Resolution was adopted on the 26th of April, 2007, at a Regular Community Council Meeting held in the Meeting Room, the proceedings of which a quorum of 45 members were present by a vote of 35 For, 0 Against, 1 Abstain, 2 Absent, 2 Vacancies.

GILA RIVER INDIAN COMMUNITY

GOVERNOR

ATTORNEY COUNCIL SECRETARY
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 presented a bypass bypass route that would reduce traffic and reduce noise and future expansion 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 increased traffic through the residential area 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-Bell 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;
Elderly Concerns Group
Motion Sheet

Date: June 12, 2013

Mr. Shem Gesake, District Seven Elder, made a motion that we no elders oppose

The Free way project and to keep them from destroying South Mountain.

The motion was seconded by Mr. Fred Anam, District Seven Elder.

Motion approved at the 22nd day of June 2013 by a majority show.

Of hands from the group.

Andres Samson 6/27/13
Secretary’s Signature

Mary J. Thomas 6/27/13
Chairperson’s Signature

July 2, 2013

I, Winnona Cahu, am a community member of the Cibola River Indian Reservation. My connection to the South Mountain is that it is a sacred mountain to our people. Also, it was most sacred to our ancestors.

There are many things that the mountain was used for such as ceremonies, there are stories about that mountain I was told by my elders, and there are plants that grow on this mountain that we use today for healing, eating, and blessings.

I wasn’t notifying about the meetings that they had about this freeway being built. I believe that they should at least notify people not just only landowners but members of our community that should also be included in this process that is coming to affect our reservation. Also, they should provide transportation for the districts or have meetings at each of the service centers. Some of the community members don’t have transportation to be these meetings were located at.

Our land and mountain is important to me more than this freeway. As I look towards the District 6 area I see a slight cloud of pollution. If we have this freeway there will be a huge cloud of pollution that will cover our land. It will affect our peoples’ health like asthma, lung diseases, asthma may be born with birth defects, and heart diseases. I am concerned about our future generations’ health and what they would have to live if this freeway is built. We get to look forward and think of their future before considering anything, because I remember when I was younger my grandmother would always say “This is your land and never let a white person take it from you.” Well, she said it to me is Pima; I understand what she was saying after she explained it to me.

Thank You,

Winnona Cahu
P.O. Box 1021
Sanborn, AZ 85147
(520) 562-1350
mwh@pacific.net
My name is Renee Jackson and I am a member of the Aklilu O’odham tribe also known as the Gila River Indian Community. I am writing this statement for two reasons, 1.) to give a supportive statement regarding the cultural significance of Mukudag (South Mountain) and 2.) to state my concerns regarding the Arizona Department of Transportation’s lack of cooperation and planning with the people of GRC.

As an Aklilu O’odham woman, I regard Mukudag (South Mountain) as a place of spiritual significance to the O’odham tribes. The mountain is central to the O’odham creation story and continues to be a place to hold ceremonies by and for the O’odham people. The mountain is also sacred to us because of the plant life we use for medicinal and ceremonial purposes and also because of the wildlife we hunt to provide ourselves. The construction of this freeway would greatly harm the wellbeing of the mountain and therefore will bring harm to the O’odham.

The manner in which ADOT has pursued the White River Community’s voice and cooperation regarding the Draft Environmental Impact Study and the planning process has been poor to say the least. There was very little communication between the GRC and ADOT. When community members were then made aware of public hearings and meetings, it was short notice and not sympathetic to our community members lack of transportation. Furthermore, when ADOT did hold a “Public Forum” in GRC, members were not to voice their statements verbally as others were able to do at the Phoenix hearing.

Most importantly, I feel that the possible construction of this freeway through our sacred Mukudag is a direct violation to my civil and religious rights as an Indigenous person. Also, as an advocate for my children, I wish to state my opposition to the Loop 202 expansion, aka, the South Mountain Freeway as I see it as a threat to their religious freedoms being that Mukudag is considered our most valued place of worship and must be protected for our future generations.

Renee Jackson
P.O. Box 10794
Rayville, Az 85121
rjackson15@gmail.com
(520)239-1634
Appendix C

My name is Joseph M. Monges. I am a member of the Gila River Indian Community. I am writing this statement to express my opposition and concern about A.D.O.T.’s proposed South Mountain Loop 202 Freeway.

It has a very strong connection to South Mountain. In my boyhood I left my homestead of Ahn, Arizona to attend Arizona State University. As a young woman far from home I was disillusioned to live in the city, but going to South Mountain helped with this transition. According to our oral history South Mountain is a sacred mountain to our people. Akimel O’odham legends and stories tell about South Mountain being the home of the deity for the tribe. There are also stories about animals and spirits passing through the mountain. We have learned to live in harmony with nature. We believe that South Mountain is one of the most beautiful places in the world.

At South Mountain, I believe that the proposed South Mountain Loop 202 Freeway is the health effects of our community. As a retired school teacher I am well aware of the rise in respiratory illness in children within the community. This proposed freeway will create the same problems as elsewhere in the valley. As a young mother raising a child in a new community, I often wonder how the quality of life will change with the freeway.

One of my concerns about the proposed South Mountain Loop 202 freeway is the health effects on our community. As a retired school teacher I am well aware of the rise in respiratory illness in children within the community. This proposed freeway will create the same problems as elsewhere in the valley. As a young mother raising a child in a new community, I often wonder how the quality of life will change with the freeway.

Another issue I wish to address in this way A.D.O.T. conducted the meetings for the freeway project. I was unable to attend the ORO1 meetings and only one meeting that I was able to attend was the ORO1 meetings held at Valley Forever. This freeway will definitely affect my health. This is the major reason why I don’t travel to the Phoenix metro area. It is difficult for me to breathe and to walk when I am in the area. I hope that the freeway will be built to be less polluting so that my health is not negatively affected.

In conclusion, I want to say that the recent report that the proposed Loop 202 Freeway is wrong. The destruction of our Sacred Mountain is not only a violation of our traditions and heritage, but detrimental to our health. Enough has been taken away from us already, why mess up our sacred mountain?

My name is Joseph M. Monges. I am a member of the Gila River Indian Community. I am writing this statement to express my opposition and concern about A.D.O.T.’s proposed South Mountain Loop 202 Freeway. As a central member of O.R.A.C.E. (Gila River Alliance for a Clean Environment) I have followed this issue for many years. During this time I have noticed the noticeable and both of us know that A.D.O.T. (Arizona Department of Transportation) has shown no respect to the people of the Gila River Indian Community. For this reason I am deeply concerned that the people of the Gila River Indian Community will be negatively affected by the freeway.

South Mountain is a sacred place of cultural significance to the people of the Gila River Indian Community. Oral history and legends state that South Mountain is the home of “Older Brother” (Fūs) deity of the Akimel O’odham Tribe (Gila River Indian Community Tribe). South Mountain was the once inhabited by our ancestors the Hohokam. The Hohokam have been acknowledged by archeologists, anthropologists and historians to be one of the first nations of this region. South Mountain is also a place of worship, sacred ceremonies are performed, prayer and blessings are given and desire is built to honor Fūs and our ancestors. Other activities such as the harvesting of the nagaimo cutis and gathering of medicinal plants occur at different times of the year. Because of the association of South Mountain, any destruction would be detrimental to the spiritual well-being of the people of the Gila River Indian Community.

Another major concern about this proposed freeway project in the health effects on the people of the Gila River Indian Community due to air quality. According to the 2001 Joint Air Toxics Assessment Program (JATAP) Gila River has a high level of Particulate Matter (PM) and Volatile Organic Compounds (VOC) in the area above the community. If the proposed South Mountain Loop 202 Freeway is completed the air quality over the Gila River Indian Community would be greatly altered for the worse. The U.S.E.P.A. (United States Environmental Protection Agency) “Germ Book” states that Maricopa County has been identified in Particulate Matter (PM) 10 since 1992. PM-10 is inhalable airborne particles that consist of a complex mixture of extremely small particle and liquid droplets made up of several components, such as organic compounds, metals, and soil or dust particles, which can cause an increase of heart and lung disease.

Short-term exposure to PM-10 can increase susceptibility to respiratory infections, aggravate lung disease, trigger heart attacks, allergic reactions in asthmatics, and increase the incidence of asthma attacks. Long-term exposure to PM-10 have been associated with increased lung cancer, chronic bronchitis, premature death, low birth weight in infants, premature delivery, and possible fetal and kidney death. Infants are not the only cases at risk to these types of ailments. Older adults, the elderly, children, active smokers, and people with lung and heart disease, recent studies have shown that people with diabetes are also at risk when exposed to particulate matter (PM-10).

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The Gila River Indian Community is not the only community to raise concerns over this proposed freeway project. The residents of Ahwatukee (in Phoenix) raised some of the same concerns about the South Mountain Loop 202 Freeway. As stated before I was a member of G.R.I.C.C. and I am also a member of P.A.R.C. (Protect Arizona’s Resources & Children) to protect South Mountain. One of P.A.R.C.’s major concerns is the potential for a hazardous material incident if an accident were to occur on this proposed freeway project. According to the maps in the U.S.F.S. and A.D.O.T.’s video presentation, the South Mountain Loop 202 Freeway would be within a mile of several schools, homes, and businesses that would have to be evacuated in such an incident were to occur. With too few exits and an ineffective emergency management plan the possibility for serious injury, long term illness or loss of life is extremely high.

The next issue I wish to address is the question of which A.D.O.T. has documented information concerning the South Mountain Loop 202 Freeway is the people of the Gila River Indian Community. The D.E.I.S. states that A.D.O.T. attended 18 meetings with the Gila River Indian Community. If this is true why did A.D.O.T. only attend a couple meetings with tribal council in over a decade? Who did A.D.O.T. meet with from the Gila River Indian Community? Why did A.D.O.T. fail to properly notify community members of public meetings, and why does A.D.O.T. acknowledge the cultural and religious significance of South Mountain to the Ahwahnee O’dam people but dismiss these facts by insisting on moving forward with the construction of the South Mountain Loop 202 Freeway.

As a member of the previous mentioned issues I would like to address A.D.O.T.’s handling of the 90-day public comment period concerning the D.E.I.S. I feel that A.D.O.T. miseducated and misinformed the people of the Gila River Indian Community. The D.E.I.S. was released on April 25, 2013. On April 28, 2013 A.D.O.T., M.A.O, the T.T.R. (Transportation Technical Team), Gila River Indian Community Executive Office, G.R.I.C. Law Office, G.R.A.C.E., G.R.E.Y. (Gila River Environmental, Youth) and the other grassroots and private corporation organizations met to discuss how community members would be able to comment on the D.E.I.S. Among the issues discussed was transportation to the public comment meeting in Downtown Phoenix, confidentiality of a meeting(s) in Gila River, issues with submitting comments online, and notification to community members about important meetings, dates and other relevant information concerning the D.E.I.S. comment period.

At this meeting A.D.O.T. agreed to hold one or more public meeting(s) in Gila River to accept comments on the D.E.I.S. A.D.O.T. stated at this meeting, but they would also provide free buses to the Downtown Phoenix public comment hearing. What A.D.O.T. failed to do was provide proper and concise information. A.D.O.T. never told community members that they would not be able to speak at the meeting in Gila River. A.D.O.T. also failed to provide adequate notice of this meeting. Although a notice was posted in the Gila River Indian Newspaper, this notice appeared in the paper only once on the day(s) prior to the meeting scheduled in Gila River.

Including I would like to state for the record that A.D.O.T. has not acted in good faith concerning the South Mountain Loop 202 Freeway project as it pertains to the people of the Gila River Indian Community. In fact A.D.O.T. has violated the Civil Rights of the Gila River Indian Community by knowing the significant and sacredness of South Mountain, but dismissing these facts with plans to blast through parts of South Mountain. In effect A.D.O.T. has discriminated against the Gila River Indian Community by preventing tribal members from participating in the comment process. The failure of notification of meetings held within the Gila River Indian Community, not allowing tribal members to make verbal public comments at the only public forum held within the Gila River Indian Community, and failure to provide the public notice promised to the Gila River Tribal leadership for community members to attend the only meeting that public verbal comments were accepted. A.D.O.T. has violated the Civil Rights of the residents of the Gila River Indian Community and should not be able to receive federal funding for the South Mountain Loop 202 Freeway project.

Joseph C. Mungan 7/22/2013
G.R.I.C. #1792
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(520) 563-3880
Joseph.C.Mungan@az.gov
My name is Laura M. Thomas. I am an enrolled member of The Gila River Indian Community. I am also a member of G.R.A.C.E. - Gila River Alliance for a Clean Environment. I am the founder G.R.E.Y. - Gila River Environmental Youth. I am also a member of F.A.R.C. - Protecting Arizona’s Resources and Children.

When I was younger, I recall being taught about our people’s heritage. Hearing the stories and being told about things that occurred many years ago in our culture. I remember being taught by my sissy that we come from South Mountain. Battles were fought, families settled, it was always considered to be home to our people.

In regards to this issue, I had been under the impression that the people of Gila River Indian Community had passed a vote for no build on the loop 202. This issue continues to be pushed upon our community after it has been said by the people we do not want this. The efforts put forth by A.D.O.T. (Arizona Department of Transportation) in the case of the freeway are a burden upon the people of the community. Each meeting they hold to try and convince community members to be in favor of the freeway is reaching a level of harassment. People have to take time out of their day in order to be able to attend meetings after it has been clearly said “we as a people do not want it”.

My people have been affected by chemical exposure. There are also many questions about health concerns that may arise because of the projected freeway. Air pollution, destruction of our sacred mountain, negative effects on the environment and the discrimination against our religious and cultural beliefs is why I’m against the proposed South Mountain Loop 202 Freeway.

Laura Thomas
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lthomas.1506@verizon.net

Faletiia Monga
Gila River Indian Community

South Mountain is important to me because it’s part of our heritage. There are many teachings that go with that mountain. Stories and songs that our forefathers generations carry on. To take the South Mountain away is a great impetus to the Gila River Indian Community. It would be losing a part of us even since.

I am the 3rd generation from the boarding school era. Because of that era that happened to our grandparents. Some of the stories and songs will be lost forever. Our communities as O’odham people on Gila River Indian Community need to salvage what is left of our lands. We can’t do it by putting a freeway through it. Learn to honor and take care of our lands.

By making change drastic is beyond the environmental issues, and the budget it will take is to put this freeway there.

It’s spiritually connected to all walks of life. A way to stay in balance for society to be whole as it can be. Nobody takes time to listen and learn to why certain places should be left untouched. Now days the average human being lives too fast paced. Just think of the present time. A long time ago we know how to think of the long term impact of ways of life.

Lift there is no fast fix. This freeway to travel as stated at previous meetings. A 20-minute interval to get to Palm A to Point B did not eliminate anything. A fast fix to life causes more problems you end up with a bigger mess than what you started with. I am against putting in a freeway through or by South Mountain. It’s a disruption to nature’s way of life.

I feel ADOT discriminated against us all at the last public forum held in Kumaute. Act. Gila River Indian Community members were not able to voice their public comments. No matter where the meetings are held, all parties whether you are against or for the freeway should be able to speak. No meeting should be one sided for any reason what so ever. That is very unfair. Again this is a fast fix to eliminate process that everyone should abide by. Good, bad, and indifferent. Every comment counts. No one comment should be left unheard or unaid.
C30 - Appendix C

July 24, 2013

Hello, my name is Lori Kajidl. I am a daughter of the Hoopa/Tamne nation and a daughter of Antonio Areli, the last chief of my people. I am an enrolled member of the Gila River Indian Community. I was born here; I was raised here; I live here most of my life and will probably die here. In my lifetime, I’ve lived here in my territorial land and in my confined reservation land, both in traditional territory and with modern conveniences. I was taught as a young girl how to gather, harvest, and acquire foods and medicine for personal use. However, I’m not a medicine person, a traditionalist, or anything like that. I’m just a modern day O’Odham woman who lives in two worlds and can balance both worlds. I pass this knowledge to my future generations. I am the co-founder, director, and a member of GRACE (Gila River Alliance for a Clean Environment), a grassroots organization that has been, for more than a decade operating to protect my community from hazards of all types around the community. In addition, GRACE has been educating the community about current events surrounding these issues. I also sponsor a youth group GRYL (Gila River Youth Environmental Youth), who also does the same thing (GRACE) does but geared toward youth in the community. I’m also a member of various other groups and organizations, not to mention have had or currently hold seats on various committees, boards, and commissions throughout the community. Visually, I am also a member of PAREC (Protecting Arizona’s Resources and Children).

Sometimes after the turn of the century events happened that set in motion my part of the equations. While being raised on the reservation I found myself living in a toxic superfund site. This began my environmental experience. I became knowledgeable of toxic substances, bioaccumulation, persistent organic pollutants, half-life and many other terms that kids such as myself shouldn’t have to learn. As I distributed information to my grandparents I began to find myself unknowingly being educated in the procedures used for awareness and cleanup processes. I was present for the original remediation of my family’s land and then again 20 years later when a bio-remediation was needed.

With this knowledge and background I found locally. Multiple issues in my community, one of these was the proposed South Mountain Loop 202. Taking a closer look I began to see the dilleculgness in this project and notice that there was virtually no public participation. Consultation seemed minimal at best, if any. I began to look at the data for the substance releases and persistence of those substances. Ultimately, any other project I looked at how these substances would impact Health and Human Life. As a family who’s been through the fire once, we’ve become quite aware of symptoms as a result of toxic exposure. In the document submitted there is evidence and reference to some of the knowledge related to exposures. Back in the day of our exposure there wasn’t enough information available.

My concern about the citrus farms, the Particulate matter 2.5 and 10 microns, Carbon monoxide and the multitude of other substances that would continually be present in my community is enormous. There is more concern because of the fragile and the natural makeup of our community. The heaviest impacted are the populations living directly between the natural barriers, the South Mountains and the Farella Mountain range. These barriers would most definitely keep these toxic substances in my community.

Currently, we live in a sleeping state that is full of the natural beauty that most Americans and people from all around the world picture when thinking of the well-known Sonoran Desert. As a privileged individual, I’ve lived in the western edge of the South Mountain and seen many beautiful sunrises and given many blessings to the day and the people based on those gorgeous sunsets. In addition, while working for my community I have gained knowledge of refiners, waste sites and waste data would be strongly impacted.

My people would be cut off from interactions with the mountains, a third party middleman of this information. I have heard that the engineers and designers have mentioned animal crossings that would be put in place but no mention of human crossings that would be needed to go from place to place. This needs to be addressed. My people need to be involved in the decision of what is best for the environment. During prayer, it’s important to be in a peaceful quiet area. I invited my daughter to complete research; she found that it takes multiple generations for an animal to learn their “new” crossings. During that learning time we lose numerous animals because of destruction of current natural barrier crossings. I have to mention the zero on the area on the reservation the southeast grows more abundantly around and on mountain areas, not so much in the flat lands anywhere. So naturally as we have our environmental harvesting activities, there is a greater need to gather the fruit in mountain areas. Lastly, we Akimel O’Odham as many other peoples acknowledge the spiritual properties associated with mountains. It is in my O’Odhem, our medicine as we have many of our O’Odhem stories that I recall her making jewelry and other delicious dishes for both personal and financial sustainability, yet another reason to have direct accessibility to the mountains.

There is an enormous concern about Hazardous historical残留物 through our community. If this were to become “the” truck route, it most surely will be the homefront material route. Since I sit on the CHERC (Chemical Tribal Emergency Response Commission), I have not seen local legislation for this freeway. I have not seen proposed policy to address what will happen in case a hazardous incident would occur on this proposed freeway. Currently, we as a community do not share our hazardous incidents and spills on the reservation by way of 1-10 (Sahuarita 10) freeway. Even though, where we look appreciated incidents on either freeway, it will be upholds and urges us to have damages in the already established freeway (1-10) and the proposed freeway (1-202).

There were very few meetings, very little public participation. The very few that were extended weeks after the LDS was released which was April 25th, 2013. The meeting was on April 30th, 2013 at 7pm in GRDC at the Governance Center.

Present were the TTT, Governor and Lt Governor (who is Chair of the TTT), various tribal department heads, a rep from ADOT (who I don’t recall, a rep from USDA, Senior Engineer Shih Hubbell as well as a few of the grassroots organizations. Represented were at least organizers from
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had seen this. The guide did say the community forums were going to be held in a different format. It also listed only 1 GRIC forum and listed it as tentative.

The meeting in GRIC was short notice. It went out to the community literally days before the event. Before this event at least three weeks prior one community organizer emailed a request urging GRIC to provide transport to community members to the meeting. There is a lack of community members without vehicles. No response. Lastly a few days before organizers and community voiced their concerns over the inability to voice, in open forum, their concerns at this meeting it was this time we saw the GRIC forum flyers for the first time. We additionally asked again if transport would be provided, they finally said yes, but we organized had to provide a list of community members who needed transport. This was not explained, it was too short of notice to gather all that information. The day of the GRIC forums were community members dissatisfied the lack of transport in openly voice their concerns. The video was looped, as posted on ADOT’s website, throughout the day.

Previously, While the TTT was going through the community with their presentation about the proposed loop 202 that I specifically TTT’s David White in two district meetings that I had attended one in district six and the other in district four. There were concerns about ADOT not coming to present the information themselves. The one older in districts six asked who they were working for? He (the older) stated that he felt like the TTT should not have been presenting this information but ADOT should have been the ones bringing this information to the community. That same concern was expressed at the district four meeting it was raised by an older woman (although not as confrontational as the one in district six).

In closing, I’m tired of fighting this monster of a freeway being pushed into our community. I’m tired of reading blogs, comments to news articles and discussion forums of people with a “Loopy calling, telling my people what: “You (in here) need to do.” Even newspapers editorial of a popular news outlet, stated how, “The GRIC should try and should that? I don’t know me that this freeway has successfully brought out the mental wear effect. It’s hello, unusal debate, arguments and full blown fights! This needs to stop and other we need to work on decrease of crime transportation, more technologies for a better cleaner, greater future for all our children.”

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So on the day of the Phoenix hearing May 31st, 2011 I ligament several hours. I only remembered Mr. Rob Hanlet from MAG, I approached Mr. Hanlet and asked him, “So who’s in charge here?” He chuckled but didn’t answer, I told him, “I’m back because I have some concerns.” I told him there’s a problem with the number that it is always full and was’t able anymore new messages, hit response, “Yes, we just found out today that it only holds so many messages (I think the number he gave me was 15)”. So told him maybe they need to try that for few times a day? The other thing I mentioned was that I had left a message on the number and called the message I had left the week prior. After that I said, “So how was this supposed to work? Because we could have gotten more tribal members present.” He shrugged his shoulders insaided, “Well it’s no later now.” Also on the day of the Phoenix hearing the participants received the small booklet “SMTN Meeting Outside”. This was the first time we as community members

5 groups. During this meeting we were given 3 copies of the DEIS to divide among our groups. A few days prior, a community member attempted to call to find out how to obtain a copy of the DEIS, she was told in order to get a hard copy she would have to pay 50.00 dollar. During the April 30th meeting they also advised us of the 30.00 dollar charge for hard copies. At this meeting they also told us that free bus service would be provided to the May 21st DEIS public comment hearing in Phoenix at the Phoenix Convention Center. Details about how the free bus rides to the hearing per the community members could catch the bus in two locations and even take the light rail, but no other details regarding the bus service were given. They also went through the scenario of what to expect at the hearing, how it would be set up, etc. At the beginning of the meeting the general rules set by the TTT’s David White and Stephen Leva both individuals head of the TTT. We were not allowed to speak anything else but what the process was going to be, at this point there wasn’t any mention that the Phoenix hearing would have some differences than the community forums. It was at this meeting where GRIC Li Gov. had to officially request that a meeting (or two) be held in GRIC for community members that couldn’t make the public hearing. At this meeting the members “first shot” and “How to participate” were distributed, that’s all I can recall.

A few times I attempted to call the number provided on the handouts, who also had a recording saying they couldn’t receive any more messages, the box was full, or something to that effect. I had also heard similar accounts from other people who were attempting to call the number. On the Thursday before the hearing I started to get worried because there was no further mention of free transportation besides what was relayed to us during the April 30th meeting. I called the number provided and was able to have an opportunity to leave a voice message in which I said something to the effect of: 10/01 my name is Lead Riddle from the Gila River Indian Community and I’m trying to get some further information on bus service, passes or vouchers for my community members. How will this work? Would someone give me a call on my cell #520-610-3405, thank you?

No Response!!!
1-8-13

He my name is Stephanie Thomas and I'm at Casa Rivas, Loma Blanca and I lived here all my life and I've been hearing about the mountain. I'm going on with the seasons. Mountain if I had the transportation I'd be there at all times, and I've been praying. Keep my eyes open in prayers. But most of all I hear what's going on and I don't like them trying to destroy the San Juan Mountain. It's been here for centuries and I really don't think they need to tear that down. Because it's our culture, our history and all. I can hear it's been kept with my family just to see the whole view of the mountain and the lake and it's a beauty. That I know most of the people who lived being up there and having family and even the scenery there itself. So I pray that the mountain will stay as it is if we can live in this world, they why? Can't the mountain stay. And as I used to live up there, we used to have like right access from the mountain. So I'm happy to have the mountain. And as I used to live up there, we used to have like right access from the mountain. So I'm happy to have the mountain.
I am David Van Henderson. I am a member of the Old River Indian Community. Our people have lived in the valley for centuries. In our minds, the land is sacred and we have lived on it for thousands of years. Our ancestors taught us to respect and take care of the land. As we grow up, we are taught that we must protect the land and that we need to protect it at all costs. South Mountain is one of our sacred mountains. At one time, it had been part of our Community. I am 21 years old and talk about everything that I had learned growing up and lost in the past. I knew that what we see as ‘mountain’ today is what we believe our ancestors taught us. I believe that the mountain is a symbol of our community, a place where we can find our identity and honor our ancestors. If we don’t treat it well, the mountain means the end of our community.

There are so many people that we don’t need the 202. Three the mountain! Placing the new highway will mean more people and all these people for our community. I can be sure that my children will never
My name is Alice Johns and I am a Child River Indian Community member. I am stating that my connection to South Mountain is that it is a very sacred place to me and my people.

I would also like to say that ADOE did not properly notify every one in our community about the meetings they had held about South Mountain.

I myself have not heard anything about these meetings until they have already passed. They didn't make it easy for me to get to these meetings that they have. I don't have transportation to go in to the city or to the fair to end of our reservation. I would like to add that it would be more convenient if they would have went to each district and asked each of us how we felt about this.

The health concerns I have about this project are that the exhaust would kill plant life that has been there for hundreds of years and can be a health hazard for the people that live near South Mountain.
Hello my name is Bernea Thomas and

I am from the Gila River Community
I am writing this letter because I felt

like I did not get proper notification

about meetings. I feel these are important

meetings to be part of. Are people feel

that the meeting is a sacred place

and we should respect it. I have a small

child and I don't want him to sick

from the pollution. I feel that the

freeway would be taken something

away from our people and ancestors.

Bernea Thomas

7213 N Knoll Drive

(520) 612-0247

Do box 16952

Belchertown, Arizona

= E51215
Frances Stevens. I am 13 years old. I am a Gila River Indian Community member and a member of G.R.E.Y. (Gila River Environmental Youth).

I am against the freeway to be built, because the pollution will make us sick also destroy our plant life. In the future even make our animals die or get sick.

First of all, I really don’t like the idea of this freeway/loop 202, because it can ruin our life in the future, make us very sick, what I am saying is that we have enough pollution on the reservations, that we don’t need more pollution to ruin our future family.

Second of all, the pollution will destroy our plants/crops that we make a living off, and also our trees! We need our trees.

The last thing I would like to talk about is why weren’t there transportation given to the community.
Almost everyday, I would sit on the top and pray. It gave me a good feeling within myself each day. I did this I would also see how close the house and started to come out. This was only the beginning. Now today I see more and more of the city that I had then it made me realize how many of these white people that are making trouble for me are not my cause and are prejudice of Indians. To speak of this mountain being destroyed has put a great hurt in my spiritual life. Because that has made God's Creation and people are wanting to mess it up for something that is not really necessary. The freeway today has been having a good enough purpose. Also this freeway being built would take away my grandchildren right to have a home but where, as well as my daughter. She has a part in this Indian about the freeway being built through all this day has not been notified of word. But the word was held. She only heard it from her aunt after the meeting and at this place I had to help the needs to be notified of all things, I don't know who these people are even working...
to build this Freeway, I don't know why they can't hold a meeting in each district so the people will know. Even though it is for land owners, but I feel it is going to affect the whole area. Especially with the living conditions at the time when the horses will stay and will continue to stay or will they move to other? I know it is like that, change is good. But in this matter I don't think so. I know if the people are still going to get the medicine, food, and soap for their health and spiritual needs. As we grow older, how can our tradition stay alive if we don't stand up for our community. I can see that there are more money been built out there today and if these people have to go then why are we wasting money when it could start going to a medical or other emergency need. Because by this Freeway, it seems we are all going to need a lot of medical needs especially at the speed limit and the air goes near the highway. As any one think that all of us, and said and mutual there could be. I don't know why many people climb that mountain. But you need to climb it and try a good look.
for the future in 10, 15, 20 years for the people that live out there. Thank you.

THE FACILITATOR: Thank you very much. Andrew Pedro.

MR. PEDRO: Hello, I'm from the Gila River Indian Community and I'm one of our community managers. I'm community manager, David White for Gila River, he stated that transportation officials were to be taking cultural awareness training, and has that ever happened for people part of the 2027? Anyone? And if it were, who would be taking those cultural awareness training classes? would it be construction? Would it be ADOT officials themselves? And in the DEIS it does say that if any uncovered cultural items, that construction would stop immediately. How are they supposed to know if training never happened?

And like Danielle said, it is a sacred place to us and we have been here thousands of years, you people have been here 200 years. And that thing in the EIS, except for saying that it could cause loss of cultural property that is like -- that's a violation of our religious rights, that is a sacred place. How is ADOT able to go through there with being that it's a public park and it's a public preserve, so it's owned by the public; how are you supposed to get those right-of-ways
in a public park?
So yeah, we are against this freeway and there
is nothing in the EIS that says that they stopped working
with the community to look into the effects of the
community when it's right on our border. And obviously,
it's going to affect us. And yeah, like people in
Laveen, they're on the other side of the mountain,
they're not going to feel it as much as we do.
And especially to our culture, how we live.
We're almost gone, most of our community lives in poverty
and most of the people there can't even speak our native
language. And it's not our fault, it's colonization's
fault for pushing us out of our own land. And right
here, right where you stand and where you're sitting is
traditional Akimel O'odham territory. And I hope that you
realize that and wonder about how it really affects us
and not just the financials of it, how it affects us
internally and spiritually. If we were to build through
one of your churches, I'm sure you would be standing here
where I am telling you that this is a bad idea, because
it affects your religious rights. Well, this affects our
religious rights.
If there's one corridor that separates us from
the mountain itself, that's a violation of our religious
rights and that -- yeah, there's supposed to be one

tunnel going under the freeway, that's unsafe and it
would affect our medicinal plants that we use culturally
that are going extinct and cultural animals that we use
in our culture: The owl, tortoise, Sonoran Desert
tortoise, Mexican spotted owl, those are all endangered
species that you're willing to sacrifice other species
just for progress.
Is that really how you want your kids to view
the world; do you want your kids growing up in pollution,
growing up with cancer, asthma, bronchitis, birth
defects? We don't want that for our community. Look how
bad it is already. We don't want none of that, so I just
hope that you look back into that.
And with the shuttles, I mean, nobody actually
got the shuttles, there wasn't that much effort put into
it from ADOT themselves, the community had to invite ADOT
to come to the community to give out information. They
weren't giving out any information before until the
community told them to. That itself is just disgusting,
how she said before, and how disgusting it is to see
people pushing this freeway, which they don't acknowledge
us as a people, being that we've been here before anybody
has been here and our ancestors go back. And what if
there was other people who came into this? This doesn't
affect just the Gila River Indian tribe, this affects all
tribes in Southern Arizona, being Tohono O’odham, Ak
Chin, Salt River Indian Community, culturally it affects
them and is disgusting to see how this is still being
pushed forward.

THE FACILITATOR: Thank you.

If anybody else who has not registered would
like to speak at the hearing, please make sure that you
register at the registration desk and then come before
us.

If you need additional time, please, if you
would like to make additional comments, please give your
comments to the court reporter. Thank you.

Harlan Barehand.

MR. BAREHAND: Good morning, sir. Thank you
for the opportunity to come and speak with you this
morning. I am Harlan Barehand. I’m registered with the
Gila River Indian Community. Thank you very much for not
putting it on our reservation, we appreciate that very
much. I hope that it will stay off our borders and into
the Ahwatukee and the Laveen area. And I think that we
can benefit financially through them, but our reservation
as it is is very small and we cannot afford to lose any
more land as it is. And history tells us that the
original Gila River boundaries is Van Buren on this side,
so you’re asking for Gila River land, but that’s history.
get my ideas and what I think about this thing to the people.
That's the whole purpose of the meeting, as to whether they're going to build the freeway or not. How are you going to build the freeway when you don't know what we think about it, except on paper?
I'm here to talk to you.
And that's wrong. That's not Indian way. That's another thing that I'm talking about, wanting to talk about, is Indian way. We have our way, our traditions, our culture. And you people, you Americans, we call you Americans. You Americans, you don't know Indian way.
Well, I'm here to tell you what Indian way is. And Indian way is still here on the reservation. It's alive and kicking.
And Vegas wants to build this freeway on there, and they're not even -- I called and found out, they don't even have any exit. What is it? 22 miles, that freeway is going to run? There aren't any exits on the reservation.
And Vegas wants to bring industry and business? How are they going to bring industry and business to the freeway when there's no exits.
The exit is going to be at 58th Avenue, off-reservation. All the State wants to do is put a road in here, for your convenience.
And the paper said that this is not going to be hazardous to the City of Phoenix. Do I care about the City of Phoenix? No.
I live here on the reservation. I am concerned about the impact of this freeway, that's going to have on our environment. We've got South Mountain here. We've got Estrella over here on the other side. Where is that smog going to go? Right here on the reservation.
And Phoenix, the State of Arizona, wants that smog here on the reservation, not in Phoenix.
From the very beginning, when Columbus came here and discovered -- to the Bahama's and to the United States of America, what it is now, they've been trying to destroy the Indian population, the Natives. They set out to kill us.
Germany, Hitler, they had their concentration camps where they annihilated the Jewish population. The United States is no different. The only thing is they don't call them concentration camps. They call them reservations.
They put us on reservations for why? To kill us off. But I've got news for you: We're still here. We're survivors.
They took -- The Government took our land, in Docket 214. And the attorney told me, we got 21 cents an acre for that land. That was $6 million to be split with Salt River, Al-Chin, and Gila Rivers. That's three -- $6 million. That came to 26 cents an acre. That's what we got for it.
And the Government argued: Because it was undeveloped land.

What do they mean, undeveloped land? The Pimas built canals all over this place. It was not undeveloped land.

We had an irrigation system here that's doing well today. Those same irrigation canals that the Pimas built are being used right now. It was not undeveloped land.

We didn't have 20-foot -- or 20-story skyscrapers. But I'll tell you what: We still had a skyscraper. We had a four-story building near Coolidge, the Casa Grande ruins today. Four stories high, a massive building. There aren't even four-story buildings in Casa Grande, in Florence, or Coolidge today.

And they have the nerve to tell us -- call us uncivilized? Heathens? They don't know Indian history. They don't know Indians like we know Indians.

I'm an Indian. I'm a Pima Indian. I was raised by Pimas. My first language was Pima. I was born on the reservation. I know what our history is.

I know what it is today: We're in a transition. And I don't like that transition.

This guy -- I wasn't going to say this, but I will now. This guy, what's his name? Joseph Perez. Punjers. I said -- I was talking to some young people in the computer lab, some time ago, and I says, "Who is this guy, anyway?"

And one of the young men there laughed, and he said, "I went to school with -- with Joey. He used to say, "I'm not an Indian. I'm a Mexican."

And now, all of a sudden, it behooves him to become an Indian because he wants to make money? So now he's saying, "Oh, I'm a tribal member. My family this, and my family that."

What kind -- What kind of stuff is this? I mean, that's not Pima way. He wasn't raised as a Pima. He doesn't even speak Pima.

And that's what I'm saying, is now, what we've got, we're in a transition, where that we have people like me, who know Indian life, who know Indian tradition and Indian way.

And we have the new generation, who don't even speak Pima and didn't even want to be associated as being an Indian. He's a Mexican.

Well, I'm glad to be a Pima because I know my heritage. I know my ancestors. I know their way of life. I know how they lived and what they did.

And I have something against those contractors that were at that last meeting, saying that they wanted -- that this meant 30,000 jobs for them and they wanted -- they wanted that freeway in there. Well, I'm sick and tired of them.

I've got news for them: I'm sick and tired of rescuing the American public, people, because we did that when the settlers came through. They had Indian scouts, Pima.
scouts. that went out in the desert and picked up the settlers
because they were dying from lack of water, dehydration. And
they rescued them, fed them, gave them water, took care of
their animals.

And now these contractors are coming to the Pimas
and saying, "Oh, help us. We want 30,000 jobs."

I've got news for them: They're barking up the
wrong tree. Let them go to their Government.

It was the United States Government that was
overseeing all this housing thing that went corrupt and
bankrupt and put us into recession, put this country into
recession. Hold those people responsible. Make them provide
jobs for them. Don't come to the Pimas and ask the Pimas to
provide jobs for them. We already did that. And I don't want
to do it now.

Now all we've got is 373,000 acres. This land is
for our children. It's for us to live on. The Government gave
us this land for our use, for our benefit.

And those contractors and the State of Arizona,
they're not Pimas. They're not Indians. Go on the other side
of the freeway -- or the boundary. Go on the other side of the
boundary and build your freeway over there.

They gave us 15 cents an acre for this land.

Don't -- You don't need any more. We're not giving you another
square inch. You go on the other side of the boundary and

build your freeways.

These freeways are like snakes: a freeway here, a
freeway there, a freeway here. Freeways all over the place.

We don't want any freeways on our reservation.

Where is all that pollution going to go? Right here on the
reservation.

Does Phoenix care? Does the State of Arizona care?

Does Governor What's-His-Name care? No.

We're survivors. And I'm here to tell you guys:

Take your freeway and go on the other side of the boundary.

You've got Baseline over there. Put your freeway
over there. And then don't put any exits on it for 22 miles,
and see what these people, these business people, have to say
about that.

A freeway with no exits? And these Rangea people
think they're going to get rich because they're going to put in
a freeway with no exits and they're going to put businesses up
alongside the freeway? That's disaster. That's failure
because people off-reservation aren't going to come to the
reservation, to their businesses, to do business, when they can
go two blocks down there from their house and go to Bashas', go
to Walmart, and Target, and all of those other places. They're
not going to come here.

Business is: Location, location, location.

Where is your location?
And they want to put business out in the middle of the desert, by a freeway with no exits? How smart are these people at Pangea? Who are they, anyway? We don't even know anything about Pangea. Who is this Joey Perez? Has he done land development? How successful has -- What's his history? Where is his money coming from? Who is financing this Pangea outfit?

They're paying -- They're paying people $50 a signature to sign those petitions. And where else is that done? Do off-reservation people get $50 when they sign a petition? They're doing it here.

And who is paying them that $50? Where is it coming from?

Joey Perez is just a front. I understand, his wife is a partner in this, too. He's just a front.

But who is behind it? Where is the money coming from? Who are the -- Where is the money?

And even those people aren't too smart if they want to put businesses out in the middle of the freeway with no traffic.

We're 22 percent unemployed here. And they expect us to go and buy from them? We're poor. We're poverty-stricken. And that's why those landowners want that freeway to go in there. They think it's going to be money for them. But it isn't.

They're promised $2,000, that they're going to get $2,000. But those landowners don't stop to think that land is fractionated land. What -- how that turn -- How that came about is that, when the Allotment Act was passed in 18--something -- '87, I think it was. When they passed that first Allotment Act, every Indian in the Gila River got ten acres. My grandfather got ten acres. His children got ten acres.

Then, when he died, then his children got a fraction of his allotment. And then his grandchildren -- who I'm a grandchild -- now I have interest in that land. So that's what this land is. That ten acres is fractionated.

When it's leased out, all the people, the allottees that have interest in that land, just get a fraction of the $2,000. But these people think they're going to get $2,000? Huh-uh. They're only going to get a portion of that $2,000, depending on how many people are in that land.

All of the landowners are -- They're not landowners because they don't own the land. They just have interest in the land. All of those people are going to get a portion of that $2,000.

So what are they going to end up with? We have hundreds of people that have interest in these fractions, one place of fractionated land, so that some of them only get pennies when that land is leased out. So how far is $2,000?
going to go?

And this is why I’m here to tell the people, to bring out these things, so that they won’t be taken in. They don’t -- They don’t think about this. All they see -- All they hear is: We’re going to get $2,000.

And where is $2,000 going to go, anyway? One lady told me she went to a meeting. They told her she was going to get $2,000. She said, “What am I going to do with $2,000? I can’t fix my car, pay my electric bill. What am I going -- What good is $2,000 going to do me?”

She said, “I left. I wasn’t interested.”

She was a smart one. She had it figured out. But, unfortunately, there are people that don’t figure it out. They don’t think.

And that’s what I’m here for, is to try to tell them: Look, this is what’s happening. This is what’s involved. These are -- These are all the things that are involved in this freeway thing.

[Ms. Chase speaks a brief phrase in Pina:] Don’t like it. Don’t accept it.

And -- and Joey Perez, and he wants to -- He wants to have another election on this? We already said, “No.” The people already had an election.

And here, here, I found this thing here. I didn’t get a copy of that. But read that.

See, that’s a -- This is a picture of the reservation. There’s Chandler and all these other places around it. And this is what it says here. It says -- I have to get my glasses.

This says: Shouldn’t community members be able to decide what is -- What is appropriate for the community?

We already did. We already decided. No, we don’t want the freeway.

But, you see, there’s a -- There’s a Indian way and an American way. We’re in conflict. And Americans don’t understand Indian way. Indian way, the people have already said what they -- what they wanted. Indian way, it shouldn’t even come up again. It’s been decided.

So how -- And I was talking to a friend about this. And I said, “Well, you know, this isn’t like a court hearing and one side loses and they ask for an appeal. We had an election, not -- not a court hearing. This shouldn’t be an appeal.”

And she said, “Well, if I think of it, I think that there was a Martin Luther King election, and I think they -- the voters went to the polls three times before they made Martin Luther King a holiday.”

I thought -- I said, “Oh, yeah, I didn’t know that. I forgot about that.”

So that’s a difference, right there, between Indian
way and the American way. American way, you can keep
petitioning and petitioning and petitioning and petitioning.
It's like a crying baby. The baby cries and cries and cries
until momma comes and gives it some milk and shuts it up.

So then -- And that's what -- That's what Pangea
is doing: Crying and crying and crying, petition after
petition, to get their way because legally they can do it.

But Indian way, Indian way, you can't, because we
already decided. We already told you: No, we don't want it.
Go away. Leave us alone.
That's Indian way.
And I said -- And that's the conflict that we're
in. We're in one -- we're in one -- We're in one life and in
another life. We're Indian way, living Indians -- living
Indian way, and trying to be living American way. They're in
conflict.

And we're getting this new generation of people who
don't know Indian way. And Perez doesn't even want to admit
he's an Indian, saying, "I'm a Mexican."

So what have we got here?
And I'm just here to say, to the people, that we
need to -- we need to -- If we're Indians and this land is our
land, we need to preserve it for our children. We need to be
careful about the environment. We have the Sierra Club now and
all kinds of other clubs that are concerned with the

environment.
I've got news for them: We had Sierra Club long
before they ever came along, because Indians didn't kill just
to kill. It wasn't a sport.
The Indians up north, they hunted buffalo. And
they used every bit of that buffalo for their -- for their
livelihood or whatever. They used the -- They used the hides
for tents, for clothing, for food. They used the whole
buffalo. They didn't go out there and just destroy it.
They did the same thing with other life. Deer,
they didn't go out there and kill Bambi's mother and kill
Bambi, too. They were concerned with wildlife.

They called the earth "Mother Earth," because
Indian way, Indian language, is expressive and they saw that
the earth provided grain, berries, rabbits, buffalo, deer, for
their food and for whatever they needed. The earth did that.
So that's why they called it "Mother Earth."

And they lived in harmony with their environment.
When those settlers came west and they saw the
buffalo and the beavers, all they saw were hides and money.
And that's the difference between the Europeans and the
Indians.

Our lives are different. We think different.
We're Indians. And -- and we live, many of us, just like our
ancestor did. And we've lost so much of -- of our way of life
now.  

My grandfather, when I was a little girl, our little dog, Tuffy -- I still remember his name. It was a little -- kind of, a little white dog with fluffy fur. That little dog was running in circles, yipping and yapping, and just wild. And we all stood there watching him, my brothers and sisters and I.

And my grandfather was close by, and he saw that little dog. He calmly walked over to the house and got a pitchfork standing up against the building. He took that pitchfork and he killed that little dog.

And I thought: Why are you doing this? Why are you killing our dog?

And it wasn't until I went to high school and had a science class and heard about cables, then I know why my grandfather killed that dog.

And that was the way the whole Indians were. They -- He didn't bat an eyelash. He saw the danger, and he moved. He didn't wait an hour, 15 minutes, or the next day. He took that pitchfork and he killed that little dog for the safety of us children.

And that's part of what I know Indian way is like. And that's why that I'm here, to say that there's still some of us that are traditional, there's still some of us that know Indian way.
Appendix C

1. jail.
2. My dad, because he was an Indian, raised Indian
3. way, put his head down, turned around, and walked away.
4. Yeah, American way. My grandfather could have gone
5. to prison for forgery. But Indian way, he won. And my dad
6. walked away and didn't do that.
7. So that's the way Indian way is. That's what I
8. know about Indian way. It's different from the American way;
9. And that's what I'm here, to remind these people that want to
10. do this: No, don't do it. Do like my grandfather did. He
11. killed that little dog for the safety of his children. Think
12. about your children. Don't give away this land because what
13. are your children going to have? Nothing.
14. I have — I have interest in my grandfather's land
15. now because he didn't give it away. He was poor. He didn't
16. have money. They were poverty-stricken. But he didn't sell
17. his land because in those days, those old people said, "Don't
18. sell your land. If you do, you're going to be walking down the
19. road with a bag of clothes. You're going to have nowhere to
20. live. You're going to have nothing. You save this land."
21. That's what we were told. That's how we were
22. raised. But some of our people don't know this.
23. This Joey Perez, he's not Indian way. All he's --
24. He's American way; greed, give me that money. Give me that
25. money. That's the way -- That's the way it is.

And I'm here to say, I don't want the freeway on --
1. on Indian land. I like our buzzards. I like our jackrabbits.
2. An elderly man at an elderly-concerns meeting said.
3. "I saw -- I saw two eagles up there on South Mountain. What's
4. going to happen to them once that freeway goes in?"
5. Because Indians live with their environment. They
6. care about the roadrunners, the quail. They learn from it.
7. I used to go to the old-time Farmers Association
8. meetings and hear the stories that they told. And the stories
9. were about the animals, and they lived with the animals. They
10. didn't -- They only took what they needed. They didn't just
11. kill them. They didn't destroy them.
12. That's why I'm saying that they were here long
13. before Sierra Club came along, and all of these other wildlife
14. programs and projects.
15. We lived that life, and I don't want to see it
16. destroyed. I want to save it for -- for our people and for our
17. children.
18. And, as it is, we have all kinds of pollution now.
19. We get asthma. My little great-grandson has asthma. I got
20. asthma because of our environment and the -- and the pollution
21. of the -- of the air.
22. But people don't think of that.
23. We're dying from diabetes. 80 percent of our
24. population on Gila River have diabetes. In 1909 they only had
one case of diabetes. Today, 80 percent of our population has 
diabetes.

Diabetes causes strokes, heart attacks, kidney 
failures, all kinds of failures in the bodies. Our legs are 
amputated. Our arms are amputated. And then we die.

And now they say that Alzheimer's is connected with 
diabetes.

So we're dying. We're becoming an extinct nation.
And that's bad enough, that we -- How they want to put a 
freeway through here and further pollute our air? No.

The people need -- Our people need to think about 
all these things and to think of what they're doing and not 
just be trying to grab that money because where is that money 
going to go, anyway? It's not going to go anywhere. You're 
not going to take it with you.

And you're just depriving -- These people are just 
depriving their children of land, of a place to live. So 
that -- that -- those are -- That was what I wanted to try to 
bring out, and these points to bring out to the people. And --
and to cry, both sides.

And those -- Those contractors need to be ashamed 
of themselves because all they want is 30,000 jobs. They don't 
care about the people here.

And when those jobs and that freeway is completed 
and those 30,000 people are out of jobs, what are they going to
else they could get. And that's been -- That's been the
intent, all this time.

And they're -- And they're still doing it. They
already got all our reservation land. I mean, not our
reservation land but the -- what do you call it, the -- the
Native lands where the Natives lived. They already took that,
That's where we got the 25 cents an acre. They already got it.
But they're not satisfied with that.
How they're coming on the reservation and wanting
our reservation land.

I fought more developers coming -- wanting to come
on our reservation and take our land, because they've developed
all of Chandler. They're up to our border now. Now our
reservation land is looking pretty good to them because
contractors, their mindset is: If they see a piece of land
that doesn't have asphalt on it, they're going to put asphalt
on it. They're going to put buildings on it. That's the
nature of the beast.
But that's not our way. We like our jackrabbits.

I live on a tribal home-site lot that's about an acre big. I
have rabbits. I have cardinals, doves, quail, all kinds of
birds, and owls that come to -- come to my lot because I
provide water for them. And birds love water: I've found that
out.

And they come to -- Even dogs, stray dogs, come to
my house looking for water. And -- and I have trees. And they
want the safety of my -- of my lot.

And I just found out we even have rattlesnakes. We
had found a little tiny rattlesnake on the porch. So even
rattlesnakes are coming to my house.

But -- but Indian way, these are all -- This is
part of my heritage, to live in conformity with nature. They
didn't -- They didn't kill animals just to kill them,
He had a -- We had a Gila monster one time by our
house, and my dad took that Gila monster and took it out in the
desert. He didn't kill it. And so but that's an example of --
of how Indian -- Indian way is, how Indian people thought and
how they lived.

And it's so sad for me to see that we're losing it.

For what? For money? For the greed of money?

And in the old days people didn't have money. They
didn't care about money. They put holes in nickels and made
necklaces out of them or put them on their shirts. You know,
that's what money meant to them. It was just a decoration.

And they were happy. I remember, as a little girl,
that we would go to Sacaton. And the church would take their
tamales and sell tamales. And they had -- They had baseball
teams playing against each other. They had rodeo. And people
were happy. People laughed and visited, and they were happy,

But it wasn't money that made them happy. It
was -- It was being social, getting together, relatives. We're all related. And it was people getting together. And they laughed and had fun.

I remember, as a little girl, that the girls used to hold hands, and they would walk around the rodeo arena in one direction. And the boys would walk around the arena in the opposite direction. And then, when they'd come together, they'd all giggle and laugh. The girls would giggles and laugh. And -- and you used to be able to -- Girls would hold hands, and nobody thought of them as being homosexuals. Now you don't dare walk down the street holding a girl's hand.

But so those are the -- Those are the differences.

And being 75 years old, I've lived in that generation. I know what it's like to be a Pima, what it's like to be an Indian, and what it's like to live in the -- in the Indian society, where that -- where that families, they live together and work together and help each other. If somebody needed a house, they all got together and built a house for them. Somebody needed their grain to be -- to be harvested. They all came and harvested the grain. They -- They lived together. That's the way Indian life was.

Today, it's different because Americans don't live like that. They put their grandparents in the nursing home somewhere so they won't be bothered by them. Now we're doing that.

So we're changing, and I don't think it's for the good.

And all we've got -- If all we've got now is -- is to fight for this freeway not to go through here, then we've got to do it.

And I'll just say, to that Pangee, Joey Perez, and all those people that are -- that are trying to put this freeway in, that there's still some of us here, some of us traditional, that we're still here. And we're still Indians.

We're still Pimas.

And -- and those people that were at that Phoenix meeting, they're a block that were opposed to the 202 Freeway. They're a block. And, if Joey Perez and his cohorts want to put that freeway in, they're going to have to go through that block.

And we're still Pimas, like the old Pimas. We're a formidable bunch. And you better look out because we're not -- we don't want it.

And -- and, as they said in the Marine Corps -- My husband was in the Marine Corps. And there was a saying. It goes: You feel froggy? Jump.

Joey Perez feels froggy? Jump.

So that -- yeah, he's going to have to reckon with some of us traditional.

And that's all I've got to say.
Pengoes got another petition. And so they brought it to the Council. And the enrollment or the secretary's office, they looked at these signatures, and they weren't right. And so I guess some of them were forged. They didn't really say.

But so they had a -- So the Council had a meeting on that. And Myron Scherers [phonetic] made a motion to clean up the petition, go through all the signatures and make sure they were all valid signatures. And the Council passed that motion.

But Annette Stewart, a councilwoman from District 5, didn't vote for it. And she gave her reason why. She said: They should just redo the whole petition, not just clean it up.

And -- and I'm in agreement with her on that. On account of the petition is one document. It isn't just this page and that page and all of the pages put together. It's all of the pages put together making one document. And, if any part of that document is fraudulent, then the whole document is fraudulent.

They need to retake that petition and redo it. And I'll go one step further, to say that the people that carried those petitions and got those fraudulent signatures shouldn't be allowed to carry another petition. And in my anger I'll even say that those people should be excluded from the reservation. We have people that are excluded. What that means is that, when people are so bad, they're -- they're run off the reservation.

And that's what they should do to these people because they're confidence people. And I don't know if they're men or women or who. But they take -- They get the confidence of the people.

These people that signed the petition are believing that everything is upright; everything is honest. And it isn't. And so they signed the petition, believing that everything is right when it isn't. And these people getting the petitions, signatures, they're -- They're confidence people.

And that -- What can be worse than to betray Indians. Way again is to betray people that have trusted you to do what's right. There's just no -- There's just no excuse for it.

There isn't even -- We don't even have a law. I think, about that because it's not our way. We don't have people that -- confidence men that come in here and gain the confidence of the people for their benefit and then turn around and stab them in the back. That's not Pima way. So we don't even have any laws that would cover that.

The only thing we have is exclusion. If -- if a family or a person is so bad, then exclude them from the
reservat. Throw them off.  
So and I think -- I would have a tendency to  
bet that, if we were living back in the seventeen, eighteen  
hundreds, they would do exactly that. I think that, if they  
found some body that was so bad, and so immoral, so corrupt, I  
think they'd -- they'd tell them, "Leave the reservation. Get  
out of here."  
I think that's what they -- that that would be the  
remedy that they would have for that. So I would -- being  
being somebody from the old ways, that's -- that would be my  
opinion on that.  
But, at least, what they should do is not allow  
these people who carry these petitions and get fraudulent  
signatures to go do it again. You -- When somebody robs your  
house, you don't open the door and say, "Come in, do it  
again. You didn't -- You forgot my refrigerator."  
So but okay. I guess that will be all.

Linda Allen  

Arizona Department of Transportation officials who are part of 202 planning were to have  
take cultural awareness trainings put on by the Gila River Indian Community, as stated by  
Community Manager David White. When were those trainings conducted, what GRIC  
department conducted them, and what were the policy shifts, if any, that resulted from the  
cultural awareness trainings? What scoping comments from these trainings went into the  
DEIS?  

Was the Section 106 process for South Mountain ever begun between the Tribal Historic  
Preservation Office and the Arizona Department of Transportation? If no, when can GRIC  
expect that process to start, in order to comply with the Religious Freedom and Restoration  
Act, as well as the National Historic Preservation Act? What outreach and scoping has ADOT  
done to the sister tribes of O'odham who also hold the South Mountain range as sacred,  
namely the Salt River Pima-Maricopa Indian Community, the Ak-Chin Indian Community, and  
the Tohono O'odham Nation? What outreach and scoping has ADOT done to the other tribes  
who have cultural affiliation to South Mountain, such as the Colorado River Indian Tribes  
and the Hopi Nation?  

If the freeway were to be built, what type of assurances are there that air quality  
assessments for Gila River and Maricopa County will be kept separate? Gila River has been an  
awarded a Clean Air Excellence award by the Environmental Protection Agency, and our  
community does not want any of our air quality measurements to fall under the Phoenix  
region, which has had sanctions from the EPA for withdrawing their clean air programs.  

On January 19, 2011, the Environmental Protection Agency Regional Administrator signed  
the Gila River Indian Community’s (GRIC) Tribal Implementation Program (TIP) into effect.  
The effect of this action was to make the TIP federally enforceable. The TIP regulates air  
quality within the boundaries of Gila River, and its purpose is to enforce air quality standards  
within the GRIC boundaries. The TIP contains ordinances that require GRICDEQ staff, tribal  
attorneys, and if needed, the GRIC tribal police, to assume civil and criminal enforcement  
actions against persons who violate clean air standards outlined in the TIP. If the E1  
alignment is built, and air quality monitors in Gila River exceed PM10 and ozone standards,  
what will be the procedure for Gila River to prosecute federal agencies or persons whose  
actions violate clean air standards within the TIP?  

On January 25, 2011 the State of Arizona withdrew plans for a State Implementation Plan  
(SIP) to meet particulate matter-10 standards in the Maricopa County PM-10 nonattainment  
area, thus tainting to comply with provisions of the Clean Air Act. By withdrawing the SIP, the  
State of Arizona triggered a January 31, 2011 deadline by the Environmental Protection  
Agency to begin a sanctions clock on Maricopa County, because the county’s air quality plan  
does not adequately protect human health. What air quality permits will the Arizona  
Department of Transportation have to secure in order to begin construction on the E1  
alignment in Maricopa County, especially in light of being under the sanctions clock by the
Because of South Mountain's religious and cultural significance to the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community, and the Colorado River Indian Tribes, building the E1 alignment will have an adverse impact on the exercise of Native American religious beliefs. If MAG, ADOT, and the State of Arizona continue with plans to build the proposed E1 alignment, these agencies and the state will be violating parts of the Religious Freedom and Restoration Act (RFRA), specifically as defined in 42 U.S.C. Amendment 2000ee-c.6. The proposed E1 alignment would introduce visual, atmospheric, and audible elements that would diminish South Mountain's cultural and religious significance. Many O'odham feel that South Mountain is in eminent danger from construction plans that will impact their sacred site for all time. There has been a lack of good faith consultation with O'odham traditional religious leaders, and almost a complete lack of diligence in the Section 106 process with GHRIC. When will ADOT begin to consult closely with O'odham religious leaders, and also inform them that the proposed 202 extension is also part of the Maricopa Association of Governments' plan to build the Sun Corridor between Phoenix and Tucson?

What type of government-to-government talks will ADOT disclose that they have done with Gila River tribal leadership to uphold the United Nations Declaration of the Rights of Indigenous People (UNDPRIP), namely Article 7 of Convention No. 169 which states that Indigenous and tribal peoples have the right to “decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control over their economic, social and cultural development.” Maricopa County is within the territorial boundaries of the U.S. and is subject to the laws, both international and domestic of the United States of America, and since the U.S. is a supporter of the UNDRIP, Maricopa County officials also are obligated to the UNDRIP’s articles and recommendations. Finally they U.S. Ratified the ILO Convention 169 (which is legally binding) and signed onto the ILO, which means they are legally obligated to its principles and conventions.

The cornerstone of Convention No. 169, on which all its provisions are based, is consultation and participation of Indigenous and tribal peoples. The Convention requires that Indigenous and tribal peoples are consulted on issues that affect them. It requires that these peoples are able to engage in free, prior and informed participation in policy and development processes that affect them. This means not just the Gila River Indian Community, but also Salt River Pima-Maricopa Indian Community, Ak-Chin Indian Community, Tohono O’odham Nation, Colorado River Indian Tribes and Hopi Nation, which are all tribes that have cultural affiliations to South Mountain. To ensure that the rights of these Indigenous and tribal peoples are protected and taken into account when any measures are being undertaken that are likely to have an impact on these peoples, scoping must be done by ADOT in those communities.

The proposed freeway is meant to be an I-10 commercial truck bypass to decrease traffic congestion on I-10 in Maricopa County. In the DEIS, the impacts of air pollution do not include vehicle emissions from commercial trucks originating from Mexico, which are fueled with diesel that does not meet the environmental standards adopted by Arizona. The air pollution models in the DEIS need to study the number of Mexican commercial trucks with destinations that pass through metro Phoenix, or whose destinations are in this geographic region. Those tons of air pollution need to be identified (what type of particulate matter it would be and the associated health impacts), quantified, and factored in to the analysis of air quality.

If living near a major highway adversely affects air quality, does it shorten the human lifespan, and if so, how much shorter is the human lifespan? ADOT or HDR has a legal and civil responsibility to bring in outside research and air toxology experts to explain how poor air quality affects the body, as well as pregnancy outcomes and fertility rates. The 2005 JATAP study must be included in the FEIS, as well.

Aerial photography must be added to the DEIS to show how many homes in Gila River would be destroyed by the path of the proposed project, as well as the acreage of Indigenous TCPs that would be destroyed.

South Mountain is a sacred area not just to the Gila River Indian Community, but to the Ak-Chin Indian Community, Salt River Pima-Maricopa Indian Community, the Tohono O’odham Nation, the Hopi, and to the Colorado River Indian Tribes. What type of scoping, community outreach, and hearings did ADOT perform in those communities?

What consultants from those communities were brought in to stress the protection of traditional cultural properties?

What types of protections are in place for NRHP-eligible resources in the South Mountain Park Preserve (SMPP)? Under Criterion A (association with an important event) and Criterion B (association with an important person) of Section 106 of the NRHP, the entire 10,600 acres of the SMPP is NRHP-eligible as a traditional cultural property. This means that the No Build alternative is the only action ADOT can take to protect the South Mountains.

The DEIS describes a fence to be built around an O’odham cultural resource, as a mitigation measure. Culture cannot be fenced, and the freeway’s direct and indirect impacts to this site must be brought back to the Gila River Indian Community, Ak-Chin Indian Community, Salt River Pima-Maricopa Indian Community, Tohono O’odham Nation, Hopi Tribe, and the Colorado River Indian Tribes (CRIT) before this resource is further impaired. Article 8 of the 2007 United Nations Declaration of the Rights of Indigenous Peoples (UNDPRIP) prohibits the “forced assimilation or destruction of indigenous culture.” Further analysis of direct and indirect impacts to Site AZ T12:112 is a basic human and civil right for the affected tribal stakeholders.
If the E1 alignment were built, there would be eight O'odham TCPs that would be indirectly affected, including petroglyphs, artifact scatter, and prehistoric trails. The E1 alignment completely destroys another TCP, something as in the path of the proposed freeway. The City of Phoenix is currently undertaking an NRHP-eligibility determination study of the archaeological sites within SMPP. Civil rights and human rights within the UNDRIP mandate that an evaluation of the traditional cultural properties be performed with direct consultation of traditional O'odham leaders BEFORE any route of the proposed project can be selected. Article 7 of the UNDRIP states that Indigenous and tribal peoples have the right to "decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control over their economic, social and cultural development."

The City of Phoenix, under the provisions of the Phoenix Mountain Preserve Act, is not able to sell South Mountain Park Preserve land to ADOT. ADOT would have to condemn 31.3 acres of SMPP land before it could be used for the proposed freeway extension. Under the 1964 Civil Rights Act, Native Americans are a protected class, and intrusions on Native American religious practices are illegal. How does ADOT plan to condemn 31 acres of an O'odham cultural resource without consulting with traditional leaders of O'odham tribes, as well as Hopi and CRIT? Article 25, Section 3 of the UNDRIP says that "states shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the Indigenous peoples concerned."

No action can be taken on the proposed freeway extension until the Tribal Historic Preservation Office responds to an August 17, 2011 document regarding NRHP eligibility of the South Mountains. Request that ADOT withdraw consideration of the South Mountain extension of the Loop 202 Freeway until all tribal stakeholders are directly consulted by the Tribal Historic Preservation Office about NRHP eligibility.

Because of the egregious lack of information in the DEIS, a revised DEIS must first be written by ADOT/HDR Engineering that adequately informs the public so that members of the public can make an informed decision about the proposed project.
Appendix C

valley between South Mountain, Moadjahk, and South Mountain, Moadjahk, to the Konadk, which is also known as the Estrella Mountain range, creates a bowl effect and all that pollution sits between -- in that valley.

Now, there's -- Konetke is one of the biggest villages that we have here in the Gila River. There's many children, schools, churches, Boys & Girls Center, and many, many residential homes. Now, there are already health concerns in our community, and the added pollution that this freeway would create is just adding to that problem. And I understand the argument that it's because the metropolis of Phoenix is growing, that we need to have this infrastructure in place now. I believe that money and effort could be put into the public transportation systems, extended light rail, light pass, et cetera.

What a lot of people fail to understand is we live in a desert. We have limited resources, and we have to think smarter about how we build. Another freeway is not going to alleviate the air pollution, as they state, it's merely going to -- it's merely going to move that pollution to our community.

The other concern is that the lack of information and the lack of participation that ADOT and M&U have given to the Gila River Indian Community, outside of this public forum. There has been little participation in getting information to the people of the community. I believe that everyone in the community has not had enough information about this freeway, and the fact that that lack of participation from the State to our community and the fact that this time to comment is very short is going to give it a skewed interpretation of how Gila River feels.

There was not -- there's not enough outreach to the community. There's not enough availability for the community to give their concerns other than these forums. I believe that this forum itself, today, is another way to silence the people of Gila River. There should have been greater emphasis of having community members be able to speak about how they feel about the freeway. Not just about the environmental, the health hazards, but more about culture and the significance of the mountains to us.

The Gila River Indian Community passed a resolution in 2007 declaring that Moadjahk, the South Mountain, is cultural property of our tribe. We find
that mountain sacred and it is equivalent to a church
to us. Any disturbance to our church is still a
disturbance, whether as much as ADOT wants to believe
that they are trying not to displace wildlife or cut
into the mountain more than they have to, it is still
a disturbance to the mountain, and to our spiritual
well-being as O’odham people.

I believe that -- I know that this
freeway system is important not only to ADOT and the
people of Phoenix, but it is barely -- it is merely
just another project for them in their transportation
system. Whereas this, protecting the mountain, is
vital to our well-being as O’odham people. There are
various stories that come with the mountain that
we’ve been taught, and that we are relearning. And,
in fact, this fight for this mountain has rekindled
that passion for protecting that mountain, but also
for sharing those stories as well.

There are many plants and animals that we
as O’odham people still hold sacred to -- that live
there in that mountain range. There are medicinal
plants that are available, there’s “shagoli,” there’s
also other foods that we eat from the cactus, the
“hashem,” these -- these plants are already being
affected by the pollution that’s on the mountain
today. It’s hard to find anyplace to find a clean
area to harvest these medicines that have not been
tainted with chemicals or air pollution. We have to
preserve those plants, not just as O’odham people,
but as people all of us collectively who live in
these deserts, these plants and animals are vital to
us.

Anybody who has a concern about
conservation of nature should know that this freeway
system, this mere project to the outside community is
going to be devastating for us all. This is not just
an O’odham thing. This is an everybody thing. We’re
going to -- we’re going to feel the affects of this
freeway system in our health and in our own
well-being.

This desert cannot support this many
people, and I know as we try and try and support and
accommodate for everybody, this society is eventually
going to collapse. It has been seen before,
historically, and it is going to happen again. This
place does not have the resources to house this many
people. Our aquifers, our groundwater is being
depleted. Our plants are being polluted. Our sacred
mountains are now being destroyed.

That’s what I have to say.
THE REPORTER: Thank you so much.

Proceedings concluded at 12:00 p.m.

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Dear ADOT:

Thank you,

Matthew Eberhart

Community Relations Officer

1005 W Jackson St. PO Box 1206

Phoenix, AZ 85007

602-712-2080

ADOT

Communications

From: Jeanne Hart [mailto:mondayslotsmore@cox.net]

Sent: Monday, July 15, 2013 2:02 PM

To: Projects

Subject: Loop 101 South Mountain Freeway Study

LOOP 102 SOUTH MOUNTAIN FREEWAY STUDY

Reasons for a "NO BUILD OPTION" of the Loop 102 South Mountain Freeway are as follows:

- The highway will become the CANAMEX Highway from Mexico to Canada which will allow the transport of hazmat materials through our community. Chemicals such as sulfuric acid, gasoline, and especially chlorine gas would be disastrous. Evacuation would be extremely difficult and would have a health and death impact. In order to mitigate this catastrophe shelters would have to be built in the community. An accident on the highway is all that is needed for the release of these toxic chemicals. Let alone that the tax payers would be responsible for the clean up.

- The highway is all about moving trucks through the valley from Mexico. They use high sulfur diesel fuel which is not allowed to be sold in this country.

- The highway will create dangerous air pollution due to transportation exhaust which is known to cause cancer. The Ahwatukee Foothills is at present one of the least polluted communities in the valley.

- ADOT spent $43,000,000 buying property along only one route (59th Ave.) since 1998, and not any other route. This shows bias toward their opinion of the proposed route. The study and legal process should have been concluded before the purchase of property. They violated this legal obligation.

- Use of 2005 data in the study is not valid any longer. They did not use the most current, updated and scientific data that is required by law. What about
omission of fact.
• "Due Process" was not afforded to the community by way of asking questions and getting answers. The technical substantiated information of the Environmental Impact Study was not provided at the libraries as promised.
• Property devaluation is expected to be about 30%. This is an unsafe community and the devaluation in property would significantly affect the state real estate revenues. The character of the neighborhood would change.
• It would disrupt schools, churches, personal property and the lifestyle of the Foothills residents. Some schools and churches that the community attend are now in jeopardy of being destroyed. The children who attend the remaining schools, churches and the YMCA would suffer an environmental impact because of the close proximity to the highway.
• The constant noise of the traffic would go against the reason citizens purchased property in the Foothills in the first place.
• Crime is a real concern for those living here in this peaceful, quiet community and the appeal would be destroyed. More police presence would be required putting a burden on the state.

Jeanne Hart
Appendix C-2, Gila River Indian Community Forum, contains documentation of the meeting held on the Gila River Indian Community to provide an opportunity for members to provide oral comments on the Final Environmental Impact Statement. The documents include advertisements for the meeting, a sign-in sheet from the meeting, and a transcript of the meeting.

On September 26, 2014, the Arizona Department of Transportation (ADOT) and Federal Highway Administration (FHWA) released the Final Environmental Impact Statement (EIS) for the Loop 202 South Mountain Freeway Study. Currently the Final EIS is available for a 60-day review until November 25, 2014. You are invited to attend the public forum for the opportunity to provide oral testimony or written comment on the Final EIS. ADOT and the FHWA have been invited to participate and will have representatives present.

The Final EIS is available at:
GRIC Service Centers
Ira Hayes Library
Online at azdot.gov/southmountainfreeway

Boys & Girls Club - Komatke Branch
Saturday, November 15, 2014
9am-12pm

If you are not able to attend the forum, you can still participate and give public comment to the Final EIS up until November 25, 2014 via the following:

Mail: ADOT Loop 202 South Mountain Freeway Study
1655 West Jackson Street, MD 126F
Phoenix, AZ 85007

E-Mail: projects@azdot.gov

Phone: (602) 712-7006

We are Here!
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Phoenix, AZ 85007
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Phone: (602) 712-7006
## Gila River Indian Community EIS Public Forum
November 14, 2014

### District 6 Boys and Girls Club

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
<th>Mailing Address</th>
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<tbody>
<tr>
<td>Patricia Williams Jr.</td>
<td>480-235-5824</td>
<td><a href="mailto:patricia.williams@yahoo.com">patricia.williams@yahoo.com</a></td>
<td>P.O. Box 967, Chandler, AZ</td>
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<td>Karen Fields</td>
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<td>Susan White</td>
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<td>654 Oak St.</td>
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<tr>
<td>John Williams</td>
<td>480-789-0123</td>
<td><a href="mailto:johnwilliams@email.com">johnwilliams@email.com</a></td>
<td>321 Pine St.</td>
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MS. KISTO: Good Saturday. Good morning. My name is Zuzette Kisto. I'm the communications and public affairs director for the community. For those of you that don't know me, I am from Sacaton, Arizona, where I was born and raised and I currently reside. I -- again, a member of the community. Just happy to be here to serve as your moderator today.

At this time we'll go over a few ground rules. So if I could have the lights turned down, please. Okay. Some of the ground rules I'd like to discuss before we get started is, first of all, I'd like for everybody to have mutual respect mutual, courtesy, and patience over -- are the event guide and principles to make everyone feel comfortable and welcome, regardless of their position on the study as we follow the ground rules listed below. The study video area -- the video will be shown later on in the agenda. And we are asking that while watching the video, please remain quite, and please turn off your cell phones. Put them on vibrate. And if you're going to have conversations amongst one another, we ask that you leave the room and have them out in the lobby so it's not distracting to the other people that are watching the video. And we also ask that you refrain from interrupting conversations between the study team members and group attendees.

SOUTH MOUNTAIN PUBLIC HEARING

(Public comments)

November 15, 2014
9:00 a.m.

Boys & Girls Club - Komatke
5047 West Pecos Road
Laveen, Arizona 85339

REPORTED BY:
Charlotte Lacey, RPR
AZ Certified Reporter No. 50859

SOUTH MOUNTAIN PUBLIC HEARING

(Public comments)

November 15, 2014
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REPORTED BY:
Charlotte Lacey, RPR
AZ Certified Reporter No. 50859
I think that is probably it.

We also do have an informational booth back in the corner. And the information has the final environmental impact study booklet. We also have facts sheet.

We have court reporters here in the left corner to take individual comments, and then we also have one here up front.

The restrooms are down the hall to your left.

And I think I covered everything as far as the ground rules are concerned. So you can turn the lights back up.

I would like to talk a little bit about the background. At Gila River Indian Community's request, representatives from ADOT and -- I'm sorry -- Arizona Department of Transportation and Federal Highway Association (sic) are here to listen to your comments about the proposed Loop 202 South Mountain Freeway. Comments heard today will be recorded and documented in the record of decision. The final decision-making document prepared by the Federal Highway Administration, the record of decision is expected to be available for public review in early 2015.

So we will begin the day with the welcome by Governor-Elect Stephen Roe Lewis. So I'll have him come up at this time.

GOVERNOR-ELECT LEWIS: Thank you, and good morning everyone. It's good to see everyone here. And I'd like to thank both the Komatke Community, District 6, and the Boys & Girls Club for hosting this.

And on behalf of the -- the Gila River Indian Community, you know, I think it's important that, by council action, that we -- council chose to hold this hearing in conjunction with -- with the -- the counterparts up on the State side, the Arizona Department of Transportation, because this is such an important issue.

And, of course, you know, we've had a prior vote on this, which was no build. And -- and so you have -- and you can access the community stats, because we have documentation for that as well, those of you community members who want some background on exactly like where your community stands on this and a little bit of the history behind this.

So I think it's important that we, as a community, weigh in on this last public comment period, which was referred to as the Final Environmental Impact Statement. And so this is right -- it's right before the final record of decision that will be made. So those of
At this time I'll have the representatives from the Federal Highway Administration and Arizona Department of Transportation come up to the microphone and introduce themselves. We'll start with...

MR. SAMOUR: Good morning. My name is Robert Samour. I'm a senior deputy state engineer from the Arizona Department of Transportation.

MR. ACEVEDO: Good morning. My name is Carmelo Acevedo. I'm the senior project manager with ADOT.

MR. BARNHART: Good morning. My name is Brock Barnhart. I'm assistant communication director with Arizona Department of Transportation.

MS. YEDLIN: Good morning. My name is Rebecca Yedlin. I'm the environmental coordinator for the Federal Highway Administration.

MR. HANSEN: Good morning. I'm Alan Hansen. I'm with the Federal Highway Administration. And I'm a team leader for planning, environment, right-of-way, and air quality.

MS. KISTO: Next we'll have introductions from the Arizona Department of Transportation.

You already did? Everybody did? Rob, did you come up? Everybody?

Oh. I'm so sorry. Okay. We'll go ahead.
and move on.

Right now in the agenda we will be watching the aerial flyover presentation. And before we begin that, the video is -- as part of the Draft Environmental Impact Statement process, a video simulation of proposed freeway was prepared. The video is a simulation flyover of the proposed freeway route.

At this time, if the lights can be dimmed, we'll go ahead and view the video.

(Video playing.)

MS. KISTO. Okay. So that's the end of the video. At this time -- I forgot to introduce -- do we have any members in the audience from the Gila River Technical Transportation Team other than Governor-Elect.

Would you like to come up and introduce yourself, Mr. Villarreal.

COUNCILMAN VILLARREAL: Good morning. I'm Councilman Villarreal, present from District 6. And I'm representing on the technical transportation --

AUDIENCE MEMBER: Could you speak up, please, because we can't hear you back here.

COUNCILMAN VILLARREAL: Good morning, everyone. Can you hear me okay.

AUDIENCE MEMBER: Yes.

COUNCILMAN VILLARREAL: My name is Anthony Villarreal. I'm a District 6 council representative. I am a -- I serve on the technical transportation team. I had to ask our CPAO if we even still existed, and I guess we still do, according to resolution, as it's been some time now since we've met.

But I'm glad to be here to hear all your folks' comments. Thank you.

MS. KISTO: Thank you, Mr. Villarreal.

At this time we'll go ahead and open the floor to the public testimony forum portion of the agenda. But before we do that, I'd like to go over some ground rules in regards to the format that we'd like to have established.

At this time, if you would like to provide testimony, please raise your hand, and we'll have Adeline and Shannon come around and give you a card. And what is on the card is a number. And it will be pulled out. And at the time that your number is pulled up, we will call you to the microphone to provide your testimony.

And then you can also go to the two court reporters in the left back corner if you feel you want to just have a one-on-one conversation with them. Or the court reporter here will take the public testimony that's here at the microphone.

So please raise your hand at this time if
My name is Albert Pablo, District 6 council representative. I'm glad to see we have a turnout here. And we're waiting to hear your public comments on this -- this final impact statement. So feel free to give your statements. Thank you.

MS. KISTO: So, again, does anybody want to make a comment? I do have a gentleman here, and we have received one card. But if there's anybody else, please feel free to raise your hand.

And I'd like to address a comment that was made by one of the attendees. She's feeling confused, which some of you may be feeling confused in regards to not being able to discuss question and answer with the representatives here.

That was actually afforded in the Environmental Impact Statement period, which has since passed. And right now we are in the Final Environmental Impact Statement phase, which we are affording opportunity, per council motion, to allow the community to provide public comment only in regards to the record of decision which will be completed in January 2015.

(Councilwoman Schurz, I see you.

Councilman Pablo, would you like to come up?

COUNCILWOMAN SCHURZ: Good morning, everyone. I'm Carol Schurz from District 2, Hashen Kehk, and I'm happy to be here to listen to testimonies and what our community has to offer in regards to what we're here to do today. Thank you.

COUNCILMAN PABLO: Good morning, everyone.
1 ahead and open the floor.
2 We are getting the card that was dropped off
3 at our table, the one card, but we'll go ahead and afford
4 Mr. Wayne -- and I never remember his name. I remember
5 his first name.
6 MR. NELSON: Nelson.
7 MS. KISTO: -- Nelson to go ahead and
8 provide public comment.
9
10 MS. KISTO: Yes. The tribal council did
11 make a motion in regards to the press release when
12 everybody voted, and they still stand by the members of
13 the community's vote.
14 (Question by audience member.)
15 MS. KISTO: Lieutenant Governor-Elect, do
16 you know -- or any of the members of transportation team
17 know if the community made a comment to the environmental
18 statement?
19 GOVERNOR-ELECT LEWIS: Can I refer this to
20 my attorney? We have the attorney here, Javier Ramos.
21 And a comment will be made on behalf of the community.
22 But this will be done by council action.
23 So Javier Ramos from the community's law
24 office is here for the benefit of all the community
25 members. So if you have any legal questions -- not
26 personal legal questions, but questions regarding the 202,
27 he's -- he's here to -- to answer all -- all those
28 questions and -- and procedural questions as well.
29 Because a comment will be filed on behalf of the community
30 and will be done by council action.
31 Mr. Ramos, is that correct?
32 MR. RAMOS: That is correct.
33 GOVERNOR-ELECT LEWIS: Thank you.
34 MS. KISTO: Okay. At this time we'll go
MR. NELSON: Good morning. My name is Wayne Nelson. I live here, and I'm a -- I'm a landowner in the area around 32nd Street and around 48th Street. My family -- my family owns probably about 60 to 80 acres there.

One thing that -- my comment really goes to our community. You know, back in 1998, the council that's present warned councilmembers at that time, the council that made this decision to halt or hinder the alignment and the borderland study process is really, in my opinion, a disrespect to the past council.

When they made the borderland study, it was -- it's a resolution. And it's still a standing resolution today. It hasn't been rescinded or amended. And this borderland study, this alignment was made by the past council because they knew this day would come on saving the mountain, whether to have the mountain disturbed or have an alignment that went south of it.

For this council presently, within the last five to six years -- and I was a member of the council from 2004 to 2007. And I've been going to meetings like this since 1998. And at that time, in 1998, this district was on board with this borderland study. Mr. Villarreal was a member of the community here that was in favor of the borderland study and this alignment that came to the community. And then all of a sudden, it gets thrown out the window, and they're going to fight against it.

This -- and this -- this issue here has never left us. But now I read in the newspaper that there's direction to fight this? The State and the Federal Highway? I mean, can we really afford that after the issue with the TO casino?

I mean, my -- in my opinion, that land there lays docile, and it's been laying docile for 40 years. And our past council and our past economic development director -- do we have an economic development department today? There's no plan for investing in the community's own people, the landowners.

And, you know, with respect to the governor, you want to make a statement on behalf of the community? That doesn't include the landowners. The landowners try to push to have a fair vote again, but it was dissected. It was torn apart. That's not fair. That's not the voice of all the people.

I mean, who -- who is making these decisions to have our attorneys start this action? Is it all 17 council? Is it a handful? I mean, I don't see that in the newspaper. I see the action sheet, but I don't see who makes these motions.

So my -- and -- and for my testimony is that
there's a vote, it's either yes or no. There's no I wish. I wish was put in. I wish the freeway would fly away.

That's what they voted for. Is that going to be a reality? I don't think so.

But that's how I feel when I see these things, when I see that land over here. And then all you -- all we hear, as landowners, is, oh, you're just money hungry.

I mean, stop investing in sports stadiums and all these other things and invest in your people, because mark my word, it's going to come. You want to throw some more money in making it come, I guess you guys can do it, sitting up there in those 17 chairs. You make that decision. You make everybody else suffer 5 percent of the budgets, taking the children's clothing allowance away.

I just wanted to share that, because that document is there. The document is still active. If you really want to see it, go to the council secretary. It's on a sheet of paper. It's right there. Free. You community members can have it.

I just wanted to share that, because I'm hearing all these things about a statement for the community. It took me almost a year and a half to get into the transportation technical team. And when I got in...
MR. WILLIAMS: Good morning.

It's kind of difficult to even try to say what you really want to feel because it's already happening. They're at the final stages of what we're looking at that's going to be your future, or our kids' future, the grandkids.

The problem I'm having here with is dealing with what we're going to look at as far as preservation of the area that is going to be cut on along the mountain range, as well as what they call the common point. The common point involves some tribe -- allotted land on District 7. And the way you saw the aerial video kind of gives you an impression that the cloverleaf is an expanded cloverleaf that's going to be broaded out and is going to take quite a bit of acreage. Now, what is the compensation here if there's any? Do we know? Does anyone know?

See, the other thing is when you look at that, you also look at -- because the common point or -- the common point is right at Elliot and 59th Avenue. If you go from there all the way to 51st Avenue, we're just below the entryway of the casino. In that area there south of -- west of that 51st Avenue is also allotted land.

Now -- you know, you -- you -- I don't -- I there, I heard everything going through, everything going through. But -- might seem unreal.

So that's my testimony as a landowner, as a community member, is that when we're going to respect the wishes of those who have gone on that made that decision in 1998? Because they knew that we would be here today.

I see that as very disrespectful.

Thank you.

MS. KISTO: Thank you, Mr. Nelson.

Again, if you'd like to provide public testimony, please raise your hand, and we'll bring you a card.

Next I'd like to call up Mr. Harry Williams.
But the thing of it is, you have to consider the fact that it's here. But the thing of it is, we do need to look at and be concerned about it. These are the issues that impact not only our environment, not only our air, not only our area, but also other things that are on the side, like the compensation of each of the areas that involve allotted lands or tribal lands. What are they doing? What is that all about? I have no clue. Do any one of you do?

So I'm really not in favor of it, of this going -- even though it's off our reservation, it still impacts us. But the thing about this all is that we're at this final stage. And my comment is to say to you that we need to be more vigilant as far as what needs to come to pass to protect our animals, to protect our artifacts and antiquities, pictographs, whatever on that mountain, and be well aware of it and continue to drive the forces that gives you to say that we are Native Americans of this land and that we protect our own land and that we carry on from there.

That sounded good, didn't it?

Anyway, these are things that we are -- need to be concerned of. It is here. And I -- you know what?

I'm going back to the common point. Common point at the -- at the Elliot and 59th Avenue area. If anybody
knows that area, is really -- one side is non -- nonmember, and then the other side is the tribal land, or the reservation. With one side, there's, you know, the family place there. There's two of them, really, along the ditch line.

And when you see that aerial thing there, it's like if they're going to cut into those people's lands, and I bet you ten to one they get tons of bucks before we get a dime out of our allotted land, you know.

But what do I know?

But my question is why didn't they make the common point at Baseline at -- what is it? 59th -- about 59 to 67th Avenue? You know, why wasn't the common point there at 59th? But when I looked at the drawing and I see where that all kind of points into where it is right now.

Anyway, that is my comment. And that is my input to you. But I would like to encourage you and emphasize the fact that we do need to be vigilant in trying to make sure that they follow the -- whatever it is after this, you know, aggressively so that -- make sure that we protect ourselves and the animals that we have on our reservation. Okay?

Thank you very much. Appreciate that.

MS. KISTO: Thank you, Mr. Williams.

Is there anyone else that would like to provide a comment?

Ms. Riddle.
1 you think they want the money, or do you think they want
2 their health? Which is important?
3               As a person coming to you with a lot of
4 health issues, I would say my health is more important
5 than the almighty dollar. I would say yours should be
6 too. That money is only going to last you so many years,
7 a short time. It's just a drop in the bucket. Your
8 health is way more important. Your children's health is
9 way more important.
10               The borderland study, I've already told the
11 tribal leadership that this -- this is an outdated
12 document, that there was no environmental issues addressed
13 in it. It needs to be revamped. It was started in the
14 '70s, when industry was big and heavy. But now that we're
15 finding out and -- how bad certain things are to our
16 health, that needs to be revamped with green technologies,
17 with green plans.
18               So like I said, I'm not -- I wasn't really
19 prepared, at this time, to speak. I know that there's
20 going to be plenty of people that are going to speak that
21 want the freeway on this reservation. But I'm going to
22 tell you, it's not good for the reservation. It's not
23 good for Ahwatukee. It's not good for Laveen. And we
24 won't realize it till it's too late.
25               Once that freeway goes in, it's going to be
LIEUTENANT GOVERNOR-ELECT ANTONE: Good morning. I'm Councilwoman Monica Antone from District 4 and the Lieutenant Governor-Elect for the community. And I'm here to listen, and I'm grateful that the community council had passed this resolution to have this open mic hearing for the community members to understand. And we need to hear what the people -- the voices of the people are as far as what’s happening with the freeway. And I'm just here to listen and would like to think, a little more researching.

But I do know that the council -- and I'm grateful that the council banded together to have this meeting today, to have the people speak their voice and their opinions about this freeway and what the impacts would be to our community.

Thank you.

MS. KISTO: Thank you, Ms. Riddle.

I was just informed that we do have some council representatives in -- that just came in the door. If I could have Sandra Nasewytewa come up and introduce herself, as well as Lieutenant Governor-Elect Monica Antone.
MS. NASHEWYTWA: Good morning. My name is Sandra Nasewytewa. I am a District 6 council representative. I am from Co-op Village. My mother is Pat Smith. My father is Marion Smith -- the late Marion Smith. My grandparents -- my maternal grandparents are the late Leonard Hill and the late Eva Brant Miles Hill.

I want to welcome you to our community. And I'm thankful we have this opportunity to voice our opinions. So thank you.

MS. KISTO: Okay. Is there anyone else that would like to provide public comment at this time? Again, for those of you that just arrived, we offer court reporting services back in the left end of the building. And that's more one on one, face to face if you choose not to come up to the mic. But if you choose to come up to the mic, then you'll be recorded by a court reporter here at the front of the auditorium. So you're more than welcome to come up.

Does anyone else like to come up and provide a comment?

Ms. Shelby, please come on up.
the people, have spoken. We even did it by vote. So I expect my council to fight it as hard as they can with whatever expenses they need to, to fight it, because we have spoken, and that's what this community wishes.

MS. KISTO: Thank you, Ms. Francisco.

Ms. Lopez, please come on up.

MS. LOPEZ: You know me. I'm going to say something. But first thing I object to is if they're going to do a presentation with the public here, I would think that the tribe, with all of its money, could afford another mic to where it could go back there and have the people hear what is going on, because when you're sitting back there, you can't even hear. And I'm sorry to say that a lot of you, we didn't get your names or your positions. But, you know, that is not your fault. But I'm just thinking about the community.

What I want to ask is that -- what I'm hearing is most of the -- this meeting was set up by the council. So I guess my number one question is what was the intent? You've heard over and over and over, the councilmen, the wishes of the community. We kept saying no. How many elections and how much money was spent on these elections when the community was saying no? So to the councilmen, especially those who are representing District 6, you know what the answer was.

So the other thing is that the councilmen are coming in. I would think that you would be courteous enough to sit up in the front so those who don't know who you are could at least say, oh, those are our council people and how many have taken the time to come over here.

But I'm really confused as to why the
We can't ask our guests any questions. But the team already knows the comments, the pros and the cons. So that's my question. I don't know. Maybe one of the councilmen can explain.

MS. KISTO: Thank you, Ms. Lopez. Would anybody from the -- thank you,

Councilman Villarreal. He's on his way up.
COUNCILMAN VILLARREAL: Thank you. And I want to thank Ms. Lopez for asking for clarity on this.

My understanding is that when this was brought to our attention, it was -- it was asked that we have another public comment hearing because it was -- they weren’t allowed to speak at the last one that they had. This is an opportunity for you all to come up, whether you support it or do not support it. This is a -- this is your opportunity. This is your time.

And I’ll read to you a motion that was made at the community council as bringing this forward if I may. This is -- this was on a regular council meeting held October 15th, 2014.

Councilwoman Jennifer Allison stated, “I make a motion that we move forward and have a council-provided public forum joining with ADOT for a -- for our community members to provide oral testimony on the FEIS, Final Environmental Impact Statement.” Seconded by Devin Redbird, councilman from District 7.

Second motion, Councilman Anthony Villarreal, Sr., stated, “I make a motion that the community council directs the law office to begin identifying a budget to support litigation in delaying or stopping the proposed 202 South Mountain Freeway after the second of -- after the record of discussion is finalized.”

Seconded by Councilman Devin Redbird.

So, again, the opportunity is here for you folks to -- to have your time to express your concerns or express support or express against it or have it on the reservation, what -- however you want to come up and speak. This is your time. We, as council representatives, are -- are available to answer any questions that you may have.

I’m sitting in the back, first of all, because I know it’s going to be a distraction to you all if somebody comes up and continues to corner me or ask me for questions or want discussion regarding specifics of this. So just out of respect to you all, I will be in the back to answer any questions or be able to be available to you if you need anything from me.

Thank you.

MS. LOPEZ: While you’re at the mic -- while you’re at the mic, can I ask you, when you’re saying that you want this meeting to be as a final push, I guess, for the council to -- to allocate some money for litigation, based on the first comments of when we first started to say no, no, no, shouldn’t that have been done then.
MS. BAREHAND: How about if I just talk from back here, and I think everybody can hear me.

I'm just commenting. I think this -- this public forum is a little -- a little bit too late, you know. The decision is already made for us through council. And we all heard who made the motion and seconded it.

I would urge all our voters from Gila River that vote to remember who was on council, who made these after your own wishes were ignored. We all voted against this. I don't know how many times it had to go through. And still they kept trying to push it through. And now it's going to be through. It's going to be a reality.

And then they have the nerve to tell us that we want to come over here and ask questions, yet we can't ask any questions of the ADOT people? What good is this going to do? It's going to be recorded by court reporters? And then where's it going to go? In the archives? On microfilm? Who's going to know we're making these comments?

Your council -- your governor-elect is here. The councilmembers are here. These people are the ones that we elected to represent each one of us. And yet do they at the district level?

And it's up to us too. You all should be
MS. KISTO: Thank you, Ms. Barehand.

Anyone else like to provide a comment at this time?

Sir, come on up.

going to your district meetings. If you don't vote, then
you're doing a dissatisfaction to your children, your
grandchildren, and your great-grandchildren. We all sit
here and say, well, look at us. They're pushing us around
again. They're doing this. You know, all white people
see is desert land. It's nothing to them.

Land is the most important thing that we
have for our own people besides water. And you all know
that. And where is our water? We don't even have any
water anymore in our rivers. Go by -- go over Salt River.
You go over all the rivers, and they're all dry. And
where is that water going? Who is it benefitting? Not
us -- not us Native Americans.

So I would say that you remember who voted
on this, who passed this measure. And it's just sad
because we are against this, and yet it's going to happen
to us anyways, just as it has for years past, centuries
past. We're still getting -- I hate to use this
expression, but we're still getting the shaft. And it is
not through our own doing. It's through our council
representatives that represent us. What are they doing?
They're representing what they think is best for us.
Well, sometimes, I mean, it's sad to say that they don't
know what is best for us. We can only say that ourselves.
And that's all I have to say.
MR. MORAGO: Good morning. My name is Joseph Morago. I'm a resident of District 3. I have been opposing this freeway for many, many years, mainly because of the environmental impact that it will have on our community. I have worked in our community for almost 20 years with the elders, with inmates, with the elderly. And in that 20-year period, I have seen an increase of asthma, heart disease, diabetes. Diabetes are now -- is now being related to environmental impacts.

This freeway will not help our community. It will not help the community off the reservation. It will not help anybody. We are destroying our future. We are destroying our kids. We're going to be like countries around the world that have to wear masks in order to be out where -- outside because of the pollution and the air.

Those of you that live in this area, in District 6 and 7, and us that live on Gila River, we know how the winds blow out here. We know how dusty it's going to be. We know what happens with the weather. It's not going anywhere. The swamp and everything, the pollution that's going to be coming from all the cars, the millions of cars that are going to be traveling on this road, is going to stay within these mountain regions. It's going to impact all of us. It's going to -- I have a two-month-old granddaughter. I heard her coughing this morning. What's going to happen to her when this freeway comes up? How is she going to be able to breathe?

What about the people that come -- the kids that come and play in this building? The freeway is going to -- they're going to see the freeway when they walk out this door. What about the Head Start that's over here? What about the school that's down the road? And these are -- these are just the people that are affected. The elders that lead over here at the service center here, they're going to see it. What about the new service center in 7? All of them are going -- our own hospital, when they go to be treated for these diseases, is right here, and they're going to be looking at this freeway.

Those that are on dialysis, those that are having all these issues, are going to see it.

Not to mention the cultural effects of our mountain. Us O'odham. All believe that this mountain is sacred to us. That is part of our Huhugam. That is part of our life.

You know, we worry about all the animals, about the wild horses. Our own casino is named Wild Horse Pass. This is an area for the horses. What about them? What about all the other animals? They're already saying that the Mexican jaguar can't even come and migrate this
it happens during rush hour -- we've all been on a freeway during rush hour. Nobody moves. Nothing happens.

You know, they talk about -- and the other thing that they talk about is these drainage ditches and stuff that I see in their video. Look what happened in South Phoenix when all the rains came this summer. Yes, they may say that's a hundred-year storm, but it's going to happen again. It will continue to happen. Who's going to be able to save our community? We need to stop this freeway.

You know, I don't take the attitude that there's nothing we can do. I've stood before MAG. I've stood before all these groups. I've stood before council. I will fight this freeway all the way. I will continue to fight. I understand how we feel about stuff. I understand everything.

Show me a plan that works. That's all we need is something that works. This is bad for our people. This is bad for our children. And we cannot let this freeway go through.

You know, I don't take the attitude that there's nothing we can do. I've stood before MAG. I've stood before all these groups. I've stood before council. I will fight this freeway all the way. I will continue to fight. I understand how we feel about stuff. I understand everything.

I went to a meeting in Ahwatukee last month. I almost got lost because there's no way to get out of there. If anything happens, people are going to die. Pure and simple. The emergency response can't get there. Nobody can be there. Evacuations are going to happen. If
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MR. ESCHEF: Hi. For those of you that don't know me, my name is Stewart Eschef. I'm from Salt River.

And I just want to commend all you guys that are saying --

THE REPORTER: I can't hear him. I can't hear him.

MS. KISTO: Excuse me, sir. Can you speak up a little bit louder, because our court reporter is getting your testimony, and she can't hear you.

MR. ESCHEF: Hi, you guys. My name is Stewart Eschef. I'm from Salt River. I see a couple of you I know among the O'dohams.

And I just want to say, you know, I commend you guys for speaking up, because we have the same issues back home, you know. Not a lot of people get involved with community information and things going on in the community. Then we -- you know, we have council as well. And, you know, the councilmembers, they're there to be the voices of the people. So if the people are actually saying no already, then the council has no other way to go but say, well, my people want it this way, you know, this is how we should do it, or this is how we should go, you know.

This ADOT and everything, like, you know,
over there on our rez, now we're starting to get sidewalks. And I was like -- it's cracking me up, because I'm like, dang, now we're going to have sidewalks. We're -- we're a rez, you know -- but, you know, so -- you know, from our O'odham over there to over here, you know, I just want to commend every one of you guys that are standing up for what you believe is right for your community and your land, you know. That's awesome. I'm proud of each and every one of you guys.

MS. KISTO: Thank you, Mr. Eschef. Anybody else? Please come up, make a comment. You're more than welcome to. Ms. Riddle is on her way back up.

MS. RIDDLE: My apologies. Our legal rep has -- gave me this document that they have prepared for us. I wanted it to go into the record. So "Preliminary overview of comments on the South Mountain Freeway Final Environmental Impact Statement in Section 4(f) Evaluation issued September 2014 regarding impacts to cultural resources."

"November 15, 2014. The agencies are noncompliant with the requirements of the Section 106 review process. The FEIS confirms the process is incomplete and only affirms partial proposed mitigations with no complaint. Pragmatic agreement at this late phase of the project, the agencies are noncompliant with the Handbook For Integrating NEPA and Section 106, March 2013, by CEQ, Office of the -- Office of the President, and the ACHP because they have not issued a Section 106 compliance agreement."

"In addition, the agencies confirm that there will be adverse effects and -- to -- would affect two sites South Mountain traditional cultural property, and one site contributes to the SMTCP."

"Did not sufficiently consult the tribes early nor consistently through the project, did not, therefore, have the input to properly spoke and identify cultural resources and TCPs missed or ignored as a..."
substantial part of public comment and our tribal input, as evidenced by comments within the FEIS.

"Ignored the community's position for a no-build option inside of this election as to why they must cause irreversible harm to Muhadagi Do'ag.

"Propose access to sacred sites by foot under the highway without assessment of the quality and hindrance of such mitigation proposal, for example, View Scapa.

"Have ignored volumus (sic) comments that have validated the mountain beyond the land itself, the View Scapa, and therefore have not properly assessed the full TCP.

"Claim that they have received no information about the value of air, ground, or water attributes during the consultation phase with tribes, so did not weight these values in its assessment and now claim Section 106 review and these components is now not required.

"The statement evidences the agencies' shortcomings in consultation and the devastating and inaccurate effects of noncompliance with Section 106.

"Argues that a fraction, 0.3 percent of the total area and two-tenths of the total mountain range, is impacted. But such a fraction only considers land and not other attributes missed in the faulty and incomplete Section 106 review process, thereby neglecting a true and accurate impact.

"Suggests that the mitigation managers will continue to reduce effects on the mountains, however, such measures are not secure. No timelines, other than up until the record of decision, the last day, is cited.

"Because the Section 106 process is not complete, faulty, and the records show that the agency now possess volumes of data to better assess and identify sites, the agency should immediately revise and execute full TCP studies for the many aspects they missed, correct the inadequacies of the reports, and avoid harm to Muhadagi Do'ag."

Thank you.

MS. KISTO:  Thank you, Ms. Riddle.

I see we have some new attendees that showed up. So I'd just like to give a brief overview of what we are doing here today.

On October 15th, the community council made a motion to have a public forum and include representatives from the Federal Highway Association as well as Arizona Department of Transportation. This public forum is to allow community members to provide public comment. You are more than welcome to talk to the...
MR. TASHQUINTH: (Speaking in native language.)
Good afternoon. I welcome you from ADOT or from the State or wherever you come from. I welcome you to the land of our people, the Akimel O’odham and the Pee-Posh. You are guests here. You have come to our lands again to bring this EIS study. We have told you -- in this district, District 6, we have told you no.
You come here, and you want to talk of this, and those mountains are already marked up. That’s what you do all the time. You say you want to come smoke the pipe, sit down and talk, let us hear what you have to say. But you don’t want to hear what we have to say.
We have been here for thousands and thousands of years. Our grandfathers, our great-grandfathers helped all of the American settlers coming through here, from the time the Spanish came, to the Mexicans, and to the Americans. Chief Antonio Azul made a handshake deal with the lieutenant that came through here. He asked to hold our horses. He did it. The Spanish government didn’t like it. They came up and demanded those horses. Antonio Azul said no. I made a handshake. I made a man’s promise. I’m keeping them. If you want them, come and take them. He had over a thousand warriors dressed and painted and ready for a fight.
1 After that time, our allegiance and our
2 loyalty no longer belonged to the Spanish Government or to
3 the Mexican Government. We gave our loyalty and our
4 allegiance to the American Government. We helped you.  
5 We protected your 49ers cross through here. Mercy patrols
6 ran through the desert looking for your people because
7 they were lost. We protected Phoenix. We protected
8 everywhere from the Apaches and the Mojaves and the Yumas,
9 all of the war-like tribes. We protected you. We took
10 care of you.
11 And yet you come here. You want to know
12 what we said? All the people that walked in with me? We
13 all say no build. We all say we don't want that through
14 here. You walk out that door. Look around. Look around.
15 Look around from Muhadagi Do'ag to the Estrellas. We live
16 in a bowl. If you put that freeway through here, you're
17 going to kill us off.
18 You better make sure that what you're
19 writing down right now, you write down this. The State of
20 Arizona will exterminate the Gila River Indian Community.
21 The State of Arizona and the federal government will
22 exterminate a tribe, an indigenous people, people that
23 have been here for thousands of years and have taken care
24 of you. And this is how you repay us.
25 We never went to war with you. We never

1 signed a treaty with you. We gave you our word. We gave
2 you our promise. Many of our grandfathers and
3 great-grandfathers served in the service, whether they
4 were in the Army, the Navy, the Marines, the Air Force.
5 They joined up. They fought alongside many of them, the
6 black, the white, Mexicans, Chinese, Japanese, all the
7 other peoples. And yet you treat us like this. You
8 disrespect us like this.
9 We already have a resolution that says no
10 build. Our council representatives, our governor, our
11 lieutenant governor, the newly elected ones and all those
12 past and present. That's us. We are the people. We have
13 spoken in that vote. 720 people have spoken and said no
14 build.
15 And yet you don't listen to us. You don't
16 hear us. You don't care about us. You want to eradicate
17 us. You want to exterminate us.
18 My question is why? Your Christian God
19 tells you to love one another. Your Christian Bible tells
20 you to take care of your brothers and sisters, not to
21 steal, not to lie, not to cheat, not to covet your
22 neighbor's lands and goods. And yet here you are, coming
23 back to us when we, the people, the Akimel O'odham and the
24 Pee-Posh people, have told you and told you, especially
25 here at District 6.
they will put it in their stories and their songs, and
they will sing about what we used to be and how we were at
one time.

All of the people that walked in here with
me, we have always said that.

Everybody, what do we say? No build.

AUDIENCE MEMBERS: No build.

MR. TASHQUINTH: What do you say.

AUDIENCE MEMBERS: No build.

MR. TASHQUINTH: Who are you.

AUDIENCE MEMBERS: Akimel O'odham.
Pee-Posh.

MR. TASHQUINTH: Who are you.

AUDIENCE MEMBERS: Akimel O'odham.
Pee-Posh.

MR. TASHQUINTH: There you go. We're Akimel
O'odham and Pee-Posh. That's who we are. Write that
down, that all the people that are here are Akimel O'odham
and Pee-Posh. And if there are other tribes that are here
or if there are any other supporters that are here with
us, then they back us up and support us, because we are
people. We are the children of God.

That's all I have to say. Right now.
And I want to be able to have someone read to me what's being said. Because I know you are only going to print lies and half-truths, only what you want to hear, because that was what was in that EIS. I had it read to me. It had nothing to do with us. You disrespect us. You dishonor us.

Well, you know what? Understand this. If it comes down to a fight, we will fight. If we have to go through the legal court system, we will get through the legal court system. But if it comes down to a fight, I guarantee you, children, you, adults, elders, we will all stand at that northern border, and we will stop you. We will lay down our lives, because we know if we die, we will be there in our Heaven, because that is the home of Elder Brother, our creator.

Write this down and listen to all the people here. We have all said no build. Listen to us. We are Akimel O'odham and Pee-Posh.

Thank you.

Ms. KISTO: Thank you for your comment.

Mr. Tashquinth.

Ms. Spring will be up next to provide her comment as well.

MS. SPRING: I don't know how to follow that up, but I'll try.

I would like to tell you that this FEIS is incomplete. It does not speak to the Gila River Indian Community people. It does not take into regards any of our people. It doesn't have any statistics from our community. It doesn't say how many people live in 51st Avenue. It doesn't say how many people live in the circles. It doesn't say anything about our clinic being right there, our dialysis center being right there. It doesn't say anything about the new school that's going to be built there. It doesn't say anything about this Boys & Girls Club, how many people attend this Boys & Girls Club. Has no numbers, no figures. They could care less.

That's why we say that you're racist. And that's why we say that you don't care about us. And that's why we say that you're disrespecting us. Not because we just think that, but we read your book. And your book doesn't say anything about us. You could care less about us. Certainly doesn't say anything about our culture, you know. How could you understand our culture? You don't even listen to anything that we say, at any time do you do that.

We are still here. We still visit our mountain. We still give thanks to our mountain. We
And anybody that lives around here, I mean, you should know, if you look out your window, down towards the Phoenix area, nothing but clouds of smoke all over the place. And so South Mountain protects us from that.

And if they build a freeway, which they anticipate -- I don't know -- 150, 200 vehicles per day coming in here -- and that was one of their justifications for building it, so that 17,000 vehicles wouldn't travel to 51st Avenue. But, no, we'll just allow 150, 200,000 to come through, you know. That's no justification.

Anyways, that all of that smog, all that smoke will be trapped here. And you know where you live at. You should know that you live in District 6 of the Gila River Indian Community. That means the river runs south. It goes down south. Everything is sloped down south. Everything comes this way. So it will be a big bubble, and it will just go straight down.

And then it won't just stop there. Maybe in a hundred years, your grandkids -- think about that. Your grandkids, our grandkids, the ones that will be our future generations, they'll have to live with this now. All the smog that's trapped down here, it will start going, creeping up towards your own districts, if you live in District 4, if you live in District 3, 2, 1. I mean, where else is it going to go? There's no place else.
We just came from there. We were all just there. We ran from over there -- well, I didn't run, but my friends did. And it's all taped off. It's all yellow taped, black taped off right where you're going to blow up the mountain, you know, build your little freeway for people --

Oh, if you didn't know -- and I don't know who has read this FEIS. I'm sure not too many people. But let me enlighten you that it says that they'll save 20, 24 minutes at the most on their commute from Phoenix. Which has nothing to do with us. We don't have -- that commute saved time. That's how much this means to them. That's what they want to do.

Anyways, as I was saying, blasting up the mountain, where's all that dust going to go, all those particles going to go? Huh. I don't know. Maybe towards 51st Avenue and all over us. I mean, you're going to be breathing in those toxins. Your kids are going to be breathing in those toxins. Your little grandbabies are going to be breathing in those toxins. They're going to be out here playing in their little field, thinking everything's okay. The whole time, they're getting poisoned, 'cause you know, carcinogenics from the freeway, from the emissions, those travel. They're little
they feel about us. We're just one of those things that happens while they build that freeway. Too bad for you.

Thank you.

MS. KISTO: Thank you, Ms. Spring.

Anybody else?

Roberta.

And then -- I'm sorry, but your Facebook name is popping in my head. What is your real name?

MS. JACKSON: Renee.

MS. KISTO: Renee. Then Renee. So we'll do Roberta and then Renee.

tiny little particles. They get stuck in your lungs and your everything, and they cause cancer, you know, bronchitis, you know, asthma, all those types of things.

Your kids, your grandkids.

They don't care. They don't live out here. They could care less. They have no concern. It's not in here. Believe it. If you don't believe me, here. You can read our book. You know, I'm sure they have some out here. You can ask them. They don't talk about it. They could -- no. They don't care. Just letting you know.

Protect the animals? There's protected animals in that mountain, our sacred animals that have been around for way longer than any of us have been around. They mention them. Oh, too bad for them. Pretty much what it says. They're not going to have a habitat, especially for the wild horses that run wild. They're not going to be able to have -- be in that place.

Not only does it say that, you know, the wild -- the turtles, the eagles -- there's eagles that nest around here. I'm sure many -- well, many of you might not know that, but they are. They're not going to have -- this all affects their wildlife habitat. It's in here, but they just say, well, that's just one of the things that happens when you build a freeway. So too bad.

That's just how they are. And that's how
MS. TACALLA: Good morning. My name is Roberta Tacalla. I come to tell you guys that, you know, I'm against this freeway.

AUDIENCE MEMBER: Can't hear you.

MS. TACALLA: One of the main reasons --

AUDIENCE MEMBER: Roberts, pull it down, the mic.

MS. TACALLA: Can you guys hear me now.

MS. TACALLA: My name is Roberta Tacalla, and I'm a Tohono O'odham, and I come from the Village of Santa Rosa, but I was born and raised here in -- well, born and raised in Phoenix but grew up in Sacaton.

I'm familiar with this area because of the O'odham territory that extends within the boundaries beyond -- if you were to -- you know, if you were to take away the boundaries, this land would expand all the way into Phoenix.

But I'm against this freeway just because of the fact of how many times have we seen so many drug cartels coming through from Tucson to Phoenix? It opens the door again to our families, the violence, the crimes, the pollutions.

And I'm against this. I'm against this because I have -- standing here is my grandchild, which is from this district. And it means a lot for me to -- to represent and be strong for him. I'm his voice. And many others within my family -- I have four grandchildren. I have a mother that lives here in this community but not in this particular one. She's from District 4.

And so I come up here, again, it's because I want you guys to think about the pollution, the crime, the statistics that are not in that book.

I haven't read through it, but at the same time, I'm hearing stories, and I see it. I see it firsthand coming from Tucson. I see what this -- this drug cartel has done. And this opens the door from their end all the way up to Canada. And a lot of people don't know that.

I come straight from the border, and I see this every day and what it's doing to my community, the pollution. I mean, you guys may sit there and not think about the negative. But there are negatives. And, again, I come because I want you guys to understand that my children are being affected and what this, our land, our elders have always said; do not sell your land.

And this is the land that we have, what little we have. We have politicians in here. We have government in here. They need to -- they need to understand for their people and what this means to their
MS. JACKSON: Everybody hear me? All right.
Good morning. It's still morning.
I want you to know that a lot of us have
been awake and been planning and been preparing for this
day for at least the last week. The runners, all of us
who have come through here had a journey this morning
while you were probably still in bed or getting dressed.
We started at the -- at where the proposed blast site is.
We rode in a pickup truck there, dusty, and got blessed.
And we heard about the mountain, and we heard -- we sang a
song, and we were blessed by Mike here.
And then very brave men, women, young girls,
elder women, they ran for you. For you. All the
community members that are in here. Not to be too
disrespectful, but I don't really care about what these
people are here for. We're here to talk to you, because
you're going to stop it. We're going to stop this
freeway.
So we could come in, and we could reference
the FEIS all we want. But let's be honest, they don't
care what we have to say. Our comments about Elder
Brother, about Muhadagi Do'ag, that doesn't mean anything
to them.
We can talk about the pollutants. We can
reference their wildlife, and -- we can reference all the
community out there to understand that -- the negatives,
because if you guys haven't and you guys think that you
can brush it away, it will come, but, again, our elders
did say never sell this land.

Thank you.
MS. KISTO: Thank you, Ms. Tacalla.
And next we'll have Renee come up and give
her public comment.
discrepancies in the PEIS. It doesn't matter. Because when the ROD, the record of decision comes, they're going to build it. They're going to try to build it. And let them try.

But what I came here to tell you is about what happened this morning. So that group, they set out, and they covered the route on our community, but the route where that freeway will be coming through. Some fell behind. Some were -- it was tougher than a lot of them had anticipated. Some of them aren't runners. Some of them are seasoned runners. But they helped each other.

We have people here from all over the community who came to run today. All just within the last four days we decided to do this run, to do this, to be here with you. Last minute these good people came together. Yesterday they sat underneath the tamarack and made signs. Read those signs. A lot of their children wrote those signs. They made those signs. What could be more pure and more important than the voice of a child saying that we want clean air, the voice of a child saying we don't want to destroy our horses. We want to live in a clean environment.

So that journey began, and those people helped each other. And it wasn't necessarily a long run, but it was a memorable one, and it was a journey for us all. We all stayed together. We all remember what we're doing, why we're doing this. And when we were coming in here, we knew we were in a better place and we were in a stronger place to come and speak to you today.

So while I do -- of course I do encourage you to make those statements at the court reporter and look at the PEIS, see the discrepancies. See how minimal attention our community gets in that big report. And then also think about this. And I will say it. Our community, our own community, our own tribal leadership should have done a better job of dissecting this information and getting it to the people in a way that we could all understand.

And I don't mind saying it, because I went to the table and had a meeting with our tribal leadership. And I was one of the few who were there. There are things that are supposed to be in this form that we agreed on that aren't here. The resolutions were supposed to be blown up so you could all see. The motion that was made in the past by the elders concern committee where they said we, as elders, stand against this freeway and to protect the mountain. They have said that.

And it's not here. We are the voice. And we have to go through every one of you and tell you, be strong. Be brave. Be courageous. We can do this.
1 going to give in to the things that are all plaguing our
2 community: drugs, alcoholism, poverty. I'm going to do
3 something. We all did do something.
4 And if this is it, then do it. Make a
5 statement. Speak up. Start talking to your people. This
6 isn't over.
7 And I told my daughter, who did run the
8 whole -- who ran all day today for us, for our family.
9 And I told her one day when we were driving home -- which
10 I will also mention that my children have always gone to
11 school in Ahwatukee. We've lived in Ahwatukee for a
12 while. I have a lot of concern for that community as
13 well.
14 But I told her that one of these days, maybe
15 in 15 years, you're going to still be fighting this.
16 Remember what we did. Remember who was there. Remember
17 what your elders said.
18 Don't give up, everybody. Don't give up.
19 What they don't know is what's coming. This is just the
20 beginning. We're not going to stop. We're going to keep
21 fighting.
22 And that's all I want to say.
23 MS. KISTO: Thank you, Ms. Jackson, for your
24 comment.
25 Anybody else like to come up and make a

1 Look, we don't get any compensation. I'm a
2 landowner. My parents are a landowners. We have land in
3 that freeway corridor. That land doesn't belong to them,
4 my parents. It doesn't belong to me. And it doesn't
5 belong to my children. It is for all of us.
6 Never have I been so upset at the lack of
7 respect that these people have for us. We've been doing
8 this for several years now out of pocket, on our own time.
9 I want you, community members, to look at these people.
10 We are not troublemakers. We are not all these things
11 people want you to think we are. We are just simply
12 people that said no.
13 Look around our indigenous communities,
14 everybody standing up. Everybody has their own battles.
15 Everybody's fighting those battles; elders, young people.
16 This is our battle. This is our battle. That is our
17 sacred mountain. You need to stand up. Don't be afraid.
18 'Cause when it comes down to it, where do you want to be
19 in the side of history? Where do you want your family's
20 name to be? Do you want your family to be a family that
21 stood up and fought, that helped?
22 Now, I don't -- I am simply just a community
23 member. I'm simply a mother, student, somebody who works
24 and really cares, has deep love, deep love for her people,
25 a person that just woke up one day and said, no, I'm not
MR. PEDRO: (Speaking in native language.)

Thank you guys for all coming out today, and thank you for everybody in support of us fighting the freeway.

And like everybody said before -- I'm sorry if this seems very repetitive, but ADOT is racist. They hold up resolutions. It's in the FEIS. They hold up resolutions for other surrounding communities where they've gone, but not for the Gila River Indian Community. That definitely shows their amount of bias towards us. I mean, we voted, and there's been district resolutions. Council passed resolutions that they don't want the freeway anywhere, not on the reservation or not off the reservation. And the last time they were here, they had signs that didn't even have the right information. And then they told us that, well, it's correct, but it just depends on how you understand it.

Now, we have -- Muhadagi Do'ag is sacred. It's a sacred mountain to us. But not only that, there is a lot of Huhugam and Hopi O'odham sites there. There's pottery scattered. There's whole villages there. There are two main villages in the pathway of the freeway. And in the FEIS, they are called Pueblo del Alamo and Villa Buena. Now, those are ancient villages of our ancestors, the same people who looked upon the mountain, who prayed...
upon the mountain, just as we do today.
And yet they have no concern of that. They
say they'll mitigate on how to not impact it. But when
you're -- you know, when you're bulldozing a site, you
know, that's already affecting it.
And also, this is not only part of -- the
Loop 202 is not only part of the Arizona system, but also
the south corridor is the future of capitalism in Arizona.
And capitalism is not paid in favor of indigenous people.
We are here today, in the reservation, because our lands
have been stolen by Milligan. And they --
You all live on stolen O'odham land. If you
live in Arizona, Southern Arizona, from Phoenix down on
into -- deep into Mexico, you're on occupied O'odham land.
And you need to understand that, because this is our
place. And we are all indigenous people. But where are
you indigenous from? And you're not giving the respect
that we deserve from our area. And you get respect from
your own area. We are all indigenous people. But where
are we from? You've got to remember where we're from.
Now, the Loop 202 is a -- is a part of a
system to enhance trade, international trade between the
U.S., Canada, and Mexico. It's called the CANAMEX
Corridor, and some even call it I-11, that it will -- I-11
will go all the way from Canada into Mexico. And do you
know they -- this helps facilitate trade and -- through
border militarization? This helps them facilitate in
trade.
And like Roberta said earlier, drug cartels
use these same roads and affect the same people. We're
all here. And we all said no. And I've told all of you
people -- I've seen every last one of you at all of your
meetings before. And whatever it takes, by any means
necessary, we will stop this freeway.

MS. KISTO: Thank you, Mr. Pedro, for your
comment.
Next we'll have Ms. Shelby.
by the fact that the EIS statement didn't make reference
to Gila River. Well, that's because Gila River isn't
involved. It's not on our land at all. So what comments
could be made if they were going to be affecting --
directly affecting Gila River? And it isn't.

Overall, we do have those impacts, yes,
coming from the freeway. It's going to be rough, I think,
because, personally, I -- I see that it's coming whether
we like it or not. But that's also because that's what
progress is called. I mean, we have to wake up to that
fact.

And what -- what I also saw was the fact
that the impact that -- without -- without that freeway,
the impact would have been on 51st through Beltline
through Riggs. That traffic would have tripled within ten
years, had not this bypass been created.

And even today, I don't like the traffic on
that -- on this route today. The only time that -- it
made me remember when I was a child, the traffic that we
had through there was when we had to close off 51st to
Maricopa Road on the same road because of the fire we had
back in -- near Maricopa. They closed off the roads
because they had the looky-loos come through. And it was
such a quiet road, that it just took me back to my
childhood.

MS. SHELBY: Hi. I'm Lisa Shelby from here
in District 6 community.

I guess I didn't really want to say
anything, but just hearing the other comments being made
and also from what I've seen in the video -- and that was
kind of my question, which would have been to DOT. But
the -- by the fact that, in viewing the video and the --
showing the -- the route for the freeway, I saw like --
like a yellowish line alongside that freeway. And I'm
thinking that's our borderland. So, in fact, it would
be -- the freeway would be on the Ahwatukee side, meaning
off reservation. And it flows all the way up to here,
where we are -- basically through South Mountain. So it
was saying to me that the freeway isn't on our land.

And I think that was the main issue in the
beginning, because in the beginning, we were shown two
options or three options. One was off; one was on. And
we all got excited because of the freeway showing on our
reservation.

And I'm also hearing today that DOT is not
listening to us. But, you know, they did by the fact that
the alignment is on the other side of the border. It's
not on our land.

And what was bothering me is the fact that
we aren't being listened to. But, yes, we are. And also...
MS. ORTIZ: Hi. My name is Anna Ortiz. My -- I'm kind of nervous. My -- my mom's people come from the village right here in Santa Cruz. My dad's people come from Tijo. I've been here all my life. I wasn't going to say anything. And I just heard a lot of things -- a lot of things that I have something to say about. When you guys came, did anybody offer you something to eat? Something to drink? Everybody can point fingers and say, you know, it's because this; it's because of that. But this is our home. Yeah. Our people, we're here from way before. But what are we now? When the lady was saying you don't have to say why it's important; you don't have to tell what the story is. I know the story. But my little girl sits back there, at 12 years old, and I've never told it to her. How many of you guys and your kids and your grandkids know the story? The councilman came up, and he said there wasn't a budget to defend what we proposed. But our tribe gave how many millions of dollars to name a stadium after us. Really? And how many times do you read in the paper...
they're giving away money to outsiders, people that -- for
what? I'd like to know for what. I've never asked. And
maybe I shouldn't.

When we're all talking about it, when these
tings come up in our houses, in our families, between one
another, we have things to say. I know I do. When it's
just me and my mom or me and my sister or me and just
somebody I can be rude with, I have a lot of things to
say. But I've never, given the opportunity, stood up and
said anything about what I feel about how things are and
the way that we take care of each other.

Our kids, yeah, we could talk about our
kids. But how many of us send our kids to school every
day regardless? How many of us -- is it so important --
i -- I was wondering that just before all these kids came
in. Where are all the kids at? Why -- why didn't anybody
bring their kids? How many -- how many people younger
than me know what's going on and what it's going to cause
and all these issues?

For us -- well, for me, I don't trust a lot
of people. And it's hard to send my kid to school where I
can't pick and choose, okay, yeah, you can be her teacher;
no, you can't be her teacher.

But in our community, we have a choice.

We're supposed to be all related, and we're all supposed
to help each other. And we're talking about what's going
to happen to us. It's not up to anybody else but us what
happens to us.

And our future, yeah, it -- it's up to our
kids. And I worry. I worry. Because I've worked with
kids from the time -- from 2002 to right now. The class
that I have, there's only one kid -- one kid -- they were
eight graders when I was working there. And there's only
one that is now pursuing higher education. Just one out
of all those years that I worked with the school.

And just like that, when we vote for our
council and... I -- I stopped voting. I used to be
dedicated to the cause and go. And I used to go to Santa
Cruz. They used to have us go vote in Santa Cruz. But
for some reason, something that I never understood,
something that made me mad was they didn't have them
vote -- the villagers in Santa Cruz, they didn't vote
there. We had to come to District 6. And for why ever --
I don't even know why it made me mad. But I didn't want
to come vote somewhere else that wasn't where I could
vote.

And all these outsiders, it's scary. When I
was younger, they used to take us to the community
meetings where we used to have to ask them for money when
we were doing something or -- and I haven't been to a
because. We have to tell them, you know what? You pick -- you dropped that trash, you pick it up. You see trash, you throw it where it belongs. The things that we teach our kids and the things that we want them to know, it takes us to be those good people to make sure that they come up behind us and they have the same beliefs and they do the same things that we do.

It’s hard. But I trust that if there’s enough people -- all you guys, you guys are here, and you cared enough to be here. And that says something about all of you. And I thank you all for letting me see that, because I thought, when I came here, I was going to see like five, six people. And this is way more than I thought I was going to see.

And it’s my fault for -- for not coming and trying to know what’s going on myself. But I can talk a lot of stuff about the things that I think without knowing anything.

Thank you for the education. Thank you for the true facts that I heard that I didn’t even know myself. Thank you for making me angry enough to want to do something about it.

I hope that all these kids, the ones coming up, even the babies, find it in themselves to feel something and do something. The people that can. ‘Cause,
1               **MS. HUNERGARDT:** Thank you, Zuzette.
2               Can everybody please hear me? Thank you.
3               First of all, as I sat here and listened to
4               everybody speak, I hear you with heavy hearts. My heart
5               is heavy too. I heard Ms. Shelby speak long ago about the
6               progress. Times have changed. She's so right.
7               I remember coming back home, as a child,
8               over 50 years ago -- I'm going to just say over 60 years
9               ago, so you can figure out my age as I stand here.
10              But as a child, I remember seeing that Gila
11              River run. I remember seeing it go bank to bank. I
12              remember seeing my grandparents -- I'm a Perkins from
13              District 1. I'm also -- those are my paternal
14              grandparents. And my maternal grandparents are Ellas from
15              across the river.
16              But what I want to say, I remember, many
17              times, my grandparents, we'd go visit one grandparents;
18              we'd go visit the other. My grandfather would wade --
19              he'd take a walking stick way out in the middle of the
20              river to see, can we cross the river. Sometimes he would
21              take a child on his back to see if he could get to the
22              other side. And many times -- and I could not understand.
23              But his faith was so strong. Those rapids and the water
24              would be just twirling around.
25              And the water was clean in those days. It
I also would like to -- and due respect to ADOT. I had the opportunity to work for the Arizona Department of Transportation, a great department, many, many years ago. And I want to tell you, when it came to the reservation, they were at heart. They met with many reservations, and they would check what those studies would be. They checked the lifestyle. They checked the water. They'll check -- somebody had so many horses, well, what's going to happen to my horses if you come on? They did all their homework. They wanted to make sure that road went through or went by their house. They crossed their T's and dotted their I's, ADOT did.

But then I heard this one lady speak up a while ago. And she said she went to her council representative -- and please, please go to your representative. You guys elected your representative at each council. And I go to mine. I had a problem this past year. I'm also a landowner. But you know what? I really don't own that land. It's allotted land. It belongs to the U.S. Government. We're only there in name only. That's it. And that's what we forget about. But most importantly, the land belongs to God, not to us. Not to us.

And another thing I want to tell you, she even spoke about council. You know, maybe, if all of
COUNCILMAN VILLARREAL: Just real quickly, I think there may have been some misunderstanding what this -- this motion that was made. What this does is authorizes a budget to defend the community's position in a no-build of the freeway. I wanted to make that clear, because it sounded as if we were just letting this go to deaf ears.

I'm a District 6 representatives. You have District 6 representatives in the room. You have councilmembers. They all are in support of defending the community and defending the health of this community. Whether the record and discussion is made, this is the position of the community that we're going to take. Whether those folks that are coming up here and are up in -- in support of that freeway, it doesn't matter at this point. The decision has been made by this community. They did speak through their vote.

So I want to make that real clear. So we're going to defend you no matter what. And the defense fund has always been there. But this authorizes a budget solely to defend the decision of this community. I wanted to make that clear to you all.

And we're still here for you. We're going to be here even after this meeting to answer any questions, clarifications, whatever it is that you may --
MS. WEBB: Well, good morning, all. We all heard -- well, we all heard the voice of our elders and people -- people older than me. And I am a child of District 6 community, 13 years old.

And -- well, I'd like to say the -- even if it's on or off the reservation, the pollution, the air and everything is going to come towards us. And I myself -- and we like being -- I like being outside. I like taking walks every day. I wake up every morning to get ready for school. I look up to the mountains, and I pray every morning, once I get up, to have a good day.

And I hear other teenagers talking about going out and leaving their families. Now, even if it's on or off, the bus route still goes through here, so they'll have a bus that takes probably close to -- close to the freeway. And they might go out, get into trouble, do something bad for themselves, which causes probably more trouble for teenagers nowadays. They may want to go out and do whatever.

But -- yeah. And I just wanted to come up to say I listened to all you -- all -- everyone who speak, I listened to all your comments. And it just gave me the courage to come up here and say what I wanted to say. If I were to legally vote, I would vote no. But now we have no choice. The choices already have been made. And if we

MS. KISTO: Thank you very much Councilman Villarreal. Next we'll have Carmelita Webb.
MR. ENOS: Hello. My name is Darius Enos, and I'm from Santa Cruz Village, well, actually, between Gila Crossing and Santa Cruz, at that cul-de-sac. My dad is building a -- like a mud house. And it's a very good example of sustainability that I don't -- I'm not sure if the tribe has looked into when fulfilling our housing needs. But it's for sustainable purposes. It's going to keep our -- our family cool in the summer, and it's going to keep us warm in the winter. And it's going to be a reproduction of how homes were built prior to what we call so-called progress.

And I know that's been a theme that's been discussed is progress; it's coming. Well, did you know that with progress, it -- comes all these -- these bad statistics for our community? We say that manifest destiny's coming. It's happening. But all of these -- these diseases, these -- alcohol abuse, domestic violence, violence against women, the sexualization of women. We -- we don't really value who we are as O’odham and as -- as a people, as spiritual beings and -- that was placed in this desert. Why we don't really necessarily question why we're here, because we're participating in the economy. We're trying to feed our families. And yet originally, we had the water to -- to make our own gardens, to provide

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1 all had a choice, we'd probably all vote no. Everyone standing would say no, when, before, we could have all had a choice. But we all weren't here to make the decisions. And -- and -- yeah. That's all I have to say.

MS. KISTO: Thank you, Ms. Webb.

Next we'll have Darius Enos. Come on up.
for our own families. And we also had lawyers to defend
those -- those gardens, whether it be from the Apaches,
whether it be from Spaniards, whether it be from the
Milligan.

And -- and I want to commend the runners. A
lot of you that are from here -- especially if you're from
here, I'm very proud of you guys. Especially if you're
young. You could be anywhere else. You could be watching
cartoons. If it was me at that age, I'd be watching
cartoons.

The Dineh, Eric, thank you for being here.
If you're from any other tribe. I think there's even a
non-native running.

So this particular issue, there's people
that aren't even O'odham that are fighting this freeway.
So it's not necessarily just an O'odham issue. But for
the purposes of this forum, it is. But I just wanted to
tell you guys that little tidbit and give you guys hope
that, you know, it's not just us that are in opposition to
this freeway.

And the main thing I wanted to say was --
was this quote, these statistics from this book called
'Bird on Fire: Lessons From the World's Least Sustainable
City.' And it's by a man named Andrew Ross. So -- so one
of the quotes that -- that stood out -- I barely have,
concern is -- is our community. And why couldn’t there be a separate FEIS for us to look at, whether it be on or off the reservation?

So with that being said, that is -- I think that is a form of blatant racism. We’re a marginalized community as it is. We -- like the elder, Mike Tashquinth, said, we’ve given a lot, in our history, to the non-natives. And we continue to do that today with casino revenue.

So I think we’re a very important population, and -- and -- we are. And I hope that people consider that when they’re making their decisions, whether it be like the political vote or a political speech. But there’s things that you can do that doesn’t involve politics, like -- like Renee does or -- or Mike or the runners. They took their time out of their day to make a statement. They ran from Muhadagi Do’ag to here along the freeway and the potential freeway lines route. And I just wanted to give you guys hope, and remember that we did -- we do continue to give a lot to the state of Arizona.

And, you know, I’ve been here before. I’ve talked in front of people. I’ve been to a few council meetings. And I’m glad that Councilman Chris Villarreal stepped up and said that. I think a lot of us are wondering what is council -- what their position is with the freeway, because they’ve -- you know, they’ve come up here, and they’ve said it’s -- it’s -- they’re just fine listening to everybody, and they’re not ready to make a decision. They’ve said that here today. And so I’m glad Council Villarreal said that -- that the position is to defend our air quality. And I think we’re all -- we’ll all hold you up to it.

And so thank you.

MS. KISTO: Thank you, Mr. Enos.

Anybody else?

Ma’am. Next we’ll have Monique Rodriguez.

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MS. RODRIGUEZ: Good morning, everyone. My name is Monique. And I'd just ask you to open your hearts today and listen.

I'm here just to share my reason why I'm against the freeway. That mountain is sacred to us. It's our creator's home. I've shared so many prayers on that mountain. I run through that mountain four to five times a week.

I'm sorry I'm crying, but it just hurts, because I've shared my heart with that mountain so many times.

One of the most personal prayers on that mountain was about my grandma. Coming through that mountain, my creator told me what was going to happen here. And I knew. And as I was finishing, I got the call and found out that she was going. But I told -- told them I knew.

But I'm just asking that you try to understand that it's not just a mountain. It's -- it's a part of us. And if you -- even if it's not going through our community, our boundaries, it's still our mountain. It's still a piece of us. I ran across the whole mountain and just being on the other side, I didn't feel that that wasn't a part of our mountain. The minute that I stepped on that mountain to the end, finishing here, it was still

our mountain. That's our creator. That's a part of us.

And I'm just here just to say to try and open your hearts and try to understand and put yourself in our shoes and just open your heart and try to understand.

If you were us, if you were me, how would you feel? Just try. You might get lost in your job and money, but let it go and open your heart and try to understand. Close your eyes and just try to feel it.

That's all I have to say. Thank you.
MS. LEWIS: Good morning. I'm Edwardene Lewis. I'm from District 5, but I've been living here for, like, 18 years. Actually, I wasn't even really going to stay here. It was just, like, for the time being. I lived in Casa Grande for many years.

And -- so I'm against this 202 building.
Just like they say, you know, I've gone to the meetings and asked you for your opinion, which I try to. And it's just, like, oh, you know, they don't want to hear it. It doesn't make a difference. Whatever we have to say, it doesn't matter. Our voices don't matter. What they want -- anybody that has the right to make the choices, what they want to do, that's what they're going to do.
And, you know, they're not listening to the people.

Anybody has something to say -- and just like Lisa had said, yeah, when we're talking about change and stuff like that, you know, and talking about there's not enough money for the budget on this, and it's going to cut into the per cap. That's okay. That's fine with me.
I don't care. Because per cap, all that just has all the people, the young people here, all they're using the per cap is drugs, alcohol. They're -- they don't think about their families. So that's money for everybody, per cap.
That's fine.
I could stand here and say, yeah, I want the...
Edwardene.

Is there anybody else?

I believe it was the gentleman there, and then you're next after this gentleman.

children are getting sick. You guys don't understand it. You don't see it. And it will be worse if that freeway goes through here.

I recently started running. And we do run that mountain. And, you know, we've seen the lines that are out there. And, you know, running is not an easy thing to do. I can tell you that right now. But, you know, it -- it helps. If you're a runner and you pray, you'll understand what I'm talking about. And when we do this, we always pray for -- when I'm out there, I pray for my family. Sometimes when we -- you know, I'm out there, I pray for our community.

I'm not from here, but I've been here for a lot of years, so I kind of figure myself as being from here. And I pray for everybody that lives in this community.

I was in the women's run. Every village we went through, I prayed for that community. I didn't pray for myself. There was a lot of women that went through a lot when we did that run.

And I just hope that, you know, a lot of you here, if you have anything to do with it, you know, I just hope you guys make the right choice.

That's all I have to say.

MS. KISTO: Thank you, Monique and
MR. JACKSON: Good morning. My name is Alvin Jackson. I’m from District 1 original.

And I just want to remind everybody to get out and vote. Because you don’t realize how important that is.

Some lady here had commented before about how this has come up for group discussion and election, votes, about what the community wants. But still we’re talking about it? You’ve got to remember that you are all citizens. You’re all citizens of the state of Arizona and of the United States. You need to get out and vote. Let those people know what you want.

Politicians, the only thing they understand is a vote either for them or against. That’s all they understand. No politician has ever probably run for office just one term and then given it up.

I would ask that the current governor-elect of our community draft a letter to Doug Ducey to see what his stance is on that -- this matter is. And you have to let him publish in our tribal paper and then have his response printed in the paper also so when he comes to us for reelection -- 'cause I’m pretty sure he will run again -- that he will know how the members of this community will vote.

The master elections are coming up. You need to get involved. You don’t think that stuff. Your vote counts. Currently, in Southern Arizona, one of the offices has to go for a recount probably because it’s that close. You have to vote.

On the way down here, driving down Riggs Road -- you know, we’ve got the border patrol running up and down Riggs Road. And that affects everybody within the community. There’s a notation over here saying that this thing’s coming up for funding in the year 2015.

Those monies, which could have gone towards all this border enforcement and stuff like that probably could have been used for funding for a lot of this freeway stuff we wouldn’t have to be paying for.

You need to know or research which one of the parties or the people running for the office, what their stances are, and then vote for whatever the best for -- not only for this community but for this country.

Sorry. Just get out and vote. That’s all I ask.

MR. KISTO: Sir, go ahead, if you’d like to come up and comment.
tribes are still fighting the white man. The white man can say what they want. What do we get? Little bit. Not as much.

It is true what the elders said many years ago, before Christianity came in. The medicine men, they already knew what was going to happen around the world. They already knew what was going to happen. To this day, they said our young people today may go and graduate and learn the white man's way, to be educated, come up here, and protect our people.

It is true South Mountain is very sacred land from the south to Salt River to this day, that's in the Navajos and the Hopis. There's a story behind that South Mountain. It's very sacred. And also the Man in the Maze, that's his home.

White people want to destroy. You talk about land. Look at all the land that you guys want to use. We can do a lot of things with that land. We can get the water running through there, do some crops, harvest it. People that have cattle and horses, we can do hay on it. There's a lot of things that we can do.

But it's us. The laziness. And that's how the white man's going to look at it. But screw the white man. Their fathers, their great fathers -- General Custer took all the land, pushed all the Native Americans from
the north to the south to the west. Because the land, the
oil, and the copper.

We get in these casinos. These casinos are
supposed to be benefit for our people, to give them jobs,
you know, to better their lives. But we're still fighting
with those casinos because there's more non-Indians in the
casino. It was a lot better when it was still under Gila
River Gaming Enterprise. But now, when the new company
came in, everything went downhill.

We're losing our young people. We're losing
our people that are supposed to help benefit our tribe.
To this day, many of our young people that are working the
casinos, there's a lot of misunderstanding in the
politics. Our budget, money-wise, our benefits, our
401(k).

To this day, what I think, and to all the
nation, you open a one-step freeway, we forget who we are.
We are the Gila River people. We're the third-largest
tribe. I think so. They say there's two largest tribes
that's going to take over, going to wipe out the
reservation, the Navajo Nation and the Tohono O’odham
Nation. They want their land back. All these years
they've been put through.

That's why they want another casino. The
monies, the fundings, our per cap should get a little bit
more instead of being selfish and putting new things for
the state. Some of our elders need transportation.
Tomorrow, there are things that we need to be done on the
reservation. It is true.

But our elders have spoken. The Great
Spirit -- before the white man had came in this world, the
Christianity began in the long ago, the old people said.
The Old Man in the Maze said there was somebody more
powerful than him, stronger than him that we're going to
hear a lot. We're going to lose our language. Everything
is going to die. It is true. It is written.

To this day, we -- we -- as we look at
ourselves, we still don't trust anybody, especially
Christian people. Our government, the President, don't
understand the history, how we became and how we united.

But long ago, there was a tribe called the AIM. They
fight with what they believe in. To this day, there's a
lot of American Indians that are still fighting. They
want what's best. But with the politics, the council, the
government, it's about money.

There's something you can do with these
lands. Our agriculture, our farming. All the culture and
farming was taught many years ago to our people up the
Gila River. All this was all green, farmlands, people,
Horses and cattle and grain on it, or corn or squash. But
today, it's a modern life. We want the easy way out of life.

But as we go through that in life, we're still forgetting who we are. But the ones that know the Indian way of life, we're never going to have problems, because we know -- we know how to survive the white man's world. To this day, we're as one. This freeway, our mountain, our sacred is very valuable to our elders. The wars that we fight, it's not our war. Our war is -- we fought for what we believe in. That's our war.

And it seems like we're fighting these white men because they don't understand the Indian way of life. Same as we live in the white man's world. We live off the reservation. We're still trying to teach the white man how to do things like they were trying to teach us long ago.

Just look at it, everything that we do. We don't trust anybody nowadays, especially our own government, especially the President. But as -- that is us. We are the people with all nations.

You know, we had a good size per cap a couple years back, 500. Now it's down to 200, 300. This freeway, if it does go through, if it doesn't go through, it is said, the white man's still coming. But we can outsmart the white man. We can outsmart -- this is our
GOVERNOR-ELECT LEWIS: As is our custom, if an elder wants to speak, we're going to keep the mics open for as long as we want. So I'm going to have one of our elders come up and speak. Also, she's one of my relatives too, so I'm going to have her speak. Thank you.

MS. PEREZ: Hello. I've been on this reservation over 35 years. And I moved off of it to go into Phoenix. Myself and my children ended up having asthma. And it was really bad, to where they had to have medication, the machines at home to breathe on every four hours, inhalers.

And we finally got a house down here, moved down here, going to be ten years ago. My children are now off the medication. They no longer take machines. Their inhalers are only used only during the dust storms that we have here. And they do sports. They're doing things that they couldn't do before. And my worry is if the freeway comes in, what that's going to do to us again, having asthma, and to all of you who have asthma.

Thank you.

MS. KISTO: Thank you, Rosalinda.

At this time I just want to thank everybody that came out and participated and helped to put this forum together. Just, again, thank you for your time. I'll have Governor-Elect Lewis come and do the closing.
When we go on to become educated, we learn that we can assume marginality, which means that you are empowered to live within two worlds. But we have the power to choose those -- those things in life that affect us in a productive way. And we can leave those alone that do not affect us, those negative things. We have that power. That's marginality.

And we go to the movies when we want to. We come back home, and we're among our family and do the things we want to do as Native people. We go to the different places, restaurants to eat, and we run into each other down in Chandler, different places, and enjoy the other things in life. But yet we come back home, and we're a community, and we're all family.

And we -- you know, like my sister was saying, there are seven of us that had to share the same tub. And we didn't like it -- want to be the last one either. But in those -- well, you older folks who know about that, you know what that's all about.

The river was our lifeblood, as an Indian community, because we were a farm nation. You know -- and you see the river today. So I'm telling you today, as Native people and community members, you know, look into your hearts and trust, you know, your beliefs and go with your decision and do it for yourselves, because you know
GOVERNOR-ELECT LEWIS: Thank you. And I can't say anything better than those words, just that I'm so proud of my community.
I'm proud of the young people that are here. I'm proud of the elders that are here. I'm proud of the veterans that are here. I'm proud of everybody that's come together, our leadership here. And, you know, it's incumbent upon us, as leaders, to keep on listening to the people. 'Cause our government only protects us and its legitimacy when we do right by the people, when we listen to the people, when it's the people's best interest that are served, our community as a whole are served by our government. And so we have to -- that's -- that's our responsibility. That's our charge. And we have to keep on. Keep on. It's a hard -- but it's easy. And it's so easy, as well, to listen to the people's wishes.
You know, I'd like to, you know, end this in a good way as well. It's our custom that we -- we end with a meal. And a couple of -- of housekeeping.
One is we're recording this, and so you see the camera in the back. And that's -- that's the community's equipment. So this will be recorded for posterity's sake. And, you know, we'll -- this will be able to be accessed by our community members.
Also, you know, there was a -- referred to

in your heart what's best for you and your families.

And I hope that the people here today listened with open minds, open hearts, and didn't take anything personally that was said but took it in a way that should be taken, constructively.

Thank you.
are these four resolutions, one in regards to the -- our
two O'odham tribes that work together and that protect
each other's interests and support each other in times
such as this. There's a resolution -- there's a
resolution by -- by our tribal government. There's a
resolution by our elders. So there's four resolutions
that should have been up. And I apologize for that on
behalf of our community government. But we'll make sure
that those will be posted on our community's website.

And also, you know, if you leave your e-mail
and your address, we'll get copies of that -- the public
affairs and the community council secretary's office,
we'll get those -- we'll get those -- those copies to you
as well. So please leave your contact information on the
way out as well.

And so at this time, though, I'd like to
bring up an elder from District 6, St. John's, Komatke,
Mr. Urban Giff, an elder, a veteran, and one of our
illustrious community managers who has served our
community for -- for many years.

Mr. Giff,

MR. GIFF: Thank you very much.

For those who may not be aware, I'm from
here. That's why I get the honor of -- of this -- this
moment. I was born in Santa Cruz, grew up in Santa Cruz

1 in Komatke. My parents grew -- were born here and grew up
here, my grandparents as well, and their parts as well.

So we're from here. So I'm home.

So as is customary, I see that District 6
still prefaxes that we invite and we welcome anybody and
everybody that's here. And that's what this group is
like. It's not just special for Arizona Department of
Transportation or the Federal Highway Administration or
whoever else staff is here to share this morning with us,
to hear the comments from the people that have spoken.
But it's for everybody.

And so the people that spoke, thank you very
much for sharing your feelings, your emotions, your
thoughts, your ideas, because that's what makes us who we
are, strong people, because we're able to say things and
speak things. And we're also able to listen and
understand.

So with this time, because it's past the
noon hour, I've been asked to say the prayer. And I
forgot to ask him whether it should be a long prayer or a
short prayer. So I'm going to use a prayer that some of
you may know that I learned from my parents and from the
missionaries here when I went to school.

So please let us, at this time, turn our
hearts and minds to the Creator, to the Great Spirit, to
1 Joish.
2 Bless us, oh Lord, and these, thy gifts,
3 which we are about to receive from thy bounty through
4 Christ our Lord. Amen.
5 Thank you.
6 MS. KISTO: Again, please feel free to leave
7 your name, e-mail address at the table as you exit the
8 door. And help yourself to a lunch bag.
9 Again, thank you so much for coming. Really
10 appreciate your attendance.
11 (TIME NOTED: 12:08 p.m.)

1 STATE OF ARIZONA )
) ss.
COUNTY OF MARICOPA )

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11 (TIME NOTED: 12:08 p.m.)
APPENDIX D

RECORD OF DECISION SUPPORTING DOCUMENTS

The documents provided in Appendix D, Record of Decision Supporting Documents, are referenced in the responses to public comments on the Final Environmental Impact Statement. They include:

• Internal Federal Highway Administration memorandum, FHWA Validation of Alternative Screening Process for the South Mountain Freeway (D1)
• E-mail from the U.S. Environmental Protection Agency, Region 9, regarding the project-level conformity determination (page D5)
• Two historic planning documents from the City of Phoenix: Phoenix Concept Plan 2000 (page D6) and Phoenix Urban Village Model, General Plan 1985-2000 (page D28)
• Letter from the U.S. Army Corps of Engineers related to the strategy for Clean Water Act permitting for the project (page D45)
• E-mail from the Gila River Indian Community Department of Transportation with comments on the project’s Initial Location/Design Concept Report (page D46) and meeting notes from a comment resolution meeting (page D47)

Memorandum

Subject: FHWA Validation of Alternatives Screening process for the South Mountain Freeway.

Date: September 25, 2014

From: Alan R. Hansen

In Reply Refer To: 202-D(ADV)

To: Karl S. Petty

Division Administrator
Phoenix, Arizona

In order to confirm the information contained in the Technical Memorandum prepared by the Arizona Department of Transportation (ADOT) by the consultant HDR regarding Validation of Alternative Screening Process at the Final Environmental Impact Statement (FEIS) stage of the South Mountain Transportation Corridor study, the FHWA Arizona Division carried out an independent review of the alternatives that were eliminated through the screening process. In addition to the subject Technical Memorandum, the Division also used the various documents reference in the Technical Memorandum and particularly, the 2012 and 2014 versions of the Traffic Overview. The Traffic Overview documents are important because the 2012 version is based on an extrapolation of modeled traffic data that was used in the early screening process, and the 2014 version is the modeled traffic data that was updated with the Maricopa Association of Governments (MAG) revised traffic and socioeconomic information based on the 2010 census data. Both of the Traffic Overview documents were reviewed by James Coblentz and Ed Foh, who are traffic experts in the FHWA Resource Center and they found the modeling used to be consistent with established FHWA recommended practices.

Elimination of Transportation System Management (TSM), Transportation Demand Management (TDM), Transit, Arterial Streets and Land Use – This analysis looks at whether other modes of transportation could be used as opposed to a freeway alternative to meet the purpose and need of the project. The supporting documentation for this discussion is in the
DEIS. There is not a lot of quantification in the DEIS with regard to these alternatives, however a few key points are that the projected traffic for the freeway is 175,000 vehicles per day (vpd), and the modal alternative that would be able to handle the greatest amount of that demand is a light rail transit system. The existing Phoenix metro light rail transit system, which is built around areas that have greater demand centers, currently handles around one quarter of the projected demand. Based on this, I agree that the modal alternatives alone would not be able to meet the purpose and need of the project. Since the projected traffic for the project that I used is from the 2014 Traffic Overview and the Phoenix metro usage is based on the City’s numbers, I believe this analysis to still be accurate.

Elimination of Corridor A – this alternative was eliminated very early in the process because the ADT maps showed that this alternative would serve the least amount of traffic. The alternative would serve approximately 30% less traffic than any of the other alternatives. An alternative that serves such a significantly lower volume of traffic is less responsive to the regional transportation demand component of the purpose and need and was therefore eliminated.

This screening was done in 2003, so the question is whether the Corridor A alternative would still lack viability given the updated traffic projections. However, since Corridor A was eliminated early in the process, it was not carried forward in the modeling using the updated MAG Traffic and Socioeconomic projection and it is not possible to do a direct comparison of ADT maps. However, it is possible to review the base factors that would have influenced the modeling done in 2002 and determine whether there were any changes to those factors and thereby change the outcome of the model if it were recreated today.

The first factor is the population within the service area of the freeway. Referring back to the Traffic Overview documents, Corridor A is located in the southwest regional population center. It is expected that users of the transportation facility are generally from the regional population center that is served by the facility. In comparing the 2012 Traffic Overview, which is extrapolated from the 2000 census, to the 2014 Traffic overview which is based on the 2010 census, table 4 of the Traffic Overview’s show that the population for 2035 in the southwest region dropped from 808,800 with the model based on the 2000 census to 521,000 with the model based on the 2010 census. This demonstrates that the growth for the region directly served by Corridor A has seen a 30% reduction in projected population, and has been significantly affected by the economic downturn that started in 2007. This factor is a good indicator that Corridor A would be even less viable of an alternative based on the updated traffic and socioeconomic information.

The second factor is the modeled ADT volumes, which are included in table 8 of the Traffic Overview, on the roadway network in the area of the proposed freeway. The modeled roadway most relevant to Corridor A is I-10 (11th Avenue to 107th Avenue). This segment of I-10 shows an increase in traffic of around 7% between the two models. Since the gap in the traffic served was originally around 30%, a change of 7% would not be enough to change the screening process results.

The final factor worth considering is out of direction travel. Roadway users who wish to continue North on SR-101 would be subjected to approximately 5 additional miles of out of direction travel over any of the other alternatives. This factor has not changed from the original analysis.

Based on the above factors, I conclude that validation offered in the alternatives screening Technical Memorandum is accurate and that Corridor A would still still be less responsive to the regional demand component of the purpose and need and should be eliminated. The project team also uses the local government general plans to show that the local governments planning efforts do not contain an alternative for Corridor A. The local planning efforts are primarily a factor from the standpoint that the local governments in the Corridor A and B regions are opposing to having the freeway within their jurisdictions due to the impacts that it would have in their communities. Further, had Corridor A moved forward, it would have been eliminated due to other factors such as traffic operational problems associated with having two system interchanges less than three miles apart, costs associated with right-of-way (ROW) that would be needed to construct a longer project, and the above mentioned local government planning efforts.

Identification of Technical Alternatives – this was a process of taking the large number of alternatives that were originally proposed and combining them into a reasonable number of alternatives to carry forward. The basis for the validation offered in the Technical Memorandum was that, while there had been changes to population and housing growth, the physical environmental constraints, design criteria and engineering feasibility had not changed. I agree with that position. I think it is further of note, that the project team added more alternatives for screening that came up during the development process. To my knowledge, there are no proposed alternatives that were not considered as part of the screening process.

Elimination of Corridor H – Corridor H consists of alternatives on the Gila River Indian Community (Community). The project team’s validation is that there has been no change in the Community’s opposition to constructing the freeway on their land. We have now been working with the Community for a number of years on this and my observation is that the Community continues to be divided on the issue. There are a fair number of Community members who see the freeway as having a negative impact on their culture, through things like increased traffic, noise and visual impacts. There is also a strong contingent of Community members who see the freeway as bringing economic development opportunities. The overall Community perspective on the freeway was and is constantly changing, however I believe the decision we must abide by is the referendum by the Community members in 2012, which is also a tribal resolution, stating that they do not support the freeway being located on Community land. So based on this I agree with the elimination of
this alternative.

Elimination of the Riggs Road Alternative— I agree with the validation offered in the Technical Memorandum. As noted in the elimination of Corridor H, the Community is opposed to alternatives on their lands. Riggs Road also has substantial cut of direction travel and would not meet the projects purpose and need. I would further note that the Community is already unhappy with the amount of non-Community traffic (primarily trucks) currently on 51st Avenue. I believe that their opposition to a freeway on the Riggs Road Alternative would be even greater than their opposition to the Corridor H alternatives.

Elimination of the SR-85/L-8 Alternative — I agree with the validation offered in the Technical Memorandum. This alternative is so far out of direction that it would not meet the regional transportation demand portion of the purpose and need for the project. Not mentioned in the screening process is that this alternative lies outside of the MAG region, which means that the project could not be funded using Proposition 400 funding (a major source of funding identified for the project) and in order to fund it there would have to be changes to the funding distribution set out in the Casa Grande Accords with regard to Federal funds. This is important from the standpoint that the project would not meet fiscal constraint.

Elimination of T05, T07, T08 and T09 – I agree with the validation for elimination of alternatives T05, T07 and T08, which were all screened out based on location of system to system interchanges within 3 miles of each other. The Traffic Overviews also show that the freeway traffic volumes, even with the updated MAG Traffic numbers, would still be great enough that having system to system interchanges so close together would cause traffic operational failure of the freeway mainline. This is primarily caused by weaving sections that are created when major freeway ramps are located in close proximity. I concur with the analysis that the system to system interchanges should be located more than three miles apart in order to avoid the reduced traffic operational characteristics, such as delay, congestion and increased crashes, associated with heavy weaving areas on the mainline. However, using this reason for validation of T09 is not appropriate. T09 actually ties back into I-10 at SR-101 and would not be within three miles of another freeway system to system interchange. So I do not concur with using system interchange spacing as the validation for T09.

However, in considering the other factors that are discussed in the Technical Memorandum associated with the T09 alternative, it does appear that it should still be screened out. Of particular note is that poor roadway geometrics in the form of sharp curves that would be required to bring the freeway from its location one mile to the west, back to where it would need to tie into I-10 at SR-101, the greater impact on Tolleson, which was opposed to the freeway in their town; and the greater cost of construction and ROW associated with this alternative.

In summary, I concur with the validation offered for the T05, T07 and T08 alternatives screening which eliminated those alternatives from further study due to system interchange spacing. I do not agree with the system interchange spacing validation being applicable to the T09 alternative, however I do believe that the original screening criteria used is still accurate and it is appropriate to screen the T09 alternative from further development.

Elimination of the Ray Road and Chandler Boulevard alternatives – The validation of the elimination of these two alternatives is due to the system to system interchange spacing and to the impacts to the Ahwatukee community, specifically the increased number of residential displacements needed for this alternative over the E1 alternative and splitting of the community. As noted above, I concur with the system interchange spacing reasoning due to negative impacts to the traffic operations, I further agree that since the residential areas near or within these alternatives were built out prior to the 2001 screening, the land use in the Ahwatukee community has not significantly changed so that this impact would still be present. Based on this, I concur that the validation for the screening of these alternatives is accurate.

Elimination of US 60 Extension alternatives— The validation for the screening of these alternatives is that they do not support the regional transportation demand part of the purpose and need. They would also not address the projected capacity deficiencies associated with the existing facilities. FHWA is well acquainted with the regional transportation demand issues in the I-10 corridor between SR-202L Santan and SR-141, including around US-60. These segments are the most congested in Arizona and relieving the congestion is one of the components of supporting the regional transportation demand portion of the purpose and need. As is evident in the Table 26 of the Traffic Overview, the South Mountain Freeway would relieve over 25,000 vehicles per day from these segments of I-10. Further in the review of the table 3 in the Traffic Sensitivity Memorandum that analyzed the US-60 alternatives, it shows that these alternatives would increase the traffic on all existing segments of the regional freeway system. Based on this, I concur with the validation that the US-60 extension alternatives would not meet the purpose and need of the project. Also noted in the analysis and the validation is the much greater impacts to residences, businesses and community character that would occur. In general, I concur with that greater impacts to the residences, businesses and community, however it is not well quantified in the analysis. Because of this, the focus of the FHWA evaluation of these alternatives is on the lack of support for the purpose and need based on not addressing the regional transportation demand issue.

Elimination of the Central Avenue Extension Tunnel - This alternative would extend Central Avenue south out of the downtown Phoenix metropolitan area and under the South Mountains. The validation for screening this alternative that it does not meet the purpose and need of the project since it does not meet the Regional Transportation Demand needs identified. This alternative would not address the capacity deficiencies on I-10 around the Broadway curve because it would only serve localized traffic from the
Auwatukee community to the downtown area. Regional traffic trying to make the east-west movements would still have to use routes such as I-10 to get across the urban area. Based on this I concur that this alternative would not meet the purpose and need for the project and should be eliminated.

Design Options - The next section of the memo describes the validation of the screening of design options. They represent more design refinement and tweaking of the alignment to address localized impacts, however they do not represent screening of entire alternatives. The one exception is the Elimination of the Community Alignment, which was actually screened out in 2003 as part of the C-corridor discussion above, however it was revisited at the request of the Community in 2010 during the Tier 5 screening so that effort is captured in the design options section.

Elimination of the Bridge and Tunnel Options – The bridge and tunnel design options were both generated to look at alternatives that would not impact the South Mountains which is a Section 4(f) eligible resource. The validations includes two discussion points, the first is that both of these options would directly impact the South Mountains and therefore are not avoidance alternatives, and the second is that both alternatives would be much more expensive so they would not be prudent and feasible. Based on a review of the memo associated with these options, there are multiple options for tunneling. I believe the most viable of those is the low profile option, since that would keep the freeway profile closest to level, and would balance the lowest tunneling and bridge needs. With that option, tunneling using the SIEM/NATM method (the cheapest form of tunneling) would add around $215 million to the project cost, which is roughly 5 times more expensive than an open cut. Based on these factors, I concur that the tunnels not only do not avoid the Section 4(f) resources but also are not prudent due to the upfront construction cost and long term maintenance costs. The only option which has only bridge elements to cross the South Mountain Ridges is the high profile option. The bridge cost associated with this option is $307 million, but would eliminate the need for the open cut estimated at $40 million, so overall the bridge option would increase the cost of the project around $270 million. In addition, the memo discusses eliminating consideration of the bridges based on incident management, constructability and maintenance issues. I agree that cost, incident management, constructability and maintenance are all valid arguments, but I continue to see the overriding discussion point to be that the tunnel and bridge options do not avoid impacts to the South Mountain Section 4(f) eligible resource and they would not be prudent due to the other issues.

System Interchange Options Carried Forward or Eliminated – This phase of screening included alternatives considered for a direct connection to SR-101 at I-10 as well as later consideration of design concepts around the W55 and W71 alternatives. This effort was primarily a refinement of design options. This also includes the screening of the W99 alternatives as part of the W101 alternative. I concur with the validation offered in the Technical Memorandum for eliminating these design options.

Elimination of Depressed Profile Option to the E1 Alternative – This alternative was essentially an evaluation of the costs and feasibility of depressing the freeway below grade. The validation is that the design criteria and legal requirements have not changed and therefore the screening of this design alternative is still valid. Specifically this design option would result in higher construction costs of $470 million and would result in the need to acquire at least an additional 150 residences due to the larger footprint needed for a below grade facility. An additional major concern would be the need for pump stations to facilitate the movement of stormwater drainage, which would have both a higher initial cost as well as long term maintenance costs.

Elimination of the Utility Easement Options for the E1 Alternative – This design option considered moving the utilities that are currently located right at the southern limits of the City of Phoenix, to the North so they would be located directly next to the Awatukee Community and then have the freeway run next to the southern limits of the City. This option would essentially use the power line utility easement as a buffer between the freeway and the residential area. There is also concern about relocating 500 kilovolt power lines next to a residential community. The validation for elimination of this design option is the ROW cost and cost of relocation, in addition the increased cost of relocating the power lines underground also continue to be cost prohibitive. I concur with this validation.

Elimination of the Arizona Parkway Concept – The Arizona Parkway Concept is essentially an urban parkway that does not allow direct left turns. Instead the driver must go past their intersection and make a-u-turn, followed by a right turn in place of the left turn. The validation for eliminating this concept is that it would not be able to handle the high volumes of traffic projected for the corridor. An Arizona Parkway would have a maximum capacity of 105,000 vpd, which is well below the projected 175,000 vpd in the MAG models. I concur with the analysis and finding that an Arizona Parkway would not be able to handle the projected traffic for this corridor.

Elimination of the Ten Lane facility – ADOT and MAG were looking for alternatives to bring down the cost of the project. The original project concept was to build a six lane freeway, with an additional four lanes constructed when needed, this would be a 4+1 lane facility. MAG instead wanted to reduce costs by constructing an eight lane facility, 3+1 lanes, from the start. Typically each lane is estimated to carry 40,000 vpd. So a 3+1 lane facility should be able to carry around 160,000 vpd. Although the estimated traffic volumes on the freeway, using the updated traffic projections show 175,000 vpd in the design year, MAG and ADOT agreed to build the eight lane facility, rather than the ten lane facility. While FHWA continues to believe that it would be more appropriate to construct a ten lane facility, we do recognize that this is a design option on a non-Interstate route we therefore believe this is a local decision to be made by ADOT in conjunction with MAG.

Shift to the W99 from the W55 alternative – this was essentially a shift of the freeway to connect with I-10 around 99th avenue, rather than the originally
Hi Rebecca-

I spoke with Alan Hansen this morning regarding the additional air quality comments EPA had sent on both 8/19 and 8/6, and he confirmed that all of the comments are being addressed by FHWA, and the Air Quality Technical Report revised accordingly. With that information, this concludes the PM10 conformity consultation between FHWA and EPA for the South Mountain Freeway project. We’d like to thank FHWA for working so closely with EPA to address our concerns, and we look forward to reviewing and providing comments on the Final EIS when it is circulated for review.

Please see the attached spreadsheet for a summary of the consultation (comments and responses) that has taken place between EPA and FHWA since we received the Air Quality Technical Report on 6/2/2014. If you have any questions or notice any revisions that should be made to the summary, please let me know.

Thanks,

Clifton

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Clifton Meek, Life Scientist
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RESOLUTION

NO. 15227

A RESOLUTION ADOPTING THE PHOENIX CONCEPT PLAN 2000.

WHEREAS, the Phoenix City Council directed the Planning Commission to undertake a study of alternative urban forms and their ramifications for application in Phoenix, and
WHEREAS, the Planning Commission proceeded with a seminar for community leaders and the appointment of over 200 citizens to the Urban Form Directions Committee, and
WHEREAS, the Urban Form Direction Committee has worked diligently studying the social, economic, and environmental aspects of alternative urban forms, and
WHEREAS, the Urban Form Directions Committee has involved all segments of the community in its planning efforts and has gained broad support for its recommendations, and
WHEREAS, the central focus of the Phoenix Concept Plan 2000 — the urban village — represents a dramatic yet achievable advancement in guiding growth in Phoenix, and
WHEREAS, the plan is intended as a conceptual guide to development rather than a rigid map of the future, and
WHEREAS, the goals of the plan are statements of desired results toward which efforts are directed but are not commitments for full achievement, and
WHEREAS, the City of Phoenix will support appropriate agencies working toward achievement of those goals which are not within the city jurisdiction, legal authority, or policy limits, and
WHEREAS, the Phoenix Concept Plan 2000 is only the beginning of the development of a general plan for Phoenix and plans for each of the villages and areas identified in the plan, and
WHEREAS, the plans should be reviewed and updated every five years to adjust to the changing needs of the citizens of Phoenix.

NOW, THEREFORE, BE IT RESOLVED that the Phoenix City Council hereby adopts the Phoenix Concept Plan 2000 as contained in the attached text and map and identified by the signature of the Mayor, which text and map are by this reference incorporated herein and made a part hereof,

PASSED by the Council of the City of Phoenix this 31st day of July, 1979.

Margaret T. Hance
Mayor

ATTEST

Deed Hiller
City Clerk

APPROVED AS TO FORM:

Charles Johnson
City Attorney

REVIEWED BY:

Maria A. Anderson
City Manager

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SUMMARY

The Phoenix Concept Plan 2000 defines only the conceptual intent for future land use in Phoenix and is not intended as an inflexible statement of allowable zoning districts in any area.

The unifying element of the 2000 Plan is the concept of urban villages containing a mix of housing types, a variety of jobs and shopping, recreation and education facilities. These villages would help satisfy the psychological need to belong to an identifiable community with a sense of control over its environment. An urban village will have a clearly identifiable core and boundary. Its core will contain the most intense land uses and will be the aesthetic and functional focal point of the village.

The 2000 Plan consists of four major parts:

Goals
Goals are the ultimate accomplishments toward which the city's actions should be directed. They deal with many aspects of city life including land use, transportation, housing, air and water quality, energy, life-styles, economic stability and government responsiveness.

Urban Village Map-2000

The map is a graphic representation of the urban village concept in Phoenix and is intended primarily to identify the areas to be planned by urban village planning committees.

Policies

Policies are intended to provide guidance for making decisions about the way the city should grow through the year 2000. They will provide direction in both initiating programs and controlling proposals.

The first policy directs that growth be structured into a system of urban villages with the timing and location of new growth to be directed in accord with the village concept and the infilling of central city areas. Other policies for example, support the Rio Salado project, discourage development north of the Central Arizona Project until after the year 2000, encourage significant residential sitting in the central villages and direct the development of a planning and implementation program to bring about the goals of this plan. The planning and implementation program would include preparation of the nine general plan elements required by the State and the preparation of a plan for each village by 1985.

Charge to Urban Village Planning Committee

This part requires that village plans be prepared which work toward implementation of the 2000 Plan and include necessary land use and circulation elements.
INTRODUCTION

This document includes the four components of the "Phoenix Concept Plan 2000: A Program for Planning," and appendixes outlining the basis for selection of the plan. The plan is intended to help public and private decision makers shape Phoenix into the city we want it to become by making the most efficient and equitable use of resources.

Even ful adherence to the plan's maps and policies will fail to fully achieve all of the goals of the plan. What is important is progress toward the goals which can be measured. After extensive analysis of alternatives, the Urban Village Map 2000 and the policies of the plan were selected because they provide the best compromise toward meeting all of the goals without overemphasizing some at the expense of others. The 2000 Plan which defines the conceptual intent for future land use in Phoenix is not the total comprehensive plan tool is the first step toward the development of one. It is not intended as an inflexible statement of allowable zoning districts in any area.

The 2000 Plan also fits into the metropolitan context as its components are in accord with and support the Guide for Regional Development, adopted by the Maricopa Association of Governments on January 4, 1978.

Urban Village Concept

The Urban Village Concept is the unifying element of the plan and the best means for achieving its goals.

Within Phoenix, an urban village is an area that provides for a variety of the physical land use needs of its residents. It contains a mix of housing types, a variety of jobs, and shopping, recreation and education facilities. It helps satisfy the psychological need to belong to an identifiable community with a sense of control over its own environment. Urban villages will not all be the same. Some might be rural or suburban in character while others might be highly urban. Types and amounts of housing, jobs, office spaces, and stores will vary. While urban villages will provide for most of the needs of their residents, they will also be a part of metropolitan Phoenix and will not duplicate unique metropolitan serving activities such as the Civic Plaza or Arizona State University.

The urban village will have a clearly identifiable center (core) and boundary (periphery). Its core will contain the most intense land uses and will be the aesthetic and functional focal point of the village. Land use intensity will decline from the core to the periphery. This concept of urban villages is not contrary to existing land use patterns as elements of urban villages already exist in several areas of Phoenix, such as, the concentration of activity at Midtowncenter. In newly developing areas growth could be strucuterd to create new villages and in older areas development of skipped over parcels and redevelopment of underutilized land uses should be directed to create villages.

Phoenix Planning Area

This plan covers an area greater than the present area within Phoenix including 450 square miles. This includes all areas which the City Council has determined to be appropriate for annexation through the year 2000.

The Planning Program

The subtitle, "A Program for Planning" is intended to emphasize both the coordinative role of the 2000 Plan and the shift from thinking of the plan as unchanging to thinking of it as evolving and dynamic. The 2000 Plan is intended as a guide to making better decisions by the City Council, the Planning Commission and the public.

The 2000 Plan will serve as the guide for planning in Phoenix. It suggests that the city government should concern itself with decisions of city-wide importance and delegate responsibility for making decisions of lesser importance to city-wide importance. It does this by requiring the development of two sets of plans -- (1) a General Plan including the following nine elements: Land Use, Circulation, Conservation, Housing, Recreation, Public Buildings, Neighborhood Rehabilitation and Redevelopment, Public Services and Facilities, and Safety, and (2) a Specific Plan for each urban village or planning area. These plans would be developed, progress toward them monitored, and appropriate amendments made on a continuing basis. The General Plan will be prepared in accord with Arizona Statutes and the Specific Plans for urban villages in accordance with the Change to Urban Village Planning Committees.

GOALS

The following are the long range goals of the City of Phoenix: They have been developed after arduous effort by the many citizens of Phoenix, the Planning Commission and the City Council. The word "goal" has been used in accord with the following definition:

A goal is a statement of the end result or ultimate accomplishment toward which an effort is directed. It is used more as a call to action than a statement of expected full achievement.

Many of those goals cannot be fully achieved and working toward achievement of some may make it more difficult to achieve others. At the same time all goals are not of equal importance. Those factors have been taken into account in the selection of the urban village map and the policies which follow. This map and policies represent the best compromise in achieving the goals. The goals as well as the plan and policies should form the basis for development of General Plan Elements and Urban Village Plans.

I. MAN-MADE ENVIRONMENT

A. Land Use

Develop a land use pattern which provides for the physical, social and economic needs of the citizens of Phoenix.

1. Develop and provide for the continual viability of all areas of the city.
2. Assure that land use transitions occur with minimum adverse impact.

B. Transportation

Provide for system-wide accessibility and mobility and ensure that transportation and land use plans are complementary.

1. Develop a land use pattern that reduces the need to travel by shortening required travel distances.
2. Provides mobility by improving transportation facilities.
3. Develop an equitable transportation system providing accessibility to nonautomobile users.
4. Provides for safe, efficient and convenient movement and transfer of people and goods.
5. Minimize the adverse impacts of transportation system construction and operation on housing and businesses, parks, schools, historical and archaeological sites and on the aesthetics of adjacent areas.

C. Housing

Provide a sufficient choice of adequate housing in all parts of the city to meet the needs of all individuals.

1. Make available in a range of prices, for purchase or rent, a choice of housing -- single family, multifamily, studio, town home, garden apartment and mobile home in all urban areas and, where appropriate, high-rise apartment.
2. Provide low and moderate income housing in all urban villages.
3. Reduce the minimum cost of new housing or decrease the rate of the increase to benefit the home owner or renter.

D. Aesthetics and Urban Design

1. Ensures a contemporary reflection of the heritage, culture and environment of the Southwest in all areas and particularly in public facilities.
2. Provides for the visual identity of various areas of the city.
E. Public Buildings, Services and Facilities
Provide for an optimum balance among service and accessibility to all residents, efficiency, safety and environmental quality in the location and operation of public buildings, services and facilities.
1. Maximize the level of service provided by public buildings, services and facilities to all residents.
2. Maximize accessibility for all residents to public buildings, services and facilities.
3. Maximize efficiency in public buildings, services and facilities.
4. Maximize safety in public buildings, services and facilities.
5. Maximize environmental quality in and around all existing and future public buildings, services and facilities.

F. History and Archaeology
1. Encourage the identification, preservation and restoration of historically and culturally important neighborhoods, sites and structures.

II. NATURAL ENVIRONMENT
Maximize the preservation and the enhancement of the natural environment and encourage the efficient management of scarce natural resources.

A. Air
1. Provide and maintain air quality compatible with health and well-being and with the prevention of damage to property, vegetation, and aesthetic values.

B. Water
Manage the quality and quantity of all water resources in a manner that enhances the quality of life.
1. Provide a safe and adequate domestic water supply to all citizens of Phoenix.
2. Manage the quality and quantity of ground-water resources.
3. Equitably manage urban and agricultural water needs.
4. Provide for multiple use of surface water resources with due consideration to groundwater quality.
5. Minimize the hazard and damage to life and property resulting from storm water runoff.

6. Provide for the multiple use of canals, flood- plains and other waterways in the city.

C. Land
1. Preserve environmentally sensitive areas such as floodplains, wildlife habitats and steep slopes.
2. Preserve agricultural land uses.
3. Develop a land use pattern which responds to the geography and soil characteristics of Phoenix.

D. Energy
1. Minimize the use of nonrenewable energy resources through conservation and increased use of renewable resources.

E. Noise
1. Establish, foster, and maintain high standards for the control of noise pollution, ensuring a noise level that does not cause stress or health damage.

F. Wildlife and Vegetation
1. Enrich and perpetuate the lifestyle of the present and future citizens of Phoenix by enhancing and maintaining wildlife resources and habitats and by the protection of native and exotic vegetation in the community.

G. Climate
1. Minimize the urban dome effect which tends to reduce normal daily temperature variations.

III. SOCIAL FABRIC
Maximize the stability and income generation in Phoenix through diversification of employment opportunities.

A. Community/Neighborhood
1. Maximize the sense of community felt by urban village and neighborhood residents.
2. Develop physical and social focal points in urban villages and neighborhoods.
3. Create new and preserve existing neighborhoods that support the educational, physical and economic needs of their residents providing for security, leisure time activity, physical and mental health and social interaction as well as privacy.

B. Life-Style
1. Maximize the opportunity for diversity and flexibility of activity and a choice of life-style.

C. Social Stability
1. Enhance the opportunity for an integration of socio-economic backgrounds.

2. Create an atmosphere in which different types of people interact naturally.
3. Foster community spirit, friendliness, physical and psychological well-being, and high community morale throughout the Phoenix metropolitan area.

D. Physical Security
1. Reinforce public and private capacity to ensure physical security.
2. Minimize crime rate loss by developing urban village cores where employment, recreational, commercial and residential activities occur at a sufficient level of intensity to reduce anti-pedestrian activity throughout the day.

E. Recreation
1. Provide a wide range of opportunities for the enrichment of the life of each citizen and the stimulation of his unique talents.
2. Provide a park and recreation system adequate to meet the diverse leisure time needs for mental and physical refinement of residents and visitors alike.
3. Design open space areas to provide relief from continuous urban development, areas for varied recreational needs, and preservation of some of the original character of the area.
4. Design local recreational facilities and open spaces, as an integral part of residential areas, near the center of neighborhoods with pedestrian access.

IV. ECONOMY

A. Stability
Maximize the stability of employment and income generation in Phoenix through diversification of employment opportunities.
1. Facilitate the continued growth of tourism through protecting the natural and man-made attractions which draw people to the valley.
2. Facilitate development of manufacturing enterprises by providing for a wide choice of sites, with good access to labor markets, suppliers and buyers.
3. Protect and encourage agriculture/industries.

B. Taxes
1. Minimize the local tax burden by providing public services and facilities in the most efficient manner possible.
2. Revise the tax-exempt property tax system to encourage rather than penalize maintenance and rehabilitation of older units.

C. Employment
1. Provide opportunities for diversification of basic employment.
2. Create conditions conducive to attracting and retaining a labor force.
3. Revitalize business and industrial enterprises which provide meaningful employment opportunities to low income people and increase the tax base in low income areas.

D. Development Costs/Incentives
1. Encourage a partnership of the public and private sectors in providing for both development and redevelopment.
2. Emphasize the use of incentives over the use of restrictions to achieve appropriate development.

V. GOVERNMENT

A. Informed Constituency/Electoral and Non-Electoral Participation
1. Involve the public in all phases of the planning process and make them aware of the social, economic and environmental effects of different land use policies.
2. Establish community centers to help in informing the public of governmental activities.

B. Government Responsiveness
1. Create a city in which an individual's participation can have influence on the decisions that affect his or her life.
2. Ensure that property owners will be fairly compensated in the event that property or property rights are acquired in the public interest.
3. Cope with the demand for services.

C. Booms of Activity and Involvement
1. Increase public sector involvement in large scale urban development activities as a result of the increased activity and potential beyond the capacity of the private sector due to the high level of economic activity, and make use of appropriate financing and interjurisdictional coordination.
2. Encourage and facilitate private sector involvement in urban development activities in furtherance of urban form goals in relatively autonomous, profit motivated projects.
3. Participate in area-wide water management and transportation planning.
4. Minimize the level of government intervention necessary to achieve urban form goals.
The following policies will provide guidance for making decisions about the way the city should grow through the year 2000. They will provide direction in both initiating programs and controlling properties.

1. **Structure future growth into a system of urban villages characterized by:**
   - High intensity pedestrian oriented cores with a full mix of activities. The downtown core should be the largest and most intense core and provide unique city and metropolitan services. Primary cores in other urban villages should be of similar importance, although their character and intensity may differ. Villages may also have secondary cores to facilitate the provision of services to portions of villages.
   - Identify low intensity peripherals incorporating functional open space.

2. **Policies**

   - Gradually provide a gradual transition between cores and peripherals.
   - Similar village population size.
   - High accessibility to and strong connection of village cores.
   - The opportunity to live and work in the same village with the number of jobs approximately equal to the average proportion of the population employed except in the downtown village.
   - A wide range of activities including employment, shopping, recreation and a mix of housing types in each village.
   - Structure the timing and location of future growth to achieve approximately the following distribution of population, employment and housing.

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* Basic industries include agriculture, mining, construction, manufacturing, transportation, communication, utilities, and State and Federal government.

* Service industries include local government, public schools, retail and wholesale trade, finance, insurance, real estate and services.
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<td>9</td>
<td>74,000</td>
<td>30,000</td>
<td>40</td>
<td>50</td>
<td>50</td>
<td>30,000</td>
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<tr>
<td>10</td>
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<td>35</td>
<td>60</td>
<td>60</td>
<td>2,000</td>
<td>60</td>
</tr>
<tr>
<td>TOTAL</td>
<td>948,000</td>
<td>385,000</td>
<td>40</td>
<td>60</td>
<td>60</td>
<td>385,000</td>
<td>60</td>
</tr>
</tbody>
</table>

* Basic industries include agriculture, mining, construction, manufacturing, transportation, communication, utilities, and State and Federal government.

** Service industries include local government, public schools, retail and wholesale trade, finance, insurance, real estate and services.

3. As a priority high-rise buildings should be concentrated in downtown and midtown; include consideration of high-rise areas in other areas.

4. Promote the development of Rio Salado for multiple uses.

5. Emphasis is in use of canals, Cave Creek Wash, north of the Arizona Canal and the Indian Bend Wash.

6. a. Encourage significant increases in new residential development in the central valleys.

b. Encourage moderate increases in new residential development in valleys other than the central valleys.

7. Reserve the southwestern portion of the city north of the Rio Salado for agricultural uses and for industry with low employment densities and extensive land area requirements.

8. Development north of the CAP aqueduct should generally be encouraged before the year 2000, but all development plans for that area should be reviewed on a case by case basis.

9. Encourage new employment to locate in village cores.

10. Discourage contingent development adjacent to agricultural areas to prevent the loss of agricultural land.

11. Develop a planning and implementation program with a strong citizen participation component to bring about the goals of this plan. This program should include the following accomplishments by 1985,

   a. Preparation of the General Plan Elements

   b. Preparation of the State, the County, the City, and the Land and Circulation Elements should begin immediately. The circulation elements should include a long-range transit plan.

   c. Appointment of a village planning committee and implementation of a plan and implementation program for each village.

12. Reevaluate and update the goals, policies, and recommendations of adopted plans every five years to meet the changing needs of Phoenix.
CHARGE TO VILLAGE AND AREA PLANNING COMMITTEES

To work toward implementation of the Phoenix Concept Plan-2000 in all areas of the city, village and area planning committees shall be appointed and shall refine the city plan in accordance with the goals of their village or area and the following guidelines:

1. Village and area plans shall define actions working toward the goals and policies of the Phoenix Concept Plan-2000.

2. The components of village and area plans shall be as follows:
   a. A 25-year concept plan including:
      (1) Goals and policies.
      (2) A map indicating village cores where appropriate and the general distribution of land use intensity throughout the village or area.
      (3) Components of the city-wide concept plan relating to the village or area.
   b. A detailed plan with five-year staging including:
      (1) Land use maps showing existing development and for the first five-year plan future land uses and intensities in sufficient detail to serve as a basis for making zoning decisions. Subsequent five-year plans should show future land uses in increasingly less detail.
      (2) Employment and population distribution to traffic analysis zones. Total population will be broken into age groups and employment into appropriate categories.
      (3) Land use policies and standards.
      (4) Quantifiable objectives and an implementation program for the first five-year period.
      (5) Transportation policies and standards.

Within the framework of the core, gradient and periphery, each village should offer unique features building upon existing identities. As each village evolves, it should acquire a more distinct and recognizable identity and character based on the activities, life-styles and attitudes of its residents, creating a pride and enthusiasm of each resident in his or her community.
A. HISTORY OF URBAN FORM DIRECTIONS

In January, 1974, Mayor Timothy A. Barrow and the City Council appointed the Phoenix Planning Commission with the responsibility of presenting them with alternative urban form plans and their implications. The Commission’s first step was to hold a seminar in Carefree to discuss urban form.

Next, the Commission appointed over 200 citizens to eight Urban Form Directions Committees. During Phase I of the progress each committee studied a single topic: Land Use, Transportation, Conservation, Recreation, Public Buildings, Services and Facilities, Housing, Health and Safety, and Neighborhood Rehabilitation and Reinforcement — similar to each one of the elements of a general plan required by Arizona law.

Beginning with a general meeting on April 2, 1975, the committees met weekly for approximately 9 months and weakened until they finished on October 1. While many detailed proposals were developed, the work of the committees focused on one subject — the urban village concept.

After consideration of the reports of the eight committees, the Planning Commission recommended that the City Council adopt the urban village concept described in the introduction to the plan and many of the other Phase I recommendations. The Council found the urban village concept to have merit but wanted more study of its implications. They authorized Phase II of the study reforming the Urban Form Directions Committee and the allocation of Planning Department staff to assist them. To direct Phase II the Planning Commission appointed a Steering Committee comprised of the chairman of the eight Phase I committees, the vice chairman of the Planning Commission and Joe Lorita, member of the Land Use and Transportation Committee in the development of the urban village concept. Phase II began in earnest in June of 1976. The Phoenix Form Directions Steering Committee began meeting weekly. Over the first few months emphasis was on refining the goals developed by the eight committees during Phase I. These goals were also reviewed by the Phoenix Planning Commission and City Council.

In September of 1977 the Planning Commission appointed representatives from four of the area planning committees to the Steering Committee to ensure coordination of the activities of these groups.

The Steering Committee then concentrated its efforts on developing alternative urban village sketch plans. A trend toward Phoenix’s future would look like assuming no change in current land use controls was also incorporated.

After the sketch plans were developed, the Steering Committee presented them to the Phoenix Planning Commission, the west of the Urban Form Directions Committee to determine the relative importance of each of these groups. This recommendation was refined during a series of meetings held in January and February, 1978, and forwarded to the Phoenix Planning Commission. The Planning Commission held two public hearings on the plan in April and the City Council held one hearing. The Phoenix Concept Plan 2000 was then adopted by City Council resolution on July 31, 1978.

B. DEVELOPMENT OF GOALS

The goals included in the 2000 Plan area as the description in the Plan states, “is to act, but they also formed the basis for a series of plans and thus for the selection of the 2000 Plan map and policy.

To assist in combining and refining the goals of the eight committees of Urban Form Directions, Phase I, the Steering Committee and Planning Department staff compiled three lists in a common format: (1) Urban Form Directions goals from Phoenix Planning Committee Reports; (2) adopted city goals from the Comprehensive Plan 1970, Central Phoenix Plan, Phoenix plan area plans and other adopted plans, and (3) Phoenix urban land problems from Phase I Urban Form Directions Committee Reports and the work of a Phase I subcommittee convened for the purpose. These lists were used by the Steering Committee to identify overlaps and incompatibilities in the Phase I goals and to determine if significant problems or adopted goals were not considered in the Phase I goals.

The Steering Committee approved a preliminary list of goals for use in Phase II in December 1976. These were discussed with the Planning Commission in January 1977 and the City Council in February. The Commission and Council accepted them as appropriate for further work in Urban Form Directions.

In early 1977 the urban Form Directions Committee and the Steering Committee developed a questionnaire to steer the Steering Committee in determining the relative importance of community attitudes as was made in late 1977 and 1978. The results of this questionnaire formed the goals of the Urban Form Directions and the Steering Committee’s ranking of their relative importance.

C. DEVELOPMENT OF SKETCH PLANS

Work on sketch plans began with the identification of positions in the community on significant land use issues such as the strength of downtown Phoenix, types of dwelling units and sizes of residential preservation of agricultural lands, and development of the Central Arizona Project Canal. Eventually 50 different positions on land use issues were identified. Definitions of these are given in Appendix F.

Identified positions on alternative plans to the Sketch were developed by using the Sketch Plan matrix included in Appendix II to central Phoenix and the sketch plans matrix of 12 different land use alternatives or sketch plans which would be possible and logically consistent with the central Phoenix land use plans and initial the following three were selected for additional study.

a. Sketch Plan 15 showing the other end of the sketch plan. Sketch Plan 7 with significantly higher residential densities than the sketch plan. Sketch Plan 7 with significantly higher residential densities than the sketch plan. It was eventually dropped in favor of Sketch Plan 15 after final work had been done on the latter plan. These later plans were developed using the following steps:

1. Designation of land to be withheld from development including steep slopes, floodways, and large parks and airports. Sketch plans with characteristics of "retention of agricultural land" or "no development north of the Central Arizona Project" would also designate these areas as windward.

2. Location of urban village cores and boundaries based on natural and man-made features, areas of existing high intensity uses and policy considerations.

3. Determination of residential densities and mix of housing types in the city as a whole and in each village.

4. Determination of employment distribution and the proportion of mixed and service employment in each village.

5. Determination of land area requirements for land which have been designated, and residential and employment activities.

6. Preparation of sketch plan map.

After preliminary analysis of Plans 1, 7, and 15, the Steering Committee and Planning Department staff prepared a fourth alternative, Sketch Plan 18 using the Committee’s concern with the selection of characteristics, core locations, village boundaries and an attempt at achieving the maximum residential density in Phoenix assuming little redevelopment.

After substantial analysis and refinement of plans 1, 7 and 15 it was determined that the implementation measures required by Sketch Plan 18 in particular the substantial proportion of high rise residential buildings which would install the plan’s objectives in Phoenix. It was decided to develop a new sketch plan using the same villages as Sketch Plan 15 for character but with more moderate increases in residential densities. The new plan was designated as number 16. All four plans were developed for each five year period between 1980 and 2000. The following is a brief description of the four plans.

1. Sketch Plan 1. This alternative represents a protection of land which is presently open or which would have no change in land use controls between now and the year 2000. In essence, residential lands in the Phoenix area would increase moderately from 3.8 to 3.3 dwelling units per acre. Employment would increase significantly in Central Phoenix, but population would remain relatively unchanged there. Residential development would extend north of the Central Arizona Project Aqueduct in Paradise Valley but much of the southwestern portion of the planning area would remain in agricultural use.

2. Sketch Plan 7. This plan assumes government management of the location of urban development to create a city composed of 22 equal urban villages by the year 2000. Residential density would decrease moderately between 1980 and 2000 from 3.8 to 3.3 dwelling units per acre and most present agricultural and vacant lands in this planning area would be developed. Substantially more development is proposed in the northwestern Phoenix than a projected by trends. Central Phoenix would have only slight population and employment growth.

3. Sketch Plan 16. This plan assumes government management of the location of urban development to create a city composed of 22 equal urban villages by the year 2000. Employment density would increase somewhat faster than trends to 5.0 dwelling units per acre and growth in new areas would be more balanced between the northern and southern portions of the city. Substantial new residential growth would occur in the center of the city to bring population and employment into closer balance. More agricultural and vacant land would be protected.

The southwestern portions of the city’s north of the Salt River would be reserved for agricultural and low density industrial uses with little new residential development.

4. Sketch Plan 18. This plan assumes government management of the location of urban development to create a city composed of eight urban villages. Average residential density would increase much faster than trends to 6.2 dwelling units per acre with the concentration of large number of high-rise apartment buildings in central Phoenix and greater apartment construction in other areas.

The following table shows the significant differences among the sketch plans for residential land areas in the year 2000 but the relatively insignificant differences in other categories. Summary of year 2000 data by village or planning area is included in Appendix G.
Appendix D • D15

Year 2000 Land Use Areas By Sketch Plan (Acres in Phoenix Planning Area)

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Sketch Plan 1</th>
<th>Sketch Plan 7</th>
<th>Sketch Plan 10</th>
<th>Sketch Plan 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculure</td>
<td>29,100</td>
<td>23,500</td>
<td>38,100</td>
<td>38,100</td>
</tr>
<tr>
<td>Vacant/Developable</td>
<td>52,500</td>
<td>23,500</td>
<td>57,400</td>
<td>63,300</td>
</tr>
<tr>
<td>Land Withdrawn</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>49,100</td>
<td>49,100</td>
<td>49,100</td>
<td>49,100</td>
</tr>
<tr>
<td>Residential</td>
<td>104,400</td>
<td>130,400</td>
<td>91,900</td>
<td>79,100</td>
</tr>
<tr>
<td>Basic Employment</td>
<td>16,200</td>
<td>17,000</td>
<td>14,300</td>
<td>13,300</td>
</tr>
<tr>
<td>Service Employment</td>
<td>24,500</td>
<td>25,000</td>
<td>24,500</td>
<td>24,500</td>
</tr>
<tr>
<td>Total</td>
<td>275,400</td>
<td>275,400</td>
<td>275,400</td>
<td>276,400</td>
</tr>
</tbody>
</table>

D. EVALUATION OF SKETCH PLANS

The evaluation of alternative plans formed the basis for the Urban Form Directions Steering Committee’s recommendation of the 2000 Plan map and policies. The process selected for this evaluation over a Goals - Achievement Matrix to organize the comparison of the disparate factors indicating whether one plan is better than another. After selection of goals, use of the matrix began with the identification of objectives to permit either qualitative or quantitative measurement of an alternative’s achievement of a goal. The results of the measurements are then transferred into a common unit of normalcy so that the results of several measures can be summed.

In September 1977 the Urban Form Directions Steering Committee appointed the following four subcommittees to begin evaluation of the sketch plans:

1. Cost/Revenue
2. Man-Made Environment and Social Fabric
3. Transportation
4. Natural Environment

The change to each subcommittee included those goals which the Steering Committee found appropriate for study. The subcommittees were also asked to review other goals to determine if these goals had implications in their subject area.

After initial work on refining the goals assigned to them, the subcommittees identified measurable objectives for as many of the goals as possible. At the conclusion of their work only 24 of the goals were found to be measurable with the information available for the sketch plans. The measurement techniques used by each subcommittee differed substantially as discussed below. A report by each subcommittee explaining these techniques is also available.

Cost/Revenue Subcommittees

The subcommittee’s work centered on the fiscal impact of each of the four sketch plans on City of Phoenix and Maricopa County. A consultant of Tischler, Marcoux and Associates (TMA) was hired. For the fiscal analysis city-wide projections of population, housing units, and basic and service employment under each sketch plan were broken down by sector or “tribe” within the Phoenix Planning Area. This enables TMA to differentiate costs by area of the city where costs might differ substantially. For example, land costs downtown greatly exceed those south of the Salt River, affecting the cost of all land- using public facilities located in one area of the other. These tribe areas are defined as follows:

a. Tier I — central Phoenix
b. Tier II — most of the remaining development
c. Tier IIIA — predominantly undeveloped areas in the northern part of the city and

d. Tier IIIB — predominantly undeveloped areas in the southern and western parts of the city.

Cumulative Fiscal Impact

The evaluation of the four alternative plans for the Phoenix Planning Area shows that the net fiscal impact of the highest density plan, Sketch Plan 18, is better over the 1974 to 1980 time frame than the other alternatives. (See the following table.) For the City of Phoenix, the net fiscal surplus generated totaled $900,000,000, with sketch plans Sketch Plan 16 and Sketch Plan 7, the other “urban village” options are $343 million and $441 million respectively. Sketch Plan 1, the “trend” alternative, generates a fiscal deficit of $350 million over the 20-year planning period.

The cumulative fiscal impacts noted above also indicate that no plan appears likely to generate major revenue surpluses, relative to the total Phoenix budget, or to forestall needs of the current population. Revenue growth, accounting for all the predictable sources, is barely enough to meet cost increases projected in this analysis.

Results for the Phoenix area school districts, aggregated into seven hypothetical districts, are more mixed, and are not easily summarized. Primary factors affecting the surpluses and deficits projected include current tax rates and State aid levels, and new property values projected, relative to the number of new pupils.

No single sketch plan is best for schools in all areas of the city. If results are measured by the level of surplus or deficit generated. Sketch Plan 18 produces the highest surpluses in Tier I and II, due to high property value added and low pupil growth. Sketch Plan 7 is best in Tier IIIA, due to its high property value added per pupil, which in turn reflects relatively high employment growth projected for the labor market. Sketch Plan 7 also produces the highest surplus for Tier IIIIB elementary schools for similar reasons, although Sketch Plan 18 produces slightly better results for high schools. The latter effect is due to the combined impacts of pupil population levels, property values projected and current tax rates. These fiscal results, however, merely reflect the fact that Sketch Plans 7 and 18 are extremes of the spectrum. It is likely that, overall, Sketch Plan 16 might prove more beneficial to more school districts than any of the alternative plans. Sketch Plan 16, which generates the most evenly distributed costs of new pupils and new property values, would probably help to reverse declines in the inner city districts and moderate the strain of new growth in the developing areas.

Summary of Cumulative Fiscal Results (1980-2000) By Major Budget Category

City of Phoenix

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Sketch Plan 1</th>
<th>Sketch Plan 7</th>
<th>Sketch Plan 10</th>
<th>Sketch Plan 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Government</td>
<td>$100,745</td>
<td>$105,811</td>
<td>$106,763</td>
<td>$106,500</td>
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<tr>
<td>Criminal Justice</td>
<td>248,046</td>
<td>248,754</td>
<td>248,792</td>
<td>248,304</td>
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<tr>
<td>Public Safety</td>
<td>107,910</td>
<td>113,845</td>
<td>87,410</td>
<td>106,196</td>
</tr>
<tr>
<td>Transportation/Storm sewers</td>
<td>71,952</td>
<td>63,702</td>
<td>65,070</td>
<td>94,606</td>
</tr>
<tr>
<td>Transportation/Street</td>
<td>71,952</td>
<td>63,702</td>
<td>65,070</td>
<td>94,606</td>
</tr>
<tr>
<td>Sanitation/Refuse</td>
<td>71,952</td>
<td>63,702</td>
<td>65,070</td>
<td>94,606</td>
</tr>
<tr>
<td>Sanitation/Storm sewers</td>
<td>71,952</td>
<td>63,702</td>
<td>65,070</td>
<td>94,606</td>
</tr>
<tr>
<td>Community Education</td>
<td>159,339</td>
<td>155,902</td>
<td>152,086</td>
<td>132,916</td>
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<tr>
<td>Water System</td>
<td>239,581</td>
<td>235,981</td>
<td>239,981</td>
<td>239,981</td>
</tr>
<tr>
<td>Human Resources</td>
<td>8,077</td>
<td>8,077</td>
<td>8,077</td>
<td>8,077</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$1,310,021</td>
<td>$1,285,109</td>
<td>$1,282,463</td>
<td>$1,213,461</td>
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</tbody>
</table>

Note: Totals may not add due to rounding.


1. Revenues assumed to equal costs, shown here as an average of the four sketch plans. The rationale for these assumptions is discussed in the text.
Bounded Debt — Year 2000

Another measure of cumulative fiscal results, the level of outstanding debt in the Year 2000, shows that Sketch Plan 7 has the lowest outstanding debt in the Year 2000, primarily due to the absence of any guideway transit costs. However, this plan also has the highest school debt as a result of high pupil generation, concentrated in undeveloped areas of Phoenix. Sketch Plan 16 is second best for both the City and public schools due to efficient use of existing facilities, but the cost of guideway transit masks other savings.

Relative Rankings

The following chart exhibits the relative rankings among sketch plan alternatives for the City of Phoenix cumulative fiscal results and the Year 2000 bonded debt.

<table>
<thead>
<tr>
<th>SUMMARY RELATIVE RANKINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF PHOENIX</td>
</tr>
<tr>
<td>CUMULATIVE FISCAL RESULTS 1990-2000 AND YEAR 2000 BONDED DEBT</td>
</tr>
<tr>
<td>PLAN 1</td>
</tr>
<tr>
<td>SKETCH</td>
</tr>
<tr>
<td>RESULTS</td>
</tr>
<tr>
<td>$9.9</td>
</tr>
<tr>
<td>Cumulative Fiscal Results</td>
</tr>
<tr>
<td>Year 2000 Bonded Debt</td>
</tr>
</tbody>
</table>

With regard to these combined City rankings, higher ranked plans are more desirable. However, all alternatives, including Sketch Plan 18 and 16, suffer from the same relative level of feasibility. The latter conclusion should be stressed. No alternative is so outstandingly positive or negative as to merit selection or disqualification on fiscal grounds alone.

Impacts on schools are even more favorable toward Sketch Plan 18 than the City rankings. This result is due to the assumption that with a high-density housing pattern being promoted by the City, families with children would likely locate in nearby communities rather than Phoenix. There is, thus, an implied spread bias in the age-profile of the population if Sketch Plan 18 is implemented, resulting in modest numbers of new pupils and relatively minor capital and operating property values — highly favorable conditions for the schools.

Among the other sketch plans, the overall results of Sketch Plan 16 appear best in Tiers I, IIIa, and IIIb. (Tier I is included here, because substantial benefits accrue by implementing a full island, as with Sketch Plan 1 for Tier I, are not considered a "favorable" outcome for the stand-alone school systems' quality and visibility.) Within Tier II, Sketch Plan 16 emphasizes low-density housing, which implies a higher number of pupils, relative to the tax base added. Still, this sketch plan should produce fairly limited difficulty, especially for the school districts in the tier.

Key Cost/Revenue Factors

Examination of the detailed outputs of calculated costs and revenues indicates that several elements are critical to the results for the City of Phoenix, as discussed above: Public Safety costs, Transportation, Sanitation, and Water Systems. However, the addition of Water System costs could have major impacts on the relative feasibility, including the type and magnitude of distance feasible, the type and magnitude of the capital costs and revenue ability to cover the costs in the long run. With Public Safety programs, principally the Fire Department, capital facility requirements are critical, with compact development patterns to ensure fire access. Sketch Plan 18, with its low density, is the least costly in this regard. Sketch Plan 16 is also the least costly, followed by Sketch Plan 17 and 18. The level and timing of these costs are the main factors affecting cumulative Public Safety costs.

Several factors influence total Transportation program costs, including costs for major streets and storm sewer construction. However, hotel, utility, and traffic control. For street and storm sewer costs, Sketch Plan 18 ranks best, while Sketch Plan 7 has the least overall capital cost for transportation. However, operating costs for transportation programs result in Sketch Plan 17 having the highest costs. Sketch Plan 16 and 17 are the least costly, with Sketch Plan 18 the next lowest. Sketch Plan 16 is the least costly in terms of the low density, urban village concept embedded in Sketch Plan 7, relative to plans 17 or 18. The sanitation costs differ widely between Sketch Plan 16 and the other alternatives, but the City is assured of reasonably close contracts for refuse collection at all high-risk buildings. Given the predominance of this housing type in Sketch Plan 18, the City (not considering private costs) is understandable.

A second reason for differences among Sanitation program costs is the level of sanitary sewer capital costs required by each plan. These costs range from $15.8 million under Sketch Plan 1, $25.7 million under Sketch Plan 18, and $25.5 million under Sketch Plan 18, which implies a higher number of pupils, relative to the tax base added. Still, this sketch plan should produce fairly limited difficulty, especially for the school districts in the tier.

Cost/Revenue Subcommittee Conclusions

The sketch plan alternatives were evaluated based on the feasibility of their respective public cost and revenue alternatives, with the sketch plan remaining as an alternative. While Sketch Plan 7 achieved the highest scores for the cost/revue aspects, followed by Sketch Plan 16, 18, and 18, it is essential to note that the actual fiscal differences between the two extreme cases when taken on an annual basis is relatively insignificant. The Subcommittee deliberations did not wish to recommend any one sketch plan alternative.

The Subcommittee, however, noted that the Fiscal Impact Analysis study results indicate that some form of managed growth is line with the village concept appears to be fiscally beneficial although not overwhelmingly so.

A number of cost/revenue issues were not able to be accounted for in the Fiscal Impact Analysis or the Goals and Objectives Matrix. These include the potential for land growth and the implications of keeping desired parcels of land out of production and redevelopment activities in the older areas of Phoenix.

The difficulty in assigning a cost to public land acquisition is that there are a range of capital gain, development opportunity, and other public benefits which could be monetized. Monetary techniques might include inclusionary pricing, such as the Phoenix Mountains Preserve, or land banking activities. Nongrowth implementation techniques include creating new locations for existing activities, such as the Phoenix Municipal Park, or lowering current zoning, such as downtown zoning. Since many of the possible implementation techniques have not been adequately developed, Phoenix is based only on those that have not been previously studied in Phoenix, accurate measurement and the relative effectiveness of these techniques is difficult to assess.

In assessing redevelopment activities, the degree of public and private involvement must be determined. Due to the currently limited extent of public involvement in Phoenix, which is primarily funded by the federal government, the maximum level of public involvement in these activities is difficult to determine. Also, while the City of Phoenix may encourage private redevelopment activities through tax incentives techniques, the extent of private participation cannot be accurately measured.

In light of these consideration, the Subcommittee converged with the substantive evaluation of these issues made by the Man-Made Environment/Social Fabric Subcommittee. Their evaluation resulted in Sketch Plan 1 being the least difficult plan to implement followed by Sketch Plan 7, 16, and 18, respectively. The Cost/Revenue Subcommittee feels that substantially greater implementation costs would be incurred in Sketch Plan 18 than would be in Sketch Plan 7 or 18.

Man-Made Environment and Social Fabric Subcommittee

This subcommittee dealt with the most critical aspects of the sketch plan process and scrutinized the fourteen goals it originally considered significant. The goals selected were developed and included some of those critical to the urban village concept.

Sense of Community

The most important of the subcommittee goals, "maximize the sense of community felt by urban village and household residents," was evaluated with three measures:

1. The proportion of miles of natural and man-made features as village or planning area boundaries. Using this measure the following scores resulted in Sketch Plan 1 — 83%, Sketch Plan 7 — 85%, Sketch Plan 16 — 91%, Sketch Plan 18 — 91%. The area boundaries in Sketch Plan 1 and 18 are less flexible in following natural boundaries as the goal of equal value was not reflected in the Fiscal Impact Analysis or the Goals and Objectives Matrix. These issues are partially addressed in the revenue aspects of the plan and the use of the other plans was not part of the trends plan. The use of the area boundaries in the plans would help to reinforce sense of community.
2. The deviation of village areas from the metropolitan employment participation rate. This measure is based on the assumption that people living and working in the same village will have a greater sense of community. The high residential densities in Sketch Plan 16 permitted a dramatically better match of employment and residential opportunities with only 200 people in the year 2000 not having the opportunity to live and work in the same village as compared to 790 in Sketch Plan 16, 14,800 in 7 and 67,800 in Sketch Plan 1.

3. The deviation of each village area from an ideal mix of housing types. The Subcommittee subjectively selected the following mix of residential density ranges as providing the best opportunity for choice of appropriate housing in the year 2000:

<table>
<thead>
<tr>
<th>Dwelling Units Per Residential Acre in Category</th>
<th>Typical Dwelling Type in Category</th>
<th>Prop. of Dwelling Units in Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 1.7</td>
<td>large lot single family</td>
<td>5%</td>
</tr>
<tr>
<td>1.7 - 5</td>
<td>small lot single family</td>
<td>35%</td>
</tr>
<tr>
<td>5 - 15</td>
<td>patio homes and townhouses</td>
<td>30%</td>
</tr>
<tr>
<td>16 and over</td>
<td>high-rise apartments</td>
<td>30%</td>
</tr>
</tbody>
</table>

The net difference between each village percentage and the subcommittee percentages for each density range was determined. Sketch Plan 16 had the lowest average deviation from the ideal mix and achieved the best score. The normalized scores for the measure were Sketch Plan 1 — 96, Sketch Plan 7 — 92, Plan 16 — 1.00 and Plan 18 — 95.

Vitality of All Areas

Another important goal measured by the Man-Made Environment and Social Fabric Subcommittee was, "Develop and provide for the continued vitality of all areas of the city." Eight measures were used to determine a score for this goal including the composite score of the "sense of community" goal. This was identified as an essential ingredient for achievement of the vitality goal. Residents who share a sense of community would be more likely to support efforts to develop and maintain their community as a self-sustaining one. The normalized scores of community sense are as follows: Sketch Plan 1 — 85, Plan 7 — 73, Plan 16 — 82 and Plan 18 — 100.

Transportation measures were used assuming that access to opportunities within village would help the village of a sense of community. A strong village core is necessary because of its small villages and low levels of congestion. Lack of congestion also aided Plan 7 to score best for access to opportunities outside villages.

Another measure used was an index of accessibility to employment opportunities. Sketch Plan 16 received the best score for this index because it combined a good match of employment opportunities to population with relatively low levels of traffic congestion. The normalized scores for this measure are: Sketch Plan 1 — 97, Plan 7 — 97, Plan 16 — 1.00 and Plan 18 — 96.

Other measures used for this goal compared the mix of land uses in villages to the average for the city and the diversity of age of housing units. Sketch Plan 1 received the best score for mix of land uses and Plan 16 best for diversity of age of housing units. Scores for this latter measure were: Plan 1 — 85, Plan 7 — 70, Plan 16 — 1.00 and Plan 18 — 94.

Implementation Problems

Another significant goal studied by the Subcommittee was, "Minimize the need for government intervention necessary to achieve urban form goals." To measure this goal a subjective rating was assigned to each plan denoting the degree of difficulty municipal government would have in implementing the plan. Prior to assigning the rating, the Subcommittee discussed at length the probable municipal government involvement for plan implementation. The resulting scores were: Sketch Plan 1 — 1.00 indicating that it would be the easiest to implement and therefore require the least intervention, Sketch Plan 7 — 80, Plan 16 — 48 and Plan 18 — 44 indicating that it would be the most difficult to implement.

While Sketch Plan 16 and 18 scored low on the "minimizing governmental intervention" goal, the Subcommittee feels that the negative political and economic consequences of "government intervention" could be overcome only if the City Council and the Planning Commission are committed to the urban village concept as being the most viable alternative to continued urban sprawl.

Man-Made Environment and Social Fabric Subcommittee Conclusions

The Subcommittee feels that certain characteristics of Sketch Plan 16 and 18 are necessary for achieving Man-Made Environment and Social Fabric goals and strongly recommended they be retained in the sketch plan ultimately selected for formal adoption by City Council. Characteristics to be included in the recommended plan are:

1. A strong downtown core to help establish the City's identity for its people. A strong downtown core is also necessary for "Phoenix'"' development and economic growth.
2. Strong village definition that promotes a sense of community, provides for a choice of lifestyles, and encourages continued vitality.
3. Retention of agricultural land for greenbelts within peripheries and buffer between villages and different land uses.
The Transportation Subcommittee Report concentrated on the impact that different land use configurations would have on transportation service rather than on the suitability of any single transportation system. Additional study and refinement of the transportation system will be undertaken during the development of a Circulation Element upon adoption of the Phoenix General Plan 2000. The normalized scores (where a score of 1.00 indicates the alternative with the lowest cost) for the five goals studied by the Subcommittee are as follows:

<table>
<thead>
<tr>
<th>Goal</th>
<th>Plan</th>
<th>1</th>
<th>7</th>
<th>16</th>
<th>18</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Develop a land use pattern that reduces the need to travel by shortening required travel distances.</td>
<td>E-C</td>
<td>.47</td>
<td>.58</td>
<td>.85</td>
<td>.81</td>
</tr>
<tr>
<td>2. Provide mobility by improving transportation facilities and right-of-ways.</td>
<td>E-C</td>
<td>.80</td>
<td>.87</td>
<td>.96</td>
<td>.99</td>
</tr>
<tr>
<td>3. Develop an equitable transportation system providing accessibility to nonautomobile users.</td>
<td>E-C</td>
<td>.93</td>
<td>.99</td>
<td>.93</td>
<td>.81</td>
</tr>
<tr>
<td>4. Provide for sale, efficient, and convenient movement and transfer of people and goods.</td>
<td>E-C</td>
<td>.77</td>
<td>.82</td>
<td>.98</td>
<td>.99</td>
</tr>
<tr>
<td>5. Minimize the adverse impacts of transportation system construction and operation on housing and socioeconomic areas and on aesthetics of adjacent or areas.</td>
<td>E-C</td>
<td>1.00</td>
<td>.95</td>
<td>1.00</td>
<td>.96</td>
</tr>
</tbody>
</table>

(See Notes on E-C, Plan and scores on page 28)

Notes: a. E = C indicates the existing plus committed freeway and expressway system.

b. Plan 1 indicates the adopted MAG Freeway, expressway and transportation corridor plans.

c. The scores in the table include testing Sketch Plan 1, 16, and 18 with a nine-mile exclusionary guideway system in the central corridor and all sketch plans with an 850 bus system in Phoenix.

The implications of these normalized scores are as follows:

Goal 1 was measured by (1) examining how well employment opportunities were matched to residential areas and (2) examining how accessible residential areas are to freeways. Residential location and employment were closely related to density, so that the density of an area increased employment opportunities increased. In all plans an equal percent of cores was accessible from the freeway (Plan 16 achieved the highest score).

Measures for Goal 2 determined a system's mobility by examining inter- and intra-site travel, employment accessibility and public transportation. Results indicate that as the density of an area decreases, the level of congestion decreases and speeds increase, increasing mobility. If both density and speed are increased, employment accessibility decreases. If one decreases and the other increases, employment accessibility is determined by (1) the density of the area and (2) the area's access to that area's surrounding areas. Plan 17 achieved the highest score for this goal.

Measures for Goal 3 determined transit mobility by determining how well users could travel within and between cores. Findings suggest that the ability to travel was dependent on the type of transit system used and travel distance. Mobility was determined by the distance between cores. The closer together the location of cores the greater the mobility. Results also imply that as the transit system is improved, mobility is increased. (Plans 7 and 16 achieved the highest score for this goal).

Goal 4 was evaluated by examining the relationships between speed, congestion, density, and safety. As density decreases and speed increases, congestion decreases and system efficiency is improved. A system's relative attractiveness was measured by the proportion of travel on freeways versus major streets. For a given amount of travel the number of accidents decreases as the proportion of travel on freeways increases.

Goal 3 compared alternate transportation systems by measuring their projected impacts on urbanized land, agricultural sites and historic sites. Results indicate that the highway development increases, construction impacts on urban land, agricultural sites and historic sites increases although not affecting a significant proportion of those areas. There was no difference among land use alternatives with this measure.

Movement within and between villages is dependent upon mobility. Mobility is a reflection of population and density. The availability of accessible employment depends upon both density and location. Social and residential and employment densities increase, employment opportunities increase, but only so long as the densities do not reach a point where mobility decreases.

Traffic movement between and within villages was determined by the design of the sketch plan as well as system improvements. Transit use increased as the transit system improved, or as the travel distance was reduced. In no alternative tested did total regional transit ridership exceed 5% of total trips. Substantially higher proportions of transit ridership were projected for home to work trips in the central Phoenix area however.

The overall results suggest that lower densities improve mobility but do not improve accessibility to employment opportunities. Higher densities produced more congestion but required shorter trips and greater access to employment and shopping, ideally, the optimum alternative will maximize employment opportunities to residents while minimizing traffic congestion.

Natural Environment Subcommittee

The Natural Environment Subcommittee determined the achievement of ten goals by the four sketch plans. These goals dealt with air and water quality, agricultural land, energy and open spaces. Measurement of some of the more significant findings was performed as follows:

Domestic Water Supply

The goal, "Provide a safe and adequate domestic water supply to all citizens of Phoenix," was measured by determining the amount of water required by population outside the Salt River Project service area unless replaced with water produced outside the service area. Assuming current rates of water use, the well production off project and the contracted amount of water from the Central Arizona Project will not be adequate to meet peak day demand for water for any alternative throughout the 1950-2000 period when water credits are not available. Several alternatives are possible for bringing off project water and demand into balance; however, the greater the imbalance, the more drastic the mitigating measures required.

Agricultural Land

Two measures were used to assess sketch plan's ability to preserve agricultural land. 1) the total number of acres preserved, and 2) the intensity of development adjacent to the agricultural land (measuring the compatibility of adjacent uses). The scores for the goal, "Preserve agricultural lands," are Sketch Plan 1 – 85, Plan 7 – 85, Plan 15 – 98 and 18 – 1.00.
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Groundwater
The goal, "Manage the quality and quantity of groundwater resources," was measured by estimating the amount of groundwater overdraft resulting from retention of agricultural land uses in the Phoenix Planning Area. The scores for this goal are: Sketch Plan 1 = .93, Sketch Plan 7 = .90, Plan 16 = .92 and Plan 18 = .91.

Open Space
The goal, "Design open space to provide relief from continuous urban development, areas for varied recreational needs, and preservation of some of the original character of the land," was measured by (1) the acres of open space preserved, and (2) the percentage of community peripheries in open space. Sketch Plans 16 and 18 received the best score of 1.00 for both of these measures with scores for plans 1 = .55 and 7 = .52.

Rio Salado
The goal, "Provide for the multiple use of surface water with due consideration to groundwater quality," was subjectively measured. The first three shoreline development was encouraged development of the Rio Salado and in particular the higher density plans with emphasis on downtown and South Phoenix residential development. The Rotonda project scores for the goal were: Sketch Plan 7 = .93, Plan 7 = .91 and Plan 16 and 18 = 1.00. Using subjectively measured scores for the goal, priority for multiple uses of cattle, flood plains and other waterways in the City's environment were: 1. Main-Made Environment and Social Fabric Subcommission, 2. Small Fabric Subcommission and 3. Rio Salado Subcommission, respectively. Sketch Plans 16 and 18 even score important in all three areas in scores for the latter goal of Sketch Plan 1 = .94, Sketch Plan 7 = .75, and Plans 16 and 18 = 1.00.

Energy Conservation
The goal, "Minimize the use of nonrenewable energy resources through conservation and increased use of renewable resources," was measured in three ways: (1) calculated the total energy use, (2) energy conservation based on differences in dwelling unit types in a sketch plan (plan with no multi-family units scored slightly better than the lower density plans), (3) a subjective rating of the amount of energy used in central Phoenix in each plan assuming that energy would result in reducing the need to travel, encouraging better mass transit and reducing the need to construct public facilities, and (3) determine the number of vehicle miles travelled (total vehicle miles travelled divided by the average trip length times the number of trips). Sketch Plan 7 has the longest trips but Sketch Plan 18 has far greater number of trips. The greater the vehicle miles travelled, the greater the energy use. Overall scores for the goal from these three measures are Sketch Plan 1 = .92, Sketch Plan 7 = .90, Plan 16 = 1.00 and Plan 18 = .96.

Air Pollution
Air pollution differences among the plans was measured by the amount of vehicle emissions, and the scores of vacant and agricultural land causing particulate emissions. Sketch Plan 7 and 18 received a score of 1.00. Plan 1 had a score of .96 and Plan 18 of .37.

Natural Environment Subcommittee Recommendations
The Natural Environment Subcommittee did not wish to recommend any of the four sketch plans as best achieving the intent of the Natural Environment Goals. Although Sketch Plan 18 came out with the highest score for each of the goals, the fact that it was the lowest in water conservation posed a problem. Also, although Sketch Plan 18 retained the greatest amount of open space, a good portion of it was located on the periphery of the planning area and was not readily accessible to all villages.

The Subcommittee did feel that certain characteristics of the sketch plans were important in achieving the natural environment goals and recommended that the following characteristics be included in the development of that plan:

1. Development of the Rio Salado and emphasis of waterways.
2. Retention of mountain open spaces and other environmentally sensitive areas.
3. Strong village definition to better utilize open space.
4. An overall density high enough to retain adequate open space and reduce energy consumption.
5. Multiple cores in numbers sufficient enough to create villages and not cities.
6. A strong inflating policy that would reduce energy consumption, help preserve agricultural land, and minimize off-site water needs.
7. Retention of agricultural land when it may be incorporated into the open space system of the city, and minimize off-site water needs.
8. Consideration should be given to all characteristics with low scores for such goals as air pollution and noise; pollution even though little variation between sketch plans is now evident.

Summary of Evaluation Results
The following table presents the normalized scores for each of the Urban Form Directions goals found to be measurable by the four evaluation subcommittees. The goals are listed in the order of the Steering Committee ranking of their importance with the most important measurable goal listed first.

<table>
<thead>
<tr>
<th>Rank</th>
<th>Goal</th>
<th>Sketch Plan 1</th>
<th>Sketch Plan 7</th>
<th>Sketch Plan 16</th>
<th>Sketch Plan 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Provide a safe and adequate water supply to all citizens of Phoenix.</td>
<td>.64</td>
<td>.68</td>
<td>.74</td>
<td>1.00</td>
</tr>
<tr>
<td>2</td>
<td>Conserve the quality and quantity of groundwater resources.</td>
<td>.93</td>
<td>1.00</td>
<td>.82</td>
<td>.81</td>
</tr>
<tr>
<td>3</td>
<td>Develop a land use pattern that reduces the need to travel by shortening required travel distances.</td>
<td>.66</td>
<td>.78</td>
<td>.86</td>
<td>1.00</td>
</tr>
<tr>
<td>4</td>
<td>Design open space areas to provide relief from continuous urban development, areas for varied recreational needs, and preservation of some of the original character of the area.</td>
<td>.55</td>
<td>.62</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>5</td>
<td>Provide and maintain air quality compatible with health and well-being and with the prevention of damage to property, vegetation, and aesthetic values.</td>
<td>.96</td>
<td>1.00</td>
<td>1.00</td>
<td>.97</td>
</tr>
<tr>
<td>6</td>
<td>Provide a sufficient choice of adequate housing in all parts of the city to meet the needs of all individuals.</td>
<td>.96</td>
<td>.92</td>
<td>1.00</td>
<td>.93</td>
</tr>
<tr>
<td>7</td>
<td>Maximize the opportunity for diversity and flexibility of activity and a choice of lifestyles.</td>
<td>.96</td>
<td>.92</td>
<td>1.60</td>
<td>.93</td>
</tr>
<tr>
<td>8</td>
<td>Provide mobility by improving transportation facilities.</td>
<td>.68</td>
<td>1.00</td>
<td>.92</td>
<td>.79</td>
</tr>
<tr>
<td>9</td>
<td>Provide for the multiple use of canals, floodplains and other waterways in the city.</td>
<td>.50</td>
<td>.89</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>10</td>
<td>Preserve environmentally sensitive areas such as floodplains, wildlife habitats and steep slopes.</td>
<td>.98</td>
<td>1.00</td>
<td>.94</td>
<td>.94</td>
</tr>
<tr>
<td>11</td>
<td>To minimize the urban dome effect which tends to reduce normal daily temperature variations.</td>
<td>.93</td>
<td>.90</td>
<td>.58</td>
<td>1.00</td>
</tr>
<tr>
<td>12</td>
<td>Minimize the use of nonrenewable energy resources through conservation and increased use of renewable resources.</td>
<td>.92</td>
<td>.98</td>
<td>1.00</td>
<td>.96</td>
</tr>
</tbody>
</table>
### Sketch Plan Evaluation

<table>
<thead>
<tr>
<th>Rank</th>
<th>Goal</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>Develop and provide for the continued vitality of all areas of the city</td>
<td>0.88</td>
</tr>
<tr>
<td>14.</td>
<td>Develop an equitable transportation system providing accessibility to nonautomobile users.</td>
<td>0.91</td>
</tr>
<tr>
<td>15.</td>
<td>Preserve agricultural land uses.</td>
<td>0.81</td>
</tr>
<tr>
<td>16.</td>
<td>Minimize individual and municipal costs, given current levels of service, by providing public services and facilities in the most efficient manner possible.</td>
<td>0.80</td>
</tr>
<tr>
<td>17.</td>
<td>Facilitate the continued growth of tourism through protecting the natural and man-made attractions which draw people to the valley.</td>
<td>0.95</td>
</tr>
<tr>
<td>18.</td>
<td>Maximize the sense of community felt by urban village and neighborhood residents.</td>
<td>0.65</td>
</tr>
<tr>
<td>19.</td>
<td>Provide for multiple use of surface water without allowing groundwater quality to deteriorate.</td>
<td>0.82</td>
</tr>
<tr>
<td>20.</td>
<td>Equitably manage urban and agricultural water needs.</td>
<td>0.99</td>
</tr>
<tr>
<td>21.</td>
<td>Minimize the adverse impacts of transportation system construction and operation on housing and businesses, parks, schools, historical and archeological sites and on the aesthetics of adjacent areas.</td>
<td>1.00</td>
</tr>
<tr>
<td>22.</td>
<td>Provide for safe, efficient and convenient movement and transfer of people and goods.</td>
<td>0.82</td>
</tr>
<tr>
<td>23.</td>
<td>Establish, foster, and maintain high standards for the control of noise pollution, ensuring a noise level that does not cause stress or health damage.</td>
<td>1.00</td>
</tr>
<tr>
<td>24.</td>
<td>Minimize the level of government intervention necessary to achieve urban form goals.</td>
<td>1.00</td>
</tr>
</tbody>
</table>

### E. SKETCH PLAN MATRIX

#### Characteristic

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Skecth Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. STRONG DOWNTOWN CORE</td>
<td>1</td>
</tr>
<tr>
<td>1b. WEAK DOWNTOWN CORE</td>
<td>0</td>
</tr>
<tr>
<td>2a. MULTIPLE CORES - LESS THAN 10</td>
<td>1</td>
</tr>
<tr>
<td>2b. MULTIPLE CORES - 11 TO 30</td>
<td>1</td>
</tr>
<tr>
<td>3a. MULTIPLE CORES - OVER 30</td>
<td>1</td>
</tr>
<tr>
<td>3b. ISOLATION OF CORES</td>
<td>0</td>
</tr>
<tr>
<td>4a. STRONG VILLAGE CORES</td>
<td>1</td>
</tr>
<tr>
<td>4b. WEAK VILLAGE CORES</td>
<td>0</td>
</tr>
<tr>
<td>5a. VILLAGE SPECIFICATION MAY APPEAR</td>
<td>1</td>
</tr>
<tr>
<td>5b. VILLAGE INTERVENTION NOT REQUIRED</td>
<td>0</td>
</tr>
<tr>
<td>6a. VILLAGE SPECIFICATION MAY APPEAR</td>
<td>1</td>
</tr>
<tr>
<td>6b. VILLAGE INTERVENTION NOT REQUIRED</td>
<td>0</td>
</tr>
<tr>
<td>7a. INTRODUCTION OF AGRO-INDUSTRIAL LAND</td>
<td>1</td>
</tr>
<tr>
<td>7b. DEVELOPMENT OF AGRICULTURAL LAND</td>
<td>0</td>
</tr>
<tr>
<td>8a. HOUSING DEVELOPMENT</td>
<td>1</td>
</tr>
<tr>
<td>8b. NO HOUSING DEVELOPMENT</td>
<td>0</td>
</tr>
<tr>
<td>9a. EMPHASIZE WATERWAYS</td>
<td>1</td>
</tr>
<tr>
<td>9b. AGRICULTURAL LAND</td>
<td>0</td>
</tr>
<tr>
<td>10a. RETENTION OF MOUNTAIN OPEN SPACE</td>
<td>1</td>
</tr>
<tr>
<td>10b. DEGRADATION OF MOUNTAINS</td>
<td>0</td>
</tr>
<tr>
<td>11a. MAXIMUM TRANSPORT OPPORTUNITY</td>
<td>1</td>
</tr>
<tr>
<td>11b. MINIMUM AUTO OPPORTUNITY</td>
<td>0</td>
</tr>
<tr>
<td>12a. WATERFALL WITHOUT 4' 18 CONNECTION</td>
<td>0</td>
</tr>
<tr>
<td>12b. FREQUENCY NETWORK</td>
<td>1</td>
</tr>
<tr>
<td>12c. PARKWAY NETWORK</td>
<td>1</td>
</tr>
<tr>
<td>12d. MOUNTAIN PARKWAY NETWORK</td>
<td>1</td>
</tr>
<tr>
<td>12e. ROAD AND/OR LILLET SYSTEMS</td>
<td>1</td>
</tr>
<tr>
<td>12f. BUFFER SYSTEMS</td>
<td>1</td>
</tr>
<tr>
<td>13a. HIGH ACCESSIBILITY TO CORES</td>
<td>1</td>
</tr>
<tr>
<td>13b. BREAK CONNECTION OF CORES</td>
<td>0</td>
</tr>
<tr>
<td>13c. LOW DENSITY DEVELOPMENT</td>
<td>1</td>
</tr>
<tr>
<td>13d. MEDIUM DENSITY 3 TO 5 NONRESIDENTIAL ACRE</td>
<td>0</td>
</tr>
<tr>
<td>13e. DENSITY OVER 10 TO 15</td>
<td>0</td>
</tr>
<tr>
<td>14a. MIX OF HOUSING TYPES IN VILLAGE</td>
<td>1</td>
</tr>
<tr>
<td>14b. INAPTIVITY OF COMMUNITY TYPES IN VILLAGES</td>
<td>0</td>
</tr>
<tr>
<td>15a. DISTRIBUTION RELATED TO CORES</td>
<td>1</td>
</tr>
<tr>
<td>15b. DISTRIBUTION IN AGRO-INDUSTRIAL CORE</td>
<td>0</td>
</tr>
<tr>
<td>15c. DISTRIBUTION IN VILLAGE CORES</td>
<td>0</td>
</tr>
<tr>
<td>16a. STRONG VILLAGE DEFINITION</td>
<td>1</td>
</tr>
<tr>
<td>16b. BREAK VILLAGE DEFINITION</td>
<td>0</td>
</tr>
<tr>
<td>17a. LOCATION MANAGEMENT</td>
<td>1</td>
</tr>
<tr>
<td>17b. NO LOCATION MANAGEMENT</td>
<td>0</td>
</tr>
<tr>
<td>18a. DEVELOPMENT NORTH OF THE CAP</td>
<td>0</td>
</tr>
<tr>
<td>18b. NO DEVELOPMENT NORTH OF THE CAP</td>
<td>0</td>
</tr>
<tr>
<td>19a. DATA ARRANGEMENT</td>
<td>1</td>
</tr>
<tr>
<td>19b. NO DATA ARRANGEMENT</td>
<td>0</td>
</tr>
<tr>
<td>20a. NO GROWTH</td>
<td>0</td>
</tr>
</tbody>
</table>
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F. CHARACTERISTICS OF SKETCH PLAN

The following are definitions or use characteristics used to define sketch plans for study in Urban Form Directions Phase III. These characteristics are those in the Sketch Plan Matrix. Each number indicates a group of alternative characteristics, while letters in the matrix indicate alternatives within the group.

Land Use

1. Strong Downtown Core — Weak Downtown Core

Sketch plans with a strong downtown core would include downtown cores with a significantly greater land use intensity and proportion of employment, cultural activities, and recreation opportunities than the remainder of the city. In sketch plans with a weak downtown core, the Central Phoenix area would have an equal density of land use and employment opportunities distributed among the city. A strong downtown core would have a significantly greater land use intensity and proportion of employment, cultural activities, and recreation opportunities than the remainder of the city. In sketch plans with a weak downtown core, the Central Phoenix area would have an equal density of land use and employment opportunities distributed among the city.

2. Multiple Corners

The "less than 10" category would represent major activity centers serving more than the current population of Scottsdale or Mesa with regional shopping, community colleges, large employment centers, etc. The "over 20" category would represent cores serving generally less than 60,000 population with community shopping centers and high schools.

3. Hierarchy of Corners — Equal Corners

In sketch plans with a hierarchy of cores, one core, possibly the central core, would be significantly larger than the others and contain land use serving all of the city. A second level of cores would serve as important employment and retail centers. A third level of cores would serve as smaller employment and retail centers. A fourth level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city. A fifth level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city. A sixth level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city. A seventh level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city. A eighth level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city. A ninth level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city. A tenth level of cores would serve as smaller employment and retail centers. Schools and courts would be serving districts of the city.

4. Strong Village Core — Weak Village Core

The Strength of a Village Core increases as the mix and intensity of land use activity increases. Single stores such as shopping centers without entertainment or employment opportunities would be classified as double cores. Strong cores would be readily identifiable with 24-hour-a-day activity.

5. Village Specialization and Integration — Non-Metro Uses

Non-metro uses are those urban land uses normally serving the people living in non-urban areas. Examples are schools and community centers, shopping centers and housing. Non-metro uses are those uses that would be found in small towns, providing for most of the needs of the population. The small town would also be an example of integration of non-metro uses. When a metropolitan area begins to work as a unit rather than as a group of small towns, some areas begin to specialize in, for example, housing or retail or type of type of use, such as employment or residential. In a metropolitan area, the areas that are essentially urban are interrelated for the total supply of social and economic needs and are recognized by the needs of people and goods between various urban areas.

6. Village Specialization and Integration — Metro Uses

Metro uses are those serving the entire metropolitan area. There are normally only one or very few metro uses of each type. Examples of metro uses in Phoenix include ASL, the Civic Plaza, and major bank headquarters. In a village integration of each village area would be relatively autonomous providing four-year college, a full range of services, hotels, etc. In a village specialization — metro uses, metro serving uses could be concentrated in one or single unduplicated uses could be randomly dispersed to several locations throughout the metropolitan area.

7. Retention — Development of Agricultural Land

Self explanatory.

8. Rio Salado — Rio Salado

Sketch plans with Rio Salado would include full development of Rio Salado as proposed in the study by Daniel, Mann, Johnson, and Mendenhall with additional associated development that might be expected. No Rio Salado would assume no significant development other than industrial and extractive land uses.

9. Emphasis — Deepwaterways Waterways

Sketch plans emphasizing waterways would make substantial use of the water for major transport and flood control. Plans for emphasizing waterways might include covering canals and channelizing washes.

10. Rotation of Mountain Open Space — Development of Mountains

Sketch plans retaining mountain open space would continue or expand the present pattern of development in the mountain area while sketch plans showing development of the mountains would show increased low density development on the mountains.


Sketch plans with maximum transit opportunity would provide convenient transit access to all of the development. They would also maximize employment opportunities. Transportation facility construction and land use configuration would emphasize transit opportunity. Although transit ridership would be significantly higher than it is now it would still account for much less than a major part of trip generation. Maximum auto opportunity would emphasize construction of facilities to improve automobile movement.

12. Freeways — Parkways

a. No New Freeways Except I-10 Connections

Although selection of an I-10 connection has not occurred, for the purposes of this study only the inner loop and the Durango Bend alternatives will be considered.

c. Freeway Network

This category would include sketch plans with a freeway system using new and existing freeways providing interconnection of significant metropolitan areas with a high proportion of total trips using a freeway during some portion of the trip.

13. Bus and/or Dual Mode Systems

This category includes sketch plans with a bus or other fast mode transit system serving most of the city. A dual mode system would have the capacity of providing passenger-carrying vehicles as automated guided vehicle movement for a large trip.

14. Fixed Guideway Systems

This category included sketch plans with a significant portion of the population served by a mass transit system employing a fixed guideway. Examples of this type of transit system include streetcars, subways, railroads, monorail, and separate bus lanes. Exclusivity of this system would depend upon a high volume of passengers per day and the demand in the corridor including the fixed guideway. Demand would normally be expected to be high with low density land uses along the corridor or by a combination of trip ends at points connected by the corridor. The concentration of trip ends could be achieved through a combination of a fixed guideway system and a bus or other flexible transit system feeding points on the fixed guideway.

15. Urban Accessibility — High Accessibility to Corners

a. Uniform Accessibility

This would provide relatively equal access to most employment, shopping, and recreational opportunities from most areas of the city. As an example, a grid major street system would mean the definition of providing relatively uniform accessibility on a metropolitan scale even though there would be differences on a local scale between various areas. Accessibility of various sections and areas midway between major streets.

b. High Accessibility to Corners

This would provide significant differences in accessibility on a metropolitan scale. Area of interest land use (corridors) would have much higher levels of accessibility than areas of less intense land use. For example, some type of radial transit system would converge on corridors and/or corners would be near their street interchanges or high capacity transit terminals.

16. Strong — Weak Connection of Corners

With strong connection of corners it would be relatively easy to get from one core to another. Interaction and interdependence among cores would be facilitated. Conversely, weak connection of cores would lead to more anomalous integrated subarea activity.
c. High Density — Over 10 DU/Residential Acre
   This category includes sketch plans with an average residential density for Phoenix in excess of 10 dwelling units per acre. Almost all new construction would be at densities well in excess of 15 DU/A and large areas of existing housing would be redeveloped to higher densities.

18. Mix-Uniformity of Housing Types in Villages
   a. Mix of Housing Types in Villages
      This category includes sketch plans where there is a mix of housing types in each village approximately equal to the City average in the year 2000.
   b. Uniformity of Housing Types in Villages
      In this category sketch plans would include a mix of housing types in each village approximately equal to the City average in the year 2000.

19. Distribution - Concentration
   a. Distribution Unrelated to Core
      This category represents sketch plans with a random distribution of employment opportunities. That is, employment opportunities would generally be unrelated to residential locations or to locations of shopping, recreational and other opportunities.
   b. Concentration in Central Core
      This category represents the situation of extreme centralization. Most employment opportunities would be located in the central core.
   c. Concentration in Village Core
      This category represents sketch plans with employment opportunities dispersed throughout the City but concentrated in village cores.

   Attitudes
   20. Strong — Weak Village Definition
      a. Strong Village Definition
         This category includes sketch plans where there is a considerable difference in visual characteristics among villages as well as a well-defined boundary between villages.
      b. Weak Village Definition
         This category includes sketch plans where there is little visual difference among villages and no attempt to create well-defined village boundaries.

GROWTH MANAGEMENT
21. Location Management — No Location Management
   Other than the normally small area impact of zoning restriction, Phoenix exercises little direct control over the location of new development. Thus, any changes from current trends in the location of new development will require additional location management activities. The more the sketch plan differs from trends the more control will be required over the location of new development.

22. Development — No Development North of the Cap
   Self explanatory.

23. Rate Management — No Rate Management
   Sketch plans with this characteristic would attempt to increase or decrease the rate of population growth or to make no change in the growth rate.

24. No Growth
   In this characteristic a population size similar to the present one would be retained.

O. SKETCH PLAN MAPS
   AND DATA SHEETS
   Sketch Plan 1 (Trends) .................. p. 36
   Sketch Plan 7 .......................... p. 38
   Sketch Plan 16 ........................ p. 40
   Sketch Plan 18 ........................ p. 42
### SUMMARY SHEET SKETCH PLAN # 1 (TRENDS)

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Total Agriculture Acres: 29,102
Total Vacant Developed Unoccupied Acres: 0
Total Vacant Developed Snowed Acres: 59,418
Total Land Withheld From Development: 33,774

South Mountain Park: 15,241
Total Residential Acres: 104,450
Total Basic Industry Acres: 15,138
Total Service Industry Acres: 24,141

### Appendix D

**Key**

- Village Gradients
- Village Cores
- Planning Area

**Sketch Plan 7**
### SUMMARY SHEET SKETCH PLAN #7

<table>
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<tr>
<th>VILLAGE</th>
<th>Average Residential Density</th>
<th>Percent D.U./A over 15 D.U./A</th>
<th>Total Employment</th>
<th>Emp. art./ Rate</th>
<th>Total D.U.</th>
<th>Employee Density (Emp./Acre)</th>
<th>Service Acres (acres)</th>
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*Partial villages (remainder outside PPA)*

*Excludes South Mountain Park*

---

**SKETCH PLAN 16**

- **KEY**
  - Village Gradients
  - Industrial and Agricultural Area
  - Downtown Core
  - Primary Core
  - Secondary Core
  - Planning Area

- **Diagram**
  - Map showing various zones and areas.

**TOTAL Acres in Planning Area**: 270,598
### SUMMARY SHEET SKETCH PLAN #16

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<th>Village</th>
<th>Average Residential Density</th>
<th>Percent D.U. over 10 D.U./A.</th>
<th>Total Population</th>
<th>Farm Employment Part. Rate</th>
<th>Total D.U. Empl.</th>
<th>Employees Density (Emp./Acres)</th>
<th>Area (acres)</th>
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**TOTAL** 5.02 3.5 20.0 1,042,100 843,300 52 491,110 16.5 12.8 227,000*  

*Partial village (remainder outside PPA)  
*Excludes South Mountain Park and area North of Central Area Project

| Total Agriculture Acres | 38,007  
| Total Viable Developable Unserved Acres | 35,387  
| Total Viable Developable Serviced Acres | 20,178  
| Total Land Available for Development (all slope, large parks, selected roadways, and airports) | 33,174  

| South Mountain Park | 15,341  
| Total Residential Acres | 91,905  
| Total Basic Industry Acres | 14,208  
| Total Service Industry Acres | 24,145  
| Total Acres in Planning Area | 275,595  

**SKETCH PLAN 18**
H. POPULATION, EMPLOYMENT, LAND USE AND DEVELOPMENT AND DWELLING UNIT ASSUMPTIONS

Population Projections

All sketch plans provided for a projected population of 1,042,077 for the Phoenix Planning Area in the year 2000. The source for this projection is the Maricopa Association of Governments' Guide for Regional Development, Transportation and Housing, January 4, 1978, and the projection is by the Census Bureau, Department of Economic Security projection for Maricopa County. The projection assumes a decline in the Phoenix proportion of county population from 57.7% in 1960 to 43.4% in 2000.

The total population allocated to the Phoenix Planning Area and the other planning areas in Maricopa County is based on an initial distribution by each jurisdiction in the county and Maricopa Association of Governments staff. The final distribution is negotiated by the city managers to reach a distribution which does not exceed the control total. Once the control total is given, persons per household factors are applied to compute the number of households. Vacancy rates are then applied by dwelling unit type to produce the number of dwelling units.

Between 1970 and 1978 the number of persons per household in the City of Phoenix declined from 3.12 to 2.93, 2.83 or 2.78 during the same period. The Census Bureau predicts that households will continue to decline in size until 1990 although the rate of decline will gradually decrease. Using Census Bureau information we are able to determine the range in projected decline for each five year period and used the midpoint of that range for our projections. This resulted in the following persons per household:

1975 2.85
1980 2.70
1985 2.60
1990 2.54
1995 2.54
2000 2.64

We have no reason to believe that Phoenix will not follow the national trend.

The number of persons per dwelling unit was established based on data from the 1970 census on total dwelling units and overall vacancy rates. 1970 census data and comparison with household size by type in other cities. The number of persons per dwelling unit by type for 1980 were projected to be as shown in the following table.

The overall vacancy rate includes both on and off market units and counts as vacant all units occupied by persons who reside here less than six months of the year. If the vacancy rates were cut in half to four percent (the 1970 vacancy rate was 4.6 percent and the 1975 rate 6 percent) and the number of dwelling units were held constant, the population would increase to 173,000 by 30,200. Conversely if the population and persons per household were held constant, the number of dwelling units would decrease about 12,000 with the reduced vacancy rate.

The number of persons per dwelling unit per gross acre in each of the four residential density categories used in the alternative plans was developed based on the current population and housing stock in Phoenix and assumptions about new construction and demolition in the future. The number of persons per dwelling unit were then applied to the percentage of each type. For example, in one density category:

0 — 1.7 dwelling units/acre

<table>
<thead>
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<th>Single-family</th>
<th>Multi-family</th>
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</thead>
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<tr>
<td>950 / 9.77</td>
<td>283.6</td>
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Employment Projections

All sketch plans provide for total projected employment of 843,000 for the Phoenix Planning Area in the year 2000. The source for this projection is the Maricopa Association of Governments' Guide for Regional Development, Transportation and Housing, January 4, 1978. The projection assumes an increase from the 1980 employment participation rate of 45% for Phoenix to 52% by 2000 as a result of a greater participation of women in the labor force and of Phoenix becoming more of an employment center for the metropolitan area. Employment was broken into basic and service groups for distribution within the planning area. The components of these groups are as follows:

Basic — Agriculture/Mining; Construction; Manufacturing; Transportation; Communication and Utilities, and State and Federal Government

Service — Local Government; Public Schools; Retail and Wholesale Trade; Finance, Insurance and Real Estate, and Services.

1980 Trends

<table>
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<tr>
<th>D.U. Type</th>
<th>No. of D.U.</th>
<th>Percent</th>
<th>No. of Households</th>
<th>Persons Per D.U.</th>
<th>Persons Per Household</th>
<th>Total Pop.</th>
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<td>2.95</td>
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<td>2.70</td>
<td>742,900</td>
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A summary of the employment projections for the Planning Area are as shown in the following table.

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<td>153,300</td>
<td>176,600</td>
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<td>543,300</td>
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Employment Participation Rate: 0.45, 0.46, 0.47, 0.49, 0.52

**Land Use and Development**

1. For all plans no development was permitted in the following areas:
   a. Selected roadways for the Salt River, Cave Creek Wash, the Indian Bend Wash, New River and the Arizona Canal between Cave Creek Wash and New River.
   b. The Phoenix Mountain Preserve, South Mountain Park and all existing district parks.
   c. All land with a cross slope in excess of 10% (although this assumption does not consider some probable very (i.e. development if simplifies plan preparation and computer testing).
   d. Land within the future planned boundaries of Sky Harbor Airport including land to be acquired for safety and noise protection west of the airport.
   e. Deer Valley Airport.
   f. The Apache National Guard and United States Army Reserve Centers adjacent to Papago Park.
   g. Traffic congestion will not be sufficient to restrict development in any area of the city.

2. Traffic congestion will not be sufficient to restrict development in any area of the city.

3. There will be adequate water available for urban and industrial needs.

4. Sewage treatment plant capacity will be expanded as necessary to meet the demands of projected population.

5. There will be no extended gasoline shortages sufficient to restrict use of private automobiles.

6. Federal air and water quality standards will not be so restrictive as to limit growth.

**Dwelling Units**

The Sketch Plan was developed using the following four residential density categories: 0 to 1.1, 1.1 to 2.5, 2.5 to 5.0 and 5.0 and over dwelling units per gross residential acre. Based on the 1970 Land Use Information System and building permit activity since then, the proportion of dwelling types within each density category was estimated for 1980, 1985, 1990, 1995 and 2000 of the total plan. Seven types were used for the impact analysis — large lot single-family, small lot single-family, patio house, townhouse, garden apartment, high-rise, and mobile home. These proportions were adjusted for each of the other sketch plans based on the extent of differences in distribution to density categories from the trends plan. A summary of the results of this procedure is shown in the following table.

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Approved September 21, 1994

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SPECIAL ACKNOWLEDGEMENT
A special acknowledgement to those individuals, including urban village planning committee members, who spent numerous hours reviewing draft documents beginning in 1990 and continuing through final adoption in 1994. Their concern and commitment played a significant role in the development of the Model as part of the evolution of the land use planning process for the Urban Villages in Phoenix.

Thank you.

Document Prepared by the City of Phoenix Planning Department

Approved September 21, 1994
In 1989 and 1990, the City sponsored the Futures Forum, a series of meetings which provided an opportunity for the community to discuss and articulate a vision for Phoenix's future. Some of these discussions focused on Phoenix's existing urban form and the strengths and weaknesses of the Urban Village Concept. In 1991, as part of an update of the General Plan, the City used the results of these discussions as a basis to refine the existing Urban Village Concept into a new urban form model for Phoenix. From 1991 through 1994, the City worked with the Village Planning Committees and other citizens to refine and finalize these concepts into a new Urban Village Model. This document contains the results of these efforts.

This document provides a new model for the desired urban form of Phoenix. Based on new community perceptions of place and neighborhood, this new model refines the original Phoenix Urban Village Concept. This new model provides both a description of existing development patterns and a prescription for what Phoenix's urban form should be in the future. In existing areas the model provides insight into how redevelopment might modify existing development patterns to enhance the efficiency of urban services and economy while promoting a stronger sense of community. For newly developing areas the model provides a blueprint for building a new urban form that better meets the community's desires for function and sense of place.

PURPOSE
The purpose of the model is to provide a physical place for Phoenix residents that promotes a strong sense of community, promotes a healthy and viable economy, promotes the efficient provision of high quality urban services, and protects the quality of life in established neighborhoods.

INTENT
This model provides the basis for updating the Phoenix General Plan. The model contains the general concepts that will be used to update the goals, policies, and strategies of the Land Use and other appropriate elements of the General Plan. The model will implement through the policies of the General Plan and the mechanisms for implementing those policies. The model represents a desired end state. However, because of the dynamics of urban development, the desired end state will likely never be achieved for the City as a whole. It may be achieved within small portions of the City, particularly newly developed areas. For the more urbanized parts of the City, this end state provides a model for which portions may be implemented incrementally as redevelopment and enhancement occur.

HISTORY
The Urban Village Model is a refinement of the Phoenix Urban Village Concept. This concept was originally identified as the urban form for Phoenix by a citizen committee that worked from 1974 to 1979. This work resulted in the adoption by the City Council of the Phoenix Concept Plan 2000. This Plan defined the Urban Village Concept and was used as the basis for developing the General Plan adopted by City Council in 1985. The Plan initially established nine villages and the urban form for Phoenix. The Plan also established Urban Village Planning Committees, charged with providing advice to the City Council on planning related issues in each village.
The Urban Village Model is based on five principles.

**Principle 1.** Balancing housing and jobs

The idea of living, working, and playing in the same village is a basic principle of the Model. This principle focuses on creating a sense of community by providing living, employment, and recreational opportunities in close proximity to village residents. Residents of Phoenix, and the entire metropolitan region, have many choices as to where they will live, work, and play. Factors such as the transportation system, disparities in educational system quality, ongoing changes in provision of retailing services, a range of job opportunities available, and a variety of lifestyles, are examples of what impacts where people live, work, and play.

Although it may be difficult to achieve a standard citywide ratio for each village, consideration should be given to identifying a ratio for each village. This should be based on the long term economic development goals of the community, the unique characteristics of each village, and the opportunities for future employment and population growth for each. Thus, the appropriate ratio of jobs to population will be determined for each village. This will result in a range of ratios based on the historic development patterns of each individual village.

**Principle 2.** Concentrating intensity in village cores

The core is considered the central focus for each village from both a physical and social standpoint. To become that focus, the core should include a variety of land uses that will create a reason for village residents to come to and congregate in the core.

Because the core is the central focus for each village, it should contain the highest development intensity—concentration of people and activities. Core intensity in a village will be based primarily on the intensity of development in the village. However, the absolute intensity of village cores will be different from one village to another.

**Principle 3.** Promoting the uniqueness of each village

Each of the urban villages has a unique natural, urban and social character. That character should be enhanced by the types and intensities of land uses that are developed in the village. The Model establishes land use categories which provide each village flexibility as to how these land use categories are used to enhance the character of the village.

**Principle 4.** Preserving and enhancing the quality of life in each village

There are a variety of factors that contribute to the quality of life in Phoenix and each of its villages—i.e., climate, environment (air, water, open spaces), recreation opportunities, employment opportunities, educational opportunities, and a variety of housing opportunities. In some instances, desirable factors exist that are unique to specific villages—freeway access, natural features, housing stock, and historic resources. Those factors should be identified, and where possible preserved, and enhanced for each village.

**Principle 5.** Providing for a majority of resident needs within the village

In addition to providing employment opportunities for village residents, other types of private and public services should must be equitably provided to satisfy resident needs. Private and public services should include, but not necessarily be limited to, programs and facilities that address critical social issues such as homelessness, substance abuse, domestic violence, dependent child and adult care, criminal justice services, and residential treatment of AIDS, Alzheimers, chronic mental illness and other health problems. Consideration, where reasonable, should be given in each village to insure that these services needs are provided in a balanced manner within a reasonable distance of each resident. A balanced city-wide distribution will help alleviate the problems that may be created when these services are concentrated in a particular village or area of the City. In addition, efforts should be made to insure that both private and public services are distributed equitably among all the cities in the metropolitan region and not concentrated in Phoenix.

**Principle 6.** Directing urban planning through the Village Planning Committees

The central planning unit for each urban village shall be the Village Planning Committee which shall have the opportunity to formulate its recommendations regarding the following factors in consonance with the affected neighborhood groups registered with the City of Phoenix and any other affected property owner:

- Location of the five components of the Urban Village Model, including identification of the need for new service areas.
- An appropriate mix of land uses based on the residential component.
- Character, uses and intensities within cores.
- Appropriate ratio of jobs to population.
terms: For each component these characteristics are defined in the following relationships within each component and between the various components.

Each Component has characteristics that determine the land use relationships within each urban village. These are: CORE, NEIGHBORHOODS, OPEN SPACE, COMMUNITY-SERVICE AREAS, and REGIONAL SERVICE AREAS. Each identifies a broad range of similar land use types that exist in each village.

ARRANGEMENT OF COMPONENTS

The diagram on Page 8 shows how the five components might be arranged, particularly within newly developed areas. Within more urbanized parts of the City, the arrangement of these components might look quite different and reflect transition areas between commercial and residential uses. Where single family stock exists within the transition area, or within any of the five components, its retention is encouraged.

CHARACTERISTICS

Each Component has characteristics that determine the land use relationships within each component and between the various components.

For each component these characteristics are defined in the following terms:

- **function** describes the purpose, or role, of each component. Function remains consistent throughout all villages. For example, the function of neighborhoods - to provide housing and support services - is the same throughout all the villages.

- **relative intensity** describes the level of concentration of activities and people. The intensity of development will be a related to the development character and unique circumstances that exist in each village. The relative intensity of the cores will not be the same in every village. In addition, relative intensity will be further defined by the “development character” both in the context of each village and in the context of the City.

Development character identifies three levels of relative intensity that can be generally applied to land use patterns in Phoenix. Development character addresses the basic site development elements of building type, configuration and placement, lot coverage, pedestrian amenities, automobile orientation, and access to transportation systems. Specifically these characteristics are further described by the following:

- **Urban character** refers to a development pattern which maximizes buildable area. Character includes features such as narrow streets, minimal building setbacks, maximum lot coverage, minimum surface parking, and pedestrian accessibility to adjacent buildings. These features provide enhanced opportunities for multimodal transportation services.

- **Suburban character** refers to a development pattern which is oriented towards automobile accessibility. Features include wide streets, large building setbacks, low percentage of lot coverage, and extensive surface parking frequently between the building and the street. These features limit opportunities for pedestrian access from the street and transit stops.

- **Rural character** refers to a development pattern which minimizes buildable area and maximizes the use of open land for natural, recreational, or agricultural uses. Features include narrow streets or unpaved streets with minimal or no curbing, minimal or no sidewalks, variable building setbacks, low lot coverage frequently with low profile buildings, and parking associated with an equivalent or greater area of natural vegetation. Low density development severely limits transit and pedestrian opportunities though recreational pedestrian, bicycle, and equestrian opportunities may be provided.

Generally relative intensity will decrease from the core to the village boundary. There will be nodes of more intense land use activity located at prescribed areas throughout the village based on resident needs for employment opportunities and services.

Relative intensity can be described based on Floor Area Ratio (FAR), trip generation, land use characteristics, density, and other unique site factors. Also, high intensity does not necessarily mean high rise buildings.

- **land use** describes the types and the mix of land uses desirable in each component. The mix of land uses will vary by village, but land use types will be generally consistent among all villages. For example, the types of residential development (single family detached, single family attached, and multi-family) will be the same in most villages but the mix among these residential types will vary.
transportation describes the factors of the component which impact the transportation system and define the types of transportation services that may be required.
Appendix D

The relationship of the land uses in a village and the land uses that may exist in adjacent cities.

Consideration of the impacts a boundary location has on a neighborhood or a community.

Consideration as to whether physical features such as canals are appropriate for use as boundaries.

The Core is the central focus for the village. The core should contain a mix of uses including office, retail, public, governmental, and residential. Flexibility of land uses is important. The variety of uses will be determined by the uniqueness of each village core and the development character of each village.

The core should contain the most intense land uses and generally the tallest buildings. That does not mean that there will be high rises in every core. The concentration of intensity and activity will create a core that is identifiable as the physical central focus for the village. The concept of physical focus recognizes cores with two distinct characters: suburban and urban.

Suburban cores provide services to areas that are primarily suburban in character. Development is typified by freestanding buildings with large setbacks, generally surrounded by surface parking lots. The automobile is the predominant transportation mode for trips to and from the core as well as within the core. Pedestrian amenities are encouraged but are not the primary focus. Public transportation is available and its primary function is to serve commuters who work in the core. A secondary function is to serve commuters who drive to the core and switch to public transportation for the commute to work. The suburban core should have a mix of land uses but depending on the development character of the core, a particular land use type may dominate, e.g., retail or office. Because of the development character and the fact that a suburban core evolves, the mix of land uses may not be as critical as the mix in the urban core.

Urban cores are characterized by a development pattern which maximizes buildable area and minimizes use of land for parking. Development is typified by close proximity of structures with little or no setbacks. This results in the development of structured or underground parking facilities with minimal surface parking. Because of the compact nature of development, there is a strong emphasis on providing pedestrian amenities primarily on public property. The urban core should serve as the focus for the development of a multi-modal transportation system because of the concentration of employment and housing opportunities. Public transportation serves as a major role by

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Appendix D

Because a village boundary is generally considered to be a line on a map and does not occupy space, it is not considered to be a component of the Model. The boundary for each village does serve an important function.

1. The boundary is a line on a map that identifies the planning area for each village planning committee.
2. Where a physical feature serves as a boundary, it has the potential to be a clearly identifiable symbol for the village. As such, it contributes to the unique character of that village and becomes a symbol for identification of and association with a village. Where there is a physical feature, the appropriate village planning committee(s) should be actively involved in the planning process with respect to such feature.

Within each village, the Model can be used to identify boundaries in the context of physical barriers and edges that serve as distinct separations between neighborhoods and communities. This requires an examination of internal neighborhood and community relationships to ensure that the boundaries do not conflict with these relationships. Once the boundary relationships between neighborhoods and communities are identified, the Village boundaries should not divide neighborhoods and or communities.

Examples of boundary types:
- Natural feature:
  - mountains
  - drainageways
- Manmade features:
  - freeways
  - arterial streets
  - canals

Arterial streets and canals, which can serve as boundaries, also have the potential to serve as linkages within the open space network. Used as linkages, streets and canals serve the residents of adjacent neighborhoods, communities, and villages.

Critical issues to be addressed for boundary identification:
- the potential impacts of land use decisions that occur near the boundary of two villages
- the use of physical features, mountains and canals, which help to identify the unique character of the village

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providing commuter access within the core as well as serving as the connection with other concentrations of activity in the city and region. Urban cores can include activities which provide services to the entire region and surrounding urban areas.

The core should also contain a “gathering” space that can serve as a central focus for social interaction of village residents. Both outdoor and indoor spaces, either public or private, have the potential to provide this social central focus. The type of space available will depend on the development character in each core.

The character, uses, and intensities within cores may change over time. Villages that are primarily suburban in character today have cores that are primarily suburban. Uses and movement within these cores are highly dependent on the automobile. As long as land costs relative to the central city remain low and the densities of the villages necessitate use of automobiles for travel, these cores will remain suburban in character. However, as the villages build out (30 - 50 years) and intensities and land costs increase, the character of the suburban core may become more urban.

**purPOSE**

The Core Component

- identifies an area of the most concentrated, highest intensity land uses in each village.
- identifies the internal organization of different types of cores, urban and suburban, and that cores may evolve over time from suburban to urban.
- strengthens the importance of the core as the central focus for the village.
- emphasizes concentration of development intensity in the cores.

**characteristics**

*Function:*
- central focus for village residents
- “downtown” for the village

*Relative Intensity:*
- highest intensity in village
- the location and transition of intensities within the core will depend on the development patterns of the core and surrounding areas.

**Land Uses:**

- retail, office, public, hotels
- may include some regional services
- multi-family*
- entertainment/cultural centers
- pedestrian plazas
* Where single family stock exists within or adjacent to the Core Component, its retention is encouraged.

**Transportation:**

- important destination for the village
- high trip generation rate
- multi-modal: vehicle, transit, pedestrian
- accessed by two or more arterials - internal circulation on local and collector streets

**goals and policies**

The goals and policies to be included in the revised Land Use Element of the General Plan will focus on the following:

- Provision of a central focus that creates a physical identity for the residents of each village.
- Provision of a mix of employment and housing opportunities in an area with the village’s most intense development.
- Provision of an area that serves as a central focus for social interaction in each village.
- Provision of a transition and/or buffer between intense core development and other less intense development including residential neighborhoods. Transition can be provided through reduction of building height, siting of buildings, and/or changes in land use. Buffer can be provided through the use of open space landscaped areas and major streets. The transition and/or buffer may occur within or adjacent to the core, although in those areas where a neighborhood is adjacent to the core, the transition/buffer should occur within the core.

**Secondary Cores**

The General Plan identifies secondary cores in the Camelback East Village, Maryvale Village, and North Mountain Village. This designation recognizes existing secondary cores, but additional secondary cores should not be designated. The secondary cores may provide areas of major office employment and support services or may serve as a central focus for a community. Secondary cores are differentiated from the Core in that a secondary core generally would not have the mix of uses or the intensity of development that should occur in the core.
NEIGHBORHOOD SERVICES
These are land uses that provide basic services and goods to neighborhoods within a 1 or 2 mile trade area. This includes a range in size from the smallest commercial development site to a commercial development no larger than a site anchored by a small grocery store. In many of the more urbanized villages, neighborhood services are sometimes provided in a development type recognized as linear or strip commercial areas along arterial and heavily travelled collector streets. This type of development is not desirable, and strip commercial should not be permitted in future commercial construction because of the negative impact it has on neighborhoods.

PURPOSE
The Neighborhoods Component recognizes neighborhoods as an essential component of urban form.
- emphasizes the relationship between neighborhoods, communities, and urban villages.
- identifies the predominant, but not exclusive, residential nature of each village.
- reaffirms the composition of neighborhoods by including nonresidential land uses which are important to viable residential neighborhoods and the mixture of housing types which are essential to their long term stability.

CHARACTERISTICS
Function:
- provides a stable residential base for the villages and the City
Relative Intensity:
- varies based on proximity to core (generally higher intensity closer to the core)
- varies by village with different overall village intensities
- areas of greater intensity may be located in conjunction with community services or in areas with enhanced regional accessibility

Land Uses:
- residential
- residential support services
Depending on the character of the community, there may be a identifiable "central focus" for the residents of the community. This could be a school, community center, adult center, a park, or a commercial area (community service area).

An identifiable community may not exist in every area of a village. Designation of these areas should be done by the village planning committee in conjunction with local residents.

A Community is a cluster of neighborhoods that possess some or all of these characteristics:

- Has a physical and/or social central focus.
- Functions as a service area for schools, parks, commercial, and similar uses which may be located within or adjacent to the community.
- Has an external circulation system that creates few major separations between different neighborhoods in the community.
- Has neighborhoods and communities in which local destinations can be reached on foot or by bicycle.
- Has local schools, parks and other community facilities which serve as neighborhood and community focal points.
- Has facilities for public services and assembly and celebration in neighborhood and community service centers.
- Has area of concentration of commercial development surrounding neighborhood.

Within each village there are groups or clusters of neighborhoods that have a common recognizable sense of identity for the residents of the area. This identity may be linked to a natural or manmade physical characteristic or a social/cultural characteristic that contributes to a "sense of place". These areas are identified as "communities".

A sense of identity may be difficult to accomplish on a village level because of the geographic size and diversity of the villages. The community provides a sense of identity on a geographical scale smaller than a village but larger than a neighborhood.
The Open Space Component recognizes the important contribution that open areas make to the quality of life. Open space is important for several reasons. It provides physical form and contributes to the visual context of the community. Open space provides recreational and educational opportunities for residents and enhances the quality of life for those who live in proximity to open space areas.

Open Space areas are either man made or natural. These areas comprise the "ecological infrastructure system" which provides shape and form for the community. This system includes a variety of open space areas and the linkages that connect these areas. The system recognizes the relationship open space has with other land uses and the contribution that open space makes to the quality of life in each of the villages.

Open space can be either public or private. Public open space includes mountain preserves, washes, trails, canals, parks, golf courses, streets, detention basins, and similar open space areas. Private open space includes uses such as golf courses, areas within planned area developments and areas within commercial developments.

PURPOSE
The Open Space Component recognizes that natural open space provides the opportunity to preserve the natural high quality desert environment for visual, recreational, and educational benefits.

Recognizes open space areas as important because of the aesthetic, social, psychological, economic, cultural, and recreational benefits that are derived from these areas.

Recognizes that open space helps shape urban form and provides identity for the community.

CHARACTERISTICS
Function:
- Preserves significant natural environment that contribute to urban form and protect open space areas.
- Provides recreational, educational, and cultural opportunities.

Relative Intensity:
- Zero to very low.

Land Use:
- Passive and active recreational facilities.

TRANSPORTATION:
- Destination area.
- Range of medium to low trip generation.
- Auto predominates in serving area.
- Usually accessed from major arterial or arterial streets.
- Minimum interaction with transportation facilities.
- May be reached by trails.
- Not all need to be directly accessible.

GOALS AND POLICIES
The goals and policies to be included in the revised Land Use Element of the General Plan will focus on the following:

Support regional open space planning efforts through creation of an open space system that identifies open space areas and provides physical linkages of those areas within each village, within the City, between cities within the region, and between the region and the state.

Development of open space areas that provide recreational opportunities for walking, jogging, bicycling, equestrian, and other individual participant activities.

Preservation and protection of natural open space areas in either public or private ownership.

Provision of open space areas in major developments and areas of activity concentration.

Provision of the opportunity for protection, preservation, and where possible, restoration of riparian areas along natural drainage courses.

Provision of the opportunity for protection and expansion of the mountain preserve systems.

Support working with the Parks Department on desert preserve concept. This can be accomplished through the provision of the opportunity for protection of flatland desert areas that have been identified by the community for preservation.
serve a market area of several neighborhoods - or communities within a 2 to 5 mile trade area. This will typically include commercial development with more than one anchor, e.g., a grocery store and a junior department store.

LINEAR COMMERCIAL DEVELOPMENT
As in the case of Neighborhood Services, Community Services are sometimes provided in a linear configuration. Linear Commercial is not a land use designation but rather a development type that recognizes the existence of "strip commercial" areas along arterial streets. However, this type of development is not desirable, and strip commercial should not be permitted in the future because of negative impacts associated with this land use category. Inherent conflicts with traffic and parking are detrimental to surrounding businesses and residential development. Frequent curb cuts contribute to the reduction in carrying capacity of the adjacent street and an increase in accidents. Linear Commercial tends to be unattractive because of parking adjacent to the street and lack of pedestrian amenities. The linear nature of this type of development creates the largest possible impact with adjacent residential, frequently resulting in service, loading and trash areas being located next to adjacent houses.

There are linear commercial areas, i.e., McDowell Road east of Central Avenue, that have been rehabilitated and remain viable commercial areas. Where economically feasible, it may be appropriate to rehabilitate areas that have the potential to provide basic retail services to adjacent neighborhoods. This may include improved pedestrian access from adjacent neighborhoods, relocating parking, maximizing opportunities for shared parking, and design treatments which maintain high street visibility and easy access by automobile yet minimize the visual and functional impacts of signage, parking, and traffic interaction with pedestrians.

Some linear commercial areas that are not economically viable, may be redeveloped. Such redevelopment should focus on uses viable within the existing available land area. Uses which serve adjacent neighborhoods or communities are preferred. Redevelopment feasibility should not be based on the assembly of adjacent residential lots or housing to facilitate redevelopment.

NON COMMERCIAL COMMUNITY SERVICES
There are non commercial uses that serve a community or subarea of a Village. These uses may create a high concentration of activity which has the potential to impact adjacent neighborhoods. Examples includes junior high schools, high schools, churches, community
GOALS AND POLICIES

The goals and policies to be included in the revised Land Use Element of the General Plan will focus on the following:

- Prohibition of additional linear commercial and development of methods to encourage rehabilitation, redevelopment or the phasing out, where appropriate, of existing linear commercial. Redevelopment of linear commercial areas should focus on providing neighborhood services that don’t have a detrimental effect on adjacent neighborhoods and encourage pedestrian and bicycle transportation modes.

- Preparation of locational standards* for the various types of community services ensuring compatibility of these uses with adjacent neighborhoods.

- Preparation of performance standards* that will mitigate or eliminate the potential land use conflicts that may be created through the redevelopment of an existing community service area or the development of a new community service area and provide a transition to residential uses.

- Provision of a mechanism for the identification and/or creation of community service areas as the central focus for communities within each village. Village planning committees, in concert with Planning Department staff, will prepare locational and performance standards that are compatible with the unique character of each village, and which provide the basis for identifying community service areas.

- Provision of transportation standards addressing access to and from the site, and on the site.

* The use of standards whether locational and/or performance shall not in any way interfere or limit the ability of residents to have a full and complete hearing cycle before the village planning committee, Planning Commission, and the City Council prior to any possible approval of the reclassification of any residential property to a commercial designation or prior to the reclassification of any commercial property to a use with a

Characteristics:

For this category, specific land uses are not identified for the Land Use Characteristic. Land use types are used that reflect a broad range of potential uses.

Function:

- identify existing areas of activity outside the core
- provide appropriate areas for increased land use intensity outside the core

Relative Intensity:

- based on compatibility with adjacent areas and the transportation system
Regional Service Areas identify land use areas which are one of a kind, unique, and/or special purpose. This category recognizes the existence and the importance of the identification of areas available for basic employment or the provision of unique services. Regional Service Areas are generally land use areas that are oriented to the metropolitan area. These areas do not compete with village cores because they are single purpose or located at areas of unique natural or transportation features. Uses in these areas focus on specific purpose or site characteristics while cores are a concentration of mixed uses focused on providing general services to the Village or region.

**PURPOSE**

The Regional Service Areas Component

- identifies land use areas that relate to a regional context rather than to the context of the individual village. In certain situations, where a regional service area is under public jurisdiction, the village planning committee may have no review authority over the land use modifications that may occur within an existing regional service area site. However, village planning committees should be kept informed on a timely basis of any such land use modifications. The village planning committees should have review authority over the location of new regional service areas.

- identifies special purpose areas that serve a much broader area than the urban village in which they are located.

- recognizes areas with high concentrations of activities and people.

- recognizes the importance of basic employment to the long-term economic health of the city and provides areas for the location of those types of employment opportunities.

Because of their single purpose nature, and limited support services, a Regional Service Area will not compete with the village cores. There may be situations where a Regional Service Area may complement a core, e.g., Governmental Mall complements Downtown. St. Joseph’s Hospital complements the Encanto Core.

On the following page are several common types of regional service areas. Each has its unique function and design issues related to the special purpose or site characteristics. Regional Service Areas are not limited to these types, though most will fall under one of these types.

**Regional Services**

Commercial uses that provide goods and services which serve a regional market but which are not located in a village core. Examples include “power centers” and “automalls”.

**Highway Services**

Highway Commercial is a specialized area and/or node of activity where goods and services related to intercity vehicle travel are provided. Uses located in these areas typically have special development needs, i.e., larger site requirements, increased parking requirements, and higher and larger sign needs than in other commercial areas. Highway commercial generally occurs adjacent to freeway interchanges such as the Papago Freeway. A freeway truck stop and freeway oriented motels are examples.

**Medical Services**

Frequently businesses that provide medical services congregate around a large medical institution such as a hospital. These areas cater to regional markets as well as providing services within the immediate business area.

**Entertainment Services**

There are several uses in the valley that provide regional entertainment services. Examples in Phoenix are the dog and horse racing facilities, Papago Park, and the Desert Sky Pavilion. These facilities typically require large land areas and attract large numbers of regional trips at off-peak hours.

**Transportation Services**

Airports are unique regional service areas. Though the function of the airport itself is special purpose, areas around airports often develop with multiple uses. Many of these uses have operations focused on easy access to airport services while others simply provide services to the local businesses. Phoenix currently has two such areas, Sky Harbor Airport and the Deer Valley Airport. Phoenix also borders on similar areas - the Scottsdale Airport and the Glendale Airport.

**Industrial/Warehousing**

These are areas that include activities such as heavy industrial, manufacturing, and warehousing facilities. These can occur in fairly small to very large districts, be freestanding, or oriented to major roadways and
Some locations may be significant employment centers while others may use large amounts of land with very little employment.

CHARACTERISTICS

Function:
- provide a unique facility, service, and associated uses which primarily serve the metropolitan area and/or beyond (e.g., Sky Harbor, Deer Valley Airport, Southwest Industrial Area, ASU West)

Relative Intensity:
- varies based on land uses

Land Uses:
- could be a single purpose use with associated/support land uses

Transportation:
- some areas may be important destination areas for the region

GOALS AND POLICIES

The goals and policies to be included in the revised Land Use Element of the General Plan will focus on the following:

- Provide locations for uses needed for the economic and cultural viability of the region which would have adverse impacts on neighborhoods if integrated as a component of a village.
- Recognize areas which have urban or natural features that create unique opportunities for regional services.
- Recognize places which have unique cultural significance to the region but are not part of the character of a community or a village.
- Provision of regional service areas that indicate a community commitment to encouraging the creation of new jobs.

COMMUNITY - A community is an area of undefined boundaries containing several neighborhoods, yet maintaining a size smaller than an urban village. Social communities can be classified according to their predominant activities, common traditions, loyalties, attributes, and life-ways. Physical and social communities are neither mutually inclusive nor exclusive.

DENSITY - The number of dwelling units divided by the gross land area, generally expressed in units per acre. The gross land area should include one half of all abutting streets and alleys which are dedicated to the public.

FLOOR AREA RATIO (FAR) - The ratio of the gross floor area of a building, excluding those parts of the building specifically excluded in the Zoning Ordinance, to the gross land area of the site. The gross land area should include one half of all abutting streets and alleys which are dedicated to the public.

GOAL - A stated aim of the City which represents a broad purpose towards which policies, programs, and implementation actions are directed. A goal may not be achievable but rather represents an end state that can not be measured.

HIGH-DENSITY HOUSING - More than fifteen (15) dwelling units per gross acre.
focus on living in an open space or agricultural environment. Design interaction by emphasizing site design characteristics which primarily focus on promoting mass transit and the pedestrian experience.

INTENSITY - The degree to which land is used. While frequently uses synonymously with density, intensity has a broader meaning, referring to levels of concentration or activity in uses such as residential, commercial, industrial, recreation, transit, or parking. Frequently measured by FAR, traffic generation and/or number of employees.

NEIGHBORHOOD - A group of residential and residential serving land uses which share a common sense of identity and a limited geographic area. Neighborhoods can be formed or united by any number of social, political, geographic, service area, or demographic factors. Specific neighborhood boundaries can best be defined by individual residents who live there.

OPEN SPACE - Any parcel or area of essentially unimproved land specifically dedicated or reserved for public or private use and enjoyment. Open spaces can be any size or shape; they can be linear areas between incompatible land uses, hillsides, detention basins for flood control, washes, streets, canals, or other appropriate places.

PEDESTRIAN FACILITY - Any type of path, trail, sidewalk, or walking area, paved or unpaved, within or outside of the street right-of-way, which provides for safe pedestrian circulation throughout the area, and to and from area services and facilities.

POLICY - A specific City statement of principle or of guiding actions that implies clear commitment but is not mandatory. A general direction that the City sets to follow, in order to meet its goals and objectives before undertaking a program.

RESIDENTIAL - A land use devoted primarily to living functions. In order to preserve these areas from the distractions and adverse impacts which can result from immediate association with non-residential uses, these areas are typically restricted from commercial uses.

RETAIL - The sale of goods and services directly to consumers, usually in small quantities.

RURAL - An area that generates very low levels of human activity and interaction by emphasizing site design characteristics which primarily focus on living in an open space or agricultural environment. Design characteristics include very low density development with a reduction in requirements for public infrastructure and pedestrian facilities.

SERVE THE NEIGHBORHOOD - To render service to a neighborhood from a facility located either within or near the neighborhood area of service (e.g., an elementary school, grocery store, or fire station).

SUBURBAN - An area which generates low levels of human activity and interaction by emphasizing site design characteristics which primarily focus on accommodating the private automobile over transit and pedestrian use. Design characteristics include low to medium density residential development, relatively large street setbacks, little attention given to mass transit or pedestrian facilities, and, for commercial and industrial uses, highly visible surface parking lots separating the building from the street in centers of varying sizes.

URBAN - An area that generates high levels of human activity and interaction by emphasizing site design characteristics which primarily focus on promoting mass transit and the pedestrian experience. Design characteristics include small or no building setbacks, medium to high density residential development, maximized lot coverage, mixed land uses, structured or street parking predominating over surface lots, and a generally high amount of mass transit and pedestrian facilities.

URBAN VILLAGE - A land use form adopted as the unifying element of the General Plan. Urban villages have been designated in the General Plan, each having its own planning committee. The urban village model encourages major village-serving uses to be concentrated in one place, the core, thereby fostering interaction and reducing travel times and trips. Each urban village is unique, while following the same village form and allowing urban, suburban, and even rural lifestyles to coexist within one village.

VILLAGE PLANNING COMMITTEE - Each urban village has its own village planning committee. The committee’s activities include identifying provisions of the General Plan that need refinement and updating, identifying opportunities related to implementation of the General Plan, defining in greater detail the intended future function, density and character of subareas of the village, and commenting on proposals for new zoning districts or land use districts. Village Planning Committees operate in accordance with the Council adopted Village Planning Handbook.
Karla S. Petty  
Division Administrator  
4000 N. Central Ave, Ste 1500  
Phoenix, AZ 85012

Attention: Rebecca Yeiffm

SUBJECT: SPL-2002-00655-KAT South Mountain Freeway EIS

Dear Ms. Petty:

I am responding to your request (File No. SPL-2002-00655-KAT) dated January 26, 2014 for a letter describing the Corps of Engineers Arizona Regulatory Branch (Branch) approach on the permitting for the South Mountain Freeway (33.319049N.,-112.161501W., NAD 83) located in the City of Phoenix, Maricopa County, Arizona. Below is the permitting approach we would follow unless conditions change. These conditions could include changes to our regulations and or guidance, changes in design that avoid and minimize impacts to waters of the US (allowing additional use of Nationwide Permits), or changes to the Nationwide Permit program.

The Branch has been involved in the South Mountain Freeway EIS since early 2000. For Transportation projects, it has been the approach of the Branch that permitting occur during the final design/construction development process. Typically a jurisdictional delineation (JD) doesn’t occur when the EIS process starts due to the fact that it could take many years to build this size of freeway and the JD would have to be revisited and potentially revised due to changes in geomorphology of the wash or changes in the Corps regulations.

It wasn’t until the final EIS that there was the potential that two of the drainages at the eastern end would possibly require an individual permit. Since then ADOT and the Branch have met and discussed the various options of permitting. It was decided that the project would be permitted in two segments, the eastern end which starts at Pecos Road and the I-10 freeway interchange and end at what would be the intersection of Pecos Road and 51st Avenue. The western segment would start there and end at connection with I-10 freeway. This break would allow each permit to be completely within individual watersheds. The eastern end would encompass the South Mountain and Firered Lake 12-digit HUC of the Middle Gila (15090100) and the western segment would encompass the Co-op Village Gila River, City of Laveen - Gila River, Town of Santa Maria - Salt River 12-digit HUC of the Salt Lower Salt (15060106).

The eastern segment would be permitted as an individual permit if those wash impacts exceed 0.5 acre and the western segment would be permitted using nationwide permits. Breaking...
Good Morning Ben,

Per our discussion at Progress meeting on July 17th Please find attached GRIC’s comments on DCR for SR 202L (South Mountain Freeway) Project, Tracs No. 202L MA 054 H5764 01L, federal Project No. NH-202-D(ADY).

Please let me know if you have any questions.

Thank You

Devi

Sreedevi (Devi) Samudrala, P.E.
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GRIC Comments on Initial Location/Design Concept Report

State Route 202L (South Mountain Freeway)
Tracs No. 202L MA 054 H5764 01L
July 22, 2013

1) DWG No. C-03.04 & C.03.05: Existing and proposed watershed map needed to determine if historical peak discharges remain the same as proposed. Mainly referring to new channel culvert installs at Sta. 2160 & Sta. 2205.

2) DWG No. C-03.03: Existing 10'X 4' CBC with extension may convey flow to existing Pecos Storage Facility on Reservation (near Sta. 2135).

3) DWG No. C-03.08: For culvert at Sta. 2383, new 3-10'X4' CBC conveying flows into existing 1-84” CMP. New culverts are oversized.

4) DWG No. C-03.09: At Sta. No. 2447, existing culvert is 2-36” RCPs, new culvert is 3-10’X4’ CBCs. There is potential for increased discharge onto Reservation.

5) DWG No. C-03.10: From Sta. No. 2464 to Sta. 2494, new culverts concentrate flows to Reservation. No calculations provided that equates Historical Hydraulics to proposed Hydraulics/Hydrology.

6) DWG No. C-03.12: How does new culverts compare with Historical Hydraulics/Hydrology?

7) DWG No. C-03.14: At Sta. No. 2595, it appears to be concentrated flow.

8) DWG No. C-03.18: Where does First flush basins?
The group discussed the possibility of moving the discharge locations and possibility of reducing the peak flows. Notable discussion related to this included:

- GRIC staff recommended that as possible, concentrated flows should be mitigated with spreader basins to provide sheet flow downstream of the freeway.

Ray led the group through a review of the specific comments submitted by GRIC staff on the Initial L/DCR. Most of the responses were addressed in the earlier discussion. Notable discussion included:

- The flows identified in the L/DCR in the area of the new casino are much higher than those used to design the drainage channels around the casino. GRIC staff will review the casino design.
- First flush basins are not located within the mountain areas. In these areas, it is assumed that on-site flows will be collected through catch basins and conveyed in pipes to a basin at the southeast corner of the freeway.

Open discussion included the following items:

- GRIC staff recommended that the team coordinate with El Paso Natural Gas who has a gas line parallel to Pecos Road on Community land. The main issue would be access.
- The group discussed the upcoming Flood Control District of Maricopa County Area Drainage Master Study and Plan for the South Mountain area. The proposed freeway is within the ADMS/ADMP area. The ADMS/ADMP could provide refined and more detailed flows at the proposed freeway.
- GRIC staff questioned how the Community’s vote for the no-build option affects future coordination with ADOT. GRIC DOT agreed to take the lead in confirming with Community leadership their ability to continue coordination.
- GRIC staff recommended that future meetings include staff from BIA, GRIC DEQ, and GRIC Irrigation and Drainage District in addition to GRIC DOT and LUPZ (Steve provided contact information for these groups to ADOT). Issues of concern would be water quality and drainage.
- GRIC staff will continue to be involved in design reviews through the final design stage. The next deliverable for this study will be the Final L/DCR. The Final EIS is anticipated for public review next spring. The Record of Decision is anticipated in late summer 2014.

**NEXT MEETING**

No future meeting was identified. The following contact information was provided for additional meeting attendees.

- Ondrea Barber, 520-562-2234, Ondrea.Barber@gric.nsn.us
- Parker, Gary, 520-562-6782, Gary.Parker@gric.nsn.us
- Cecilia Martinez, 520-562-3326, cecilia.martinez@bia.gov
- Gary Parker, 520-562-6782, GParker@gric.nsn.us
- Cecilia Martinez, 520-562-3326, cecilia.martinez@bia.gov

These minutes reflect the understanding of HDR Engineering, Inc or its representative. If revisions or additions are needed, contact Ben Spargo.
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