## Appendix Table of Contents

### CHAPTER 1  PURPOSE AND NEED
1-1  
**AGENCY LETTERS AND COMMUNICATION** .......................................................... A1

### CHAPTER 2  GILA RIVER INDIAN COMMUNITY COORDINATION
2-1  
**SECTION 106 CONSULTATION** ....................................................................... A223

### CHAPTER 4  AFFECTED ENVIRONMENT
4-1  
**ADOT RELOCATION ASSISTANCE PROGRAM POLICY** ................................ A497
4-2  
**DUST CONTROL PERMIT** ............................................................................... A533
4-3  
**OPERATING AGREEMENT** .......................................................................... A555
4-4  
**PROGRAMMATIC AGREEMENT** ................................................................. A561
4-5  
**FARMLAND CONVERSION** ........................................................................ A579
4-6  
**RIO SALADO OESTE** .................................................................................... A582

### CHAPTER 5  SECTION 4(F) EVALUATION
5-1  
**PROPERTIES EXCLUDED FROM SECTION 4(F) CONSIDERATION** .......... A583
5-2  
**SECTION 4(f) CORRESPONDENCE** .............................................................. A591

### CHAPTER 6  COMMENTS AND COORDINATION
6-1  
**NOTICE OF INTENT** .................................................................................. A621
6-2  
**NEWSLETTERS AND ADVERTISEMENTS** ................................................ A623
6-3  
**SOUTH MOUNTAIN CITIZENS ADVISORY TEAM** ................................... A655
AGENCY LETTERS AND COMMUNICATIONS

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

APPENDIX 1-1

FEDERAL

D&M Phoenix Field Office
Michael Tipton, Field Manager
21000 N. 7th Avenue
Phoenix, AZ 85027

Environmental Protection Agency
Alison Brown, Transportation Coordinator
4500 Hennepin Street
San Francisco, CA 94105

Federal Highways Administration
Kori Davis
254 N. Central Avenue, Suite 200
Phoenix, AZ 85004

Federal Highways Administration
Dave Ondru, Regional Counsel
201 Mason Street, Suite 210
San Francisco, CA 94105

Federal Highways Administration
Jen Stephenson, Environmental Specialist
400 7th Street, 10W
Washington, D.C. 20590

Federal Highways Administration
Steve Thomas
254 N. Central Avenue, Suite 200
Phoenix, AZ 85004

Federal Highways Administration
Bill Volken
254 N. Central Avenue, Suite 200
Phoenix, AZ 85004

Federal Highways Administration
Katie Arai Wing-Murillo
251 Mason Street, Suite 210
San Francisco, CA 94105

National Research Conservation Service
McKeeb Nativ鼬, State Conservationist
3800 N. Central Avenue, Suite 800
Phoenix, AZ 85012

US Fish & Wildlife Service
Dave Hebert
2301 S. Royal Palm Rd., #103
Phoenix, AZ 85021

US Bureau of Land Management
Denise Mannion, State Director
222 N. Central Avenue
Phoenix, AZ 85005

US Army Corps of Engineers
Cindy Lester, Chief of Arizona section
3800 N. Central Avenue, Suite 780
Phoenix, AZ 85012

STATE AGENCIES

Arizona Department of Agriculture
Sheila Jones, Director
1499 W. Adams Street
Phoenix, AZ 85007

Arizona Department of Environmental Quality
Sharon Davis, Chief
3800 N. Central Avenue
Phoenix, AZ 85012

Arizona Department of Environmental Quality
Kerem Smith, Water Quality Coordinator
3800 N. Central Avenue
Phoenix, AZ 85012

Arizona Department of Environmental Quality
Nancy Arens, Air Quality Coordinator
3800 N. Central Avenue
Phoenix, AZ 85012

INITIAL CONTACT LIST

Arizona Department of Transportation
Ron Blacklow, Geotechnical
2201 27th Avenue, MD 6827
Phoenix, AZ 85006

Arizona Department of Transportation
Leon Rigby, Roadside Development
220 S. 17th Avenue, MD 6815
Phoenix, AZ 85007

Arizona Department of Transportation
Dennis Cordell, Drainage Design
300 S. 17th Avenue, MD 6826
Phoenix, AZ 85007

Arizona Department of Transportation
David Atchison, Assistant State Engineer
220 S. 17th Avenue, MD 6831
Phoenix, AZ 85007

Arizona Department of Transportation
Richard Quinn, Engineer
220 S. 17th Avenue, MD 6807
Phoenix, AZ 85007

Arizona Department of Transportation
Chuck Eaton, Regional Forestry
220 S. 17th Avenue, 1018 MD 119A
Phoenix, AZ 85007

Arizona Department of Transportation
Ralph Ellis, Environmental Planning Group
205 S. 17th Avenue, MD 619E
Phoenix, AZ 85007

Arizona Department of Transportation
Al Fied, Utilities and Pipeline
220 S. 17th Avenue, MD 619E
Phoenix, AZ 85007

Arizona Department of Transportation
Steve Hamen, Chief Right of Way
205 S. 17th Avenue, 271 MD 612E
Phoenix, AZ 85007

Arizona Department of Transportation
Shelby Haeus, Bridge Design
205 S. 17th Avenue, MD 619E
Phoenix, AZ 85007

Arizona Department of Transportation
John Hebelis, Assistant State Engineer
2140 W. Hilton Avenue, MD 8800
Phoenix, AZ 85016

Arizona Department of Transportation
Bill Mardian, Director's Office
300 S. 17th Avenue
Phoenix, AZ 85007
Agency Letters and Communication

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Ave., Suite 530
Phoenix, Arizona 85004
June 8, 2000

Mr. Terry Max Johnson
Transportation Manager
Maricopa Association of Governments
302 North 1st Ave, Suite 300
Phoenix, Arizona 85003

Dear Mr. Johnson:

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

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

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

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

4) Page 2, the first set of bullets under the ENVIRONMENTAL IMPACT STATEMENT identifies some reasons for doing an EIS. Other reasons discussed at the meeting included the expanded mobility from the west valley to the east valley; review of alternatives such as the possibility of avoiding, or minimizing impact, to the foothills development, and the location of other connections to the Papago Freeway; and an opportunity for a truck bypass of downtown.
5) Page 2, line 1, again identifies this facility as a parkway. Is this the appropriate terminology?

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

Sincerely,

William P. Vachon
William P. Vachon
Area Engineer

CC:
K. Davis
B. Vachon
B. Hayden (ADOT 107A)

Governor Donald R. Antone, Sr.
Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

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

Dear Governor Antone:

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

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

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

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

In order to satisfy our procedural requirements under the National Environmental Policy Act, we will need to have confirmation from the Tribal Council of the alternatives that you direct us to
study. As required by law, this documentation will be used to describe the alternatives selection process that was undertaken for the EIS.

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

Sincerely,

[Signature]

Robert E. Hollis
Division Administrator

CC:
Lieutenant Governor Richard Nácaria, Gila River Indian Community, PO Box 97, Sacaton, AZ 85247
Sandra Shade, 324 W. Casa Blanca Rd., PO Box 87, Sacaton, AZ 85247
Larry Stephenson (same as Shade)
Victor Mande, ADOT 1064
Dan Lance, ADOT E700
Mary Vigarina, ADOT 614E
Steve Thomas, FHWA
Dave Anderson, HDR Engineers Inc., 2171 E. Highland Ave., Suite 250, Phx 85016-6606

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

Gentlemen:

Enclosed you will find three (3) signed originals of the notice of intent for the proposed improvements to State Route 262L; South Mountain Freeway in Maricopa County, Arizona.

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

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

Sincerely,

[Signature]

Robert E. Hollis
Division Administrator

Enclosure

Cc: Ralph Ellis, Arizona Department of Transportation (619E)
SDThomas:ag
DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
ENVIRONMENTAL IMPACT STATEMENT; MARICOPA COUNTY, ARIZONA
AGENCY: Federal Highway Administration (FHWA), DOT
ACTION: Notice of Intent

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

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

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

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. A full range of reasonable alternatives will be considered.

should be directed to the FHWA at the address provided above.

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

Issued on

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

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

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

Sincerely,

STEPHEN D. THOMAS
Robert E. Hollis
Division Administrator

Enclosures

c: Thomas, Vachon, Davis
R. Ellis (619E)
J. Allen (HDR), S. Martin (HDR)
Katiann Wong-Murillo (Western Resource Center)
Nova Blazej (EPA-SF), Sandra Shade (ORIC)
Appendix 1.1 - A8

Federal Register / Vol. 66, No. 77 / Friday, April 20, 2001 / Notices 20345

## Regional Freeway System January 2001 Certification

### Remaining Life Cycle Cost (Millions 2001 - 2007)

<table>
<thead>
<tr>
<th>Item</th>
<th>Design</th>
<th>RFW</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$950</td>
<td>$316</td>
<td>$1,346</td>
</tr>
<tr>
<td>Roadway Construction</td>
<td>$170</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Analysis

- **Total Life Cycle Program Mile 1 - 62 Miles**
- **Total Improvement Facilities (Cost to Date to dyke):**
  - 234.98 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 100.7 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 158.2 ft (includes new road work, new drainage, and new improvements to existing roads)

**Traffic Impact:**

- **Traffic Impact:**
  - 234.98 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 100.7 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 158.2 ft (includes new road work, new drainage, and new improvements to existing roads)

**Environmental Impact:**

- **Environmental Impact:**
  - 234.98 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 100.7 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 158.2 ft (includes new road work, new drainage, and new improvements to existing roads)

**Removal:**

- **Removal:**
  - 234.98 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 100.7 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 158.2 ft (includes new road work, new drainage, and new improvements to existing roads)

**Roadway Construction:**

- **Roadway Construction:**
  - 234.98 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 100.7 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 158.2 ft (includes new road work, new drainage, and new improvements to existing roads)

**Environmental Impact Assessment:**

- **Environmental Impact Assessment:**
  - 234.98 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 100.7 ft (includes new road work, new drainage, and new improvements to existing roads)
  - 158.2 ft (includes new road work, new drainage, and new improvements to existing roads)
We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, cultural and environmental consequences, and mitigation. In addition, we intend to utilize the EIS and subsequent Record of Decision as a basis for any necessary permit applications.

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

Sincerely,

STEPHEN D. THOMAS
Robert E. Hollis
Division Administrator
Enclosure

cc: Thomas, Vachon, Davis,
    R. Ellis (619E),
    J. Allen (HDR), S. Martin (HDR),
    Katiann Wong-Murillo (Western Resource Center),
    Nova Blazajc (EPA-SF), Sandra Shade (GRIC)
Ms. Cindy Lester  
Arizona Section Chief  
U.S. Army Corps of Engineers  
3636 North Central Avenue, Suite 760  
Phoenix, AZ 85012

Dear Ms. Lester:

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

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

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

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

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

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

Sincerely,

STEPHEN D. THOMAS  
Robert E. Hollis  
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis  
   R. Ellis (619E)  
   J. Allen (HDR), S. Martin (HDR)  
   Katrina Wong-Murillo (Western Resource Center)  
   Nova Blazej (EPA-SF), Sandra Shade (GRIC)
We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. In addition, we understand the importance of utilizing the EIS and subsequent Record of Decision as the basis for any necessary permit applications.

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

Sincerely,

STEPHEN D. THOMAS
Division Administrator

Enclosures

cc: Thomas, Vachon, Davis
R. Ellis (60ME)
J. Allen (HDR), S. Martin (HDR)
Kathryn Wong-Murillo (Western Resource Center)
Nova Blaise (EPA-SF), Sandra Shade (GRIC)
transit system improvements, including enhanced CAT bus service and new park-and-ride lots; and (c) transportation demand management measures that expand the transportation program. This is an important point because your letter and the enclosed technical studies do not accurately describe or characterize the US-95 project approved by FHWA in the Record of Decision and do not account for many of the benefits associated with this project. Our review of the issues raised in your letter was done in the context of the total US-95 project and not just the widening portion.

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

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

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

FHWA recognizes the uncertainties in dealing with emerging issues such as the impacts of air toxics and PM2.5. Our headquarters’ Office of Natural Environment is in the process of conducting research in the area of mobile source air toxics and particulate matter. They are looking at short-term and long-term research strategies to address the high level of uncertainty in the current research. However, that research will take from several months to several years to complete. In addition, the U.S. Environmental Protection Agency (EPA) has described in their final rule on mobile source air toxics (MSATs)1 a Technical Analysis Plan through which they will continue to improve understanding of the risk posed by air toxics to public health and welfare. It will also allow them to evaluate the need for and appropriateness of additional mobile source air toxics controls for on-highway and non-road sources and their fuels. Based on the information developed through that technical analysis plan, they will conduct a future rulemaking to be completed no later than July 1, 2004.

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

---


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

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

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

(6) EPA has required a number of control strategies that the research shows has reduced mobile source air toxics in the past and will reduce air toxics into the foreseeable future. In fact, according to EPA's final rule11 on MSATs, between 1990 and 2020, on-highway emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde will be reduced by 67 to 76 percent, and on-highway diesel particulate matter emissions will be reduced by 90 percent. These reductions are due to the impacts of preAMILA mobile source control programs, including the reformulated gasoline (RFG) program, the national low emission vehicle (NLEV) standards, the Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and the heavy-duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements.

(7) These air toxic reductions will be achieved even with growing vehicle miles traveled (VMT). Increased VMT in a future year does not equate with increased emissions compared to the current year. In fact, as seen above, the MATES-II study found that carcinogenic risk had been reduced in the South Coast area, even though at the same time VMT increased12 (from 1980 to 1999, VMT in the South Coast Air Basin increased 81%).

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

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

Your latter also requested the preparation of a Supplemental EIR to address the health effects of fine particulates (PM 2.5). Your concern is that these health effects are not addressed within the context of the Transportation Conformity Rule (CFR Parts 51 and 93) and NEPA. The Transportation Conformity Rule requires that transportation plans, programs and projects conform to the purpose of the State Implementation Plan in air quality nonattainment and maintenance areas. As of yet, EPA has not designated nonattainment areas for PM 2.5. Section 305 of the National Highway System Designation Act of 1995 specifically amended the Clean Air Act limiting the applicability of the transportation conformity provisions to nonattainment and maintenance areas. We believe that the Transportation Conformity Rule and court rulings are clear that the conformity requirements do not apply in areas that have not been designated as nonattainment areas for specific pollutants.

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

Based on the uncertainties with the existing and reasonably obtainable scientific information, as summarized above, and considering the purposes of the project, we have determined that there are not currently any significant new circumstances or information relevant to environmental concerns that would require the preparation of a Supplemental EIS (40 CFR § 1502.9(c)(1)(ii)).

Nor, for the same reasons, do we believe that a project-specific Supplemental EIS addressing air toxics and PM 2.5 would further the purposes of NEPA (40 CFR § 1502.9(c)(2)).

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

Sincerely yours,

/s/ John T. Price
John T. Price
Division Administrator

cc: Mr. T. Stephens, NDOT Director
    Mr. D. James, NDOT Environment
    Mr. G. Kamaoo, NDOT Project Manager
    Mr. B. Hutchins, NDOT Legal
    Mr. R. O'Loughlin, FHWA - WRC
    Mr. D. Orter, FHWA - Western Field Legal Services
    Mr. J. Shroud, FHWA - HEPE-1
    Mr. F. Sherr, FHWA - HEPE-1

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

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

Mr. Folts:

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

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

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

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

The DEIS will address, to the maximum extent possible or practical, the substantive issues, comments, and concerns raised by the public during the scoping stage, including the comments you have provided. After we approve the DEIS for public review and comment, the public hearings associated with it will provide a specific opportunity for the public to comment further on the project. Written comments on the DEIS will also be solicited.
Based on your letter and past e-mails, we know of your concerns about this project. We invite and encourage you to continue to participate in the NEPA process, including the formal opportunities for public involvement that will be provided, as it evolves toward final decisions on the proposed SR-202, South Mountain Freeway. At this early stage, we cannot predict the outcome, but we can assure you that all public comments will be carefully considered.

Sincerely,

/\Kenneth H. Davis
Robert E. Hollis
Division Administrator

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

3/25/02

Concerned Families Along South Mt Loop 202
3407 E Cedarwood Lane, Phoenix AZ 85048
Concerned Families Along South Mt Loop 202 had its first meeting February 6th at 7:30 PM. During this meeting our group discussed the health concerns of living near a highway. Some of the concerns were about the health of our school children that are attending Lagos Elementary School, which will be right alongside the South Mt Loop 202. Other areas of discussion were about the health effects of continually breathing in PM-10 and PM-2.5. Asthma along with other lung ailments including the increased chance of getting lung cancer. We feel that this highway will mostly serve as a commercial bypass due to its location and the location of some of the commercial and industrial land surrounding it. So when answering these questions please show the levels of PM-10 and PM-2.5.

During this meeting our group discussed the health concerns of living near a highway. Some of the concerns were about the health of our school children that are attending Lagos Elementary School, which will be right alongside this South Mt Loop. Other areas of discussion were about the health effects of continually breathing in PM-10 and PM-2.5. Asthma along with other lung ailments including the increased chance of getting lung cancer. We feel that this highway will mostly serve as a commercial bypass due to its location and the location of some of the commercial and industrial land surrounding it. So when answering these questions please show the levels of PM-10 and PM-2.5.

Concerned Families Along South Mt Loop 202 had its first meeting February 6th at 7:30 PM. During this meeting our group discussed the health concerns of living near a highway. Some of the concerns were about the health of our school children that are attending Lagos Elementary School, which will be right alongside the South Mt Loop 202. Other areas of discussion were about the health effects of continually breathing in PM-10 and PM-2.5. Asthma along with other lung ailments including the increased chance of getting lung cancer. We feel that this highway will mostly serve as a commercial bypass due to its location and the location of some of the commercial and industrial land surrounding it. So when answering these questions please show the levels of PM-10 and PM-2.5.

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

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

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

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

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

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

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

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

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

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

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

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

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

David Folts
Concerned Families Along South Mt Loop 202
Governor Richard P. Narcia  
Gila River Indian Community  
P. O. Box 97  
Sacaton, Arizona 85247

Dear Governor Narcia:

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

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

However, information regarding the corridor study became a topic of considerable interest to many landowners including the 1-10 Pecos Landowners Association who expressed a desire for ADOT and its consultant to share engineering, environmental and economic information generated by the study.

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

We are now ready to proceed with the identification of those transportation corridors acceptable to the Gila River Indian Community. At this time there are three corridors which are considered viable including the Gila River Borderland Task Force Study recommendation and two toll road alternatives within the proposed study area which had been approved by previous Tribal Council action.

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

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

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

Sincerely,

KENNETH H. CAVINS

Robert Hollis  
Division Administrator

cc: Lieutenant Governor Mary Thomas, Gila River Indian Community, PO Box 97, Sacaton, AZ 85247  
Director Sandra Stade, GBC DOT, 315 W. Casa Blanca Rd. P.O. Box 97; Sacaton, AZ 85247  
Floyd Rotherick, ADOT 614E  
Dan Lance, ADOT 101A  
Bill Heyden, ADOT 101A  
Dave Anderson, RDR Engineers Inc., 2171 E. Highland Ave, Suite 250, Phoenix, AZ 85016-6606  
S. Thomas, R. Davis, R. Verdon

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

Dear Mr. Mendez:

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

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

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

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

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

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

Sincerely,

/s/ Robert E. Hollis
Division Administrator

cc: Hollis, Nolen, Yacoub, Davis

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

ROBERT E. HOLLIS
Robert E. Hollis
Division Administrator

cc: Mary Peters, via Fax 202-584-8241
Victor Mendez, ADOT
Dan Lance, ADOT
KDavis
DNelson
VBachon
SThomas
DSNelson:cdm

---

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

Dear Ms. Rami:

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

During the data-gathering phase of this effort, we identified property owned by your agency that has been leased to the City of Phoenix under the regulations set forth in the Recreation and Public Purposes Act. The property is located between 59th and 67th Avenues north of Southern Avenue within the City of Phoenix. Under the lease, the City plans to use the property as part of the planned Rio Salado Ocente project. One of the project alternatives, the W35 Alternative, under detailed study in the EIS, would pass through this property. Direct coordination with your agency will be required to address this issue. Your assistance is also requested to identify any other BLM properties in the proposed alignment areas.

Your agency’s involvement will be to participate and finally concur in the evaluation of the issues under your jurisdiction, and will not involve direct analysis or writing during EIS preparation. To ensure these inter-agency relationships, we will furnish your agency with technical narratives, manuals with you on any relevant technical studies, and provide project information.

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

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

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Holli
Division Administrator

cc:
StThomas
WVachon
R Ellis (619E)
M Deeb-Reberge (619E)
Jack Allen (HDR)
SDT:edm

ARIZONA DIVISION
400 North Central Avenue, Suite 1500
Phoenix, Arizona 85004-1506
928-275-3500

February 4, 2009

In Reply Refer To:
HOP-AZ
NIL-202-D (ADY)
TRAC NO. R 5164.01C
SR202L L-10-30 Phoenix L-10 30 Phoenix
South Mountain Freeway Environmental Impact Statement
Request to Serve as a Cooperating Agency

Ms. Mary Bargen
Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, Arizona 85006-6457

Dear Ms. Bargen:

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

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

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

We believe the EIS process will satisfy NEPA requirements, including those related to alternatives, environmental consequences, and mitigation.
Mr. Dennis Smith
Executive Director
Maricopa Association of Governments
302 N 1st Ave, Suite 300
Phoenix, AZ 85003-1502

Dear Mr. Smith,

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

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

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

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

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

Sincerely,

Harry E. Mitchell
Member of Congress

Department of Energy
Western Area Power Administration
P.O. Box 282251
Livermore, CA 94550-2213

MAR 2 2009

Mr. Robert Hollis
Division Administrator
Federal Highway Administration
4600 North Central, Suite 1500
Phoenix, AZ 85042-1996

Dear Mr. Hollis:

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

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

Western’s Desert Southwest Regional Office will coordinate with FHWA concerning the proposed EIS effort. If you have any questions or require further information, please contact Mr. John Holt by e-mail at holt@wapa.gov or by phone at 602-605-2923.

Sincerely,

Timothy J. Mettzs
Administrator
May 17, 2001

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

Dear Mr. Davis:

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

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

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

Purpose and Need

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

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

- Since the project is located in a nonattainment area for ozone, the project should be included in a conforming Transportation Plan and Transportation Improvement Program (TIP) before the NEPA process is completed.
- Air quality impacts from project construction will likely include PM10 and CO emissions. Since the project is located in a nonattainment area for both PM10 and CO, the EIS should include a detailed fugitive dust control plan and a CO hot spot analysis. Sensitive receptors should be identified.

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

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

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

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

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

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

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

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

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

Sincerely,

Nova Blazej
Transportation Coordinator

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

cc: Steve Thomas, FHWA-AZ

October 23, 2001

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

Dear Mr. Hollins:

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

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

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

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

Printed on Recycled Paper
If you have any questions or would like to discuss this further, please contact me or Nova Blazej, the point of contact for this project. Nova can be reached at 415-744-2089 (after October 30, 2001, 415-973-3846) or blazej.nov@epa.gov.

Sincerely,

Lisa B. Hart, Manager
Federal Activities Office

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

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

January 31, 2002

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

Dear Mr. Anderson:

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

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

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

- Refine the project purpose, or project objectives. For example, the memorandum describes the transportation demand and land use objectives of the proposed project in somewhat general terms. The project purpose should be refined to describe specific transportation demand, system linkage, and land use planning objectives. A summary, in bulleted form, at the beginning of the document would also be helpful.
- Refining the project objectives will help determine the appropriate project study area boundary. Justify the study area boundary and make changes, as appropriate. Respond to the question as to whether an alignment north of South Mountain Park would satisfy the project objectives.
With regard to process, EPA believes this project would be appropriately reviewed under the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada Memorandum of Understanding (1994) (NEPA/404 MOU). Because of the potential project impacts to the Salt River and the need for an Individual Permit from the Army Corps of Engineers (ACOE), future project delays can be avoided by coordinating the NEPA process and the Section 404 process early on in project development. We have proposed initiating the NEPA/404 MOU process to the Federal Highway Administration (FHWA), and we continue to recommend using the NEPA/404 MOU process in the development of this project. Under the NEPA/404 MOU, the first step in the integration process is concurrence on Purpose & Need. Should FHWA and ADOT elect to initiate the NEPA/404 MOU process, EPA would be prepared to concur on the Purpose & Need statement with the changes cited above.

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

Sincerely,

Lisa B. Harf
Manager
Federal Activities Office

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

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

May 2, 2002

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

Dear Mr. Folts,

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

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

Sincerely,

Nova J. Blazej
Federal Activities Office

cc: Lisa Harf, EPA
David Tomsevich, EPA
GR West, EPA
Steve Thomas, FHWA
Ralph Ellis, ADOT
March 17, 2005

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

Dear Mr. Folts:

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

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

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

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

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

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

Sincerely,

[Signature]

Enrique Manzanilla, Director
Community and Ecosystems Division

Enclosure

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

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

April 21, 2006

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

Dear Mr. Folsom:

Thank you for your February 28, 2006 letter to the United States Environmental Protection Agency (EPA) expressing your concerns with potential environmental impacts associated with the proposed South Mountain Loop 202 transportation improvements in Phoenix, Arizona. EPA has responded to your interest in attaining answers to specific air quality questions related to this project on three previous occasions, twice via letter to you (March 17, 2005 and June 17, 2005) and once through a phone conversation with a representative from Congressman J.D. Hayworth’s office (September 2005). Your letter identifies that you continue to be concerned that the Draft Environmental Impact Statement (EIS) being developed for this project may not address the questions that you previously submitted. Exposure to mobile source air toxics is known to cause adverse human health impacts, including cancer and other serious health effects. With our increasing understanding of air toxics concerns, and the increasing public attention on this issue, EPA agrees that the Draft EIS for the South Mountain project should assess and reduce all emissions-related impacts to air quality and human health.

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

EPA continues to recommend that you discuss your specific areas of concern with those agencies (ADOT and FHWA) that are cooperating in drafting the document. EPA has no role in compiling the Draft EIS and can only recommend that ADOT and FHWA incorporate into the Draft EIS a robust analysis of all direct, indirect, and cumulative impacts of this project and commit to appropriate mitigation and project design elements to reduce impacts to human health and all environmental resources. EPA has recommended via past phone conversations, and continues to recommend through this letter, that ADOT and FHWA include an air quality analysis in the Draft EIS that addresses all questions provided by you and analyzes potential...
impacts of emissions of criteria pollutants (particulate matter less than 10 microns, carbon monoxide, precursors of ozone), air toxics, and diesel particulate matter. EPA also recommends that the Draft EIS provide specific mitigation measures, including operational changes to project alternatives and construction practices, that will reduce impacts to air quality and human health from the proposed project.

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

Sincerely,

Duane James, Manager
Environmental Review Office

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

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Pine Agency
San Carlos, Arizona 85254

April 16, 1967

Honorable James A. Boley
Chairman, Sub-Committee on
Interior and Insular Affairs
House of Representatives
Washington, D.C. 20515

Re: H.R. 2134

Honorable Boley:

In accordance with Mr. Taylor's request regarding yesterday's Sub-Committee hearing to consider H.R. 2134, the following information is respectfully submitted in connection with Interstate 10 Highway through the Gila River Indian Reservation, Arizona.

Interstate 10 Highway across the Gila River Indian Reservation is 24.02 miles in length, 300 feet wide with additional width required by the four interchanges. Total amount paid was $473,860.00 of which $265,000.00 was paid for tribal lands and $208,860.00 for individual or allotted lands.

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

Sincerely yours,

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

Dear Mr. Hollis:

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

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

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

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

Sincerely,

[Signature]

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

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

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

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

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

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

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

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

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

If you have any questions or need advice please contact Mr. Peter B. Overton, Agency Environmental Protection Specialist, at 572-362-3700, extension 257.

Sincerely,

[Signature]

Acting Superintendent

---

MEMORANDUM OF UNDERSTANDING BETWEEN
BUREAU OF INDIAN AFFAIRS AND
ARIZONA DEPARTMENT OF TRANSPORTATION
AND
INTERAGENCY AGREEMENT BETWEEN
BUREAU OF INDIAN AFFAIRS AND
FEDERAL HIGHWAY ADMINISTRATION
FOR

ENVIRONMENTAL IMPACT STATEMENT AND SECTION 4(f) EVALUATION FOR
SOUTH MOUNTAIN FREEWAY (LOOP 202) INTERSTATE 10 (PAPAGO FREEWAY) TO
INTERSTATE 10 (MARICOPA FREEWAY)
FEDERAL-AID PROJECT NUMBER: NH-202-D-(ADY)
ADOT PROJECT NUMBER: 202L MA 054 HS764 01L

JUNE 2012

[Signature]
THIS AGREEMENT is entered into the _____ day of ____________, 2012, by and between the Bureau of Indian Affairs, (hereafter referred to as BIA), the Arizona Department of Transportation, (hereafter referred to as ADOT), and the Federal Highway Administration (hereafter referred to as FHWA). This agreement was initiated pursuant to Council on Environmental Quality regulations (40 CFR § 1501.6), which emphasize the importance of cooperation early in the Environmental Impact Statement process for the proposed action, Section 4(f) Evaluation for South Mountain Freeway (Loop 202) Interstate 10 (Papago Freeway) to Interstate 10 (Maricopa Freeway), Federal-aid Project Number: NH-202-D(ADOT), ADOT Project Number: 2021.MA.054 H5764 011.

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

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

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

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

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

The joint process will allow BIA, FHWA, and ADOT to fulfill other requirements under federal law, including informal or formal consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act and consultation with relevant parties under Section 106 of the National Historic Preservation Act.

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

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

III. TEAM MEMBERS
The primary points of contact for carrying out the provisions of this agreement are:

BIA:
Amy Heuslein, Regional Environmental Protection Officer
2660 N. Central Avenue, 4th Floor Mailroom
Phoenix, AZ 85004-1050
(602) 379-6750
Amy.Heuslein@bia.gov

FHWA:
Rebecca Swikcki, Environmental Coordinator
4000 N Central Ave. Suite 1500
Phoenix, AZ 85012
(602) 382-4979
Rebecca.Swikcki@fhwa.dot.gov

ADOT:
Sahil P. Chauh Hill, Assistant State Engineer
16111 W. Jackson, Mail Drop EM01
Phoenix, AZ 85007
(602) 712-6268
SHfill@azdot.gov

IV. RESPONSIBILITIES
A. FHWA Responsibilities

1. Act as lead agency within the meaning of 40 C.F.R. § 1501.5 and 23 C.F.R. § 771.109.
2. Ensure that the EIS meets the requirements outlined in Council on Environmental Quality regulations at 40 C.F.R. §§ 1500 to 1508, and ensure that the EIS is in compliance with all applicable laws, policies, Executive Orders, and guidelines.

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

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

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

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

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

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

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

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

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

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

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

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

B. ADOT Responsibilities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

V. ADMINISTRATIVE AND LEGAL PROVISIONS

A. Applicable Law

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

B. Effect on Prior Agreements

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

C. Term

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

D. Amendments

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

E. Termination

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

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

F. Severability

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

G. Confidentiality

Each agency will abide by the confidentiality requirements of its own laws and regulations with respect to determinations concerning and handling of proprietary
data and any other statutes, regulations, or directives concerning restricted access

to records or information in any form.

H. Access to Records

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

I. Information Sharing

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

J. Third Party Beneficiary Rights

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

VI. SIGNATURES

Sabri P. Chann Hill
Assistant State Engineer
Arizona Department of Transportation

Rebecca Swiecki, Environmental Coordinator
Federal Highway Administration

Bryan Bowker, Regional Director
Bureau of Indian Affairs
### EXHIBIT 1 – DRAFT

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

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

### United States Department of the Interior

**BUREAU OF LAND MANAGEMENT**

Phoenix Field Office
2965 North 7th Avenue
Phoenix, AZ 85027

June 13, 2005

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

Dear Mr. Hollis:

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

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

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

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

Sincerely,

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

In Reply Refer To:
AESS/FA

AESSONE
2-21-02-I-005

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

Dear Mr. Hollis:

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

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

Sincerely,

David L. Harlow
Field Supervisor

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

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

Dear Ms. Viparsina,

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

The enclosed list of the endangered, threatened, proposed, and candidate species includes all those potentially occurring anywhere in the county, or counties, where your project occurs. Please note that your project area may not necessarily include all or any of these species. The information provided includes general descriptions, habitat requirements, and other information for each species on the list. Also on the enclosed list is the Code of Federal Regulations (CFR) citation for each list and is available at most public libraries. This information should assist you in determining which species may or may not occur within your project area. Site-specific surveys could also be helpful and may be needed to verify the presence or absence of a species or its habitat as required for the evaluation of proposed project-related impacts. Endangered and threatened species are protected by Federal law and must be considered prior to project development. If the action agency determines that listed species or critical habitat may be adversely affected by a federally funded, permitted, or authorized activity, the action agency must request formal consultation with the Service. If the action agency determines that the planned action may jeopardize a proposed species or destroy or adversely modify proposed critical habitat, the action agency must enter into a section 7 conference with the Service. Candidate species are those which are being considered for addition to the list of threatened or endangered species. Candidate species are those for which there is sufficient information to support a proposal for listing. Although candidate species have no legal protection under the Act, we recommend that they be considered in the planning process in the event that they become listed or proposed for listing prior to project completion.
If any proposed action occurs in or near areas with trees and shrubs growing along watercourses, known as riparian habitat, the Service recommends the protection of these areas. Riparian areas are critical to biological community diversity and provide linear corridors important to migratory species. In addition, if the project will result in the deposition of dredged or fill materials into waterways or excavation in waterways, we recommend you contact the Army Corps of Engineers which regulates these activities under Section 404 of the Clean Water Act.

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

The Service appreciates your efforts to identify and avoid impacts to listed and sensitive species in your project area. If we may be of further assistance, please feel free to contact Tom Gatz (x249).

Sincerely,

David L. Hartlow
Field Supervisor

Enclosure

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

W/Cathy Gordon/Date/04/26/2001/SE/Corr/10/24/2001/Engineering/04/26/01

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

MARIPOSA

10/11/2001

TOTAL- 14

1) LISTED

NAME: ARIZONA AGAVE
AGAVE ARIZONICA
STATUS: ENDANGERED
CRITICAL HABITAT No
RECOVERY PLAN: No
CPR: 49 FR 21066, 05-18-1984
DESCRIPTION: HAS ATTRACTIVE ROSETTES OF BRIGHT GREEN LEAVES WITH DARK MAHOGANY MARGINS. FLOWERS BORNE ON SUB-UMBELLATE INFLORESCENCE.
ELEVATION RANGE: 3000-5000 FT.
COUNTIES: GILA, YAVAPAI, MARIPOSA
HABITAT: TRANSITION ZONE BETWEEN OAK-JUNIPER WOODLAND & MOUNTAIN MAHOGANY-OAK SCRUB
SCATTERED CLONES IN NARROW MOUNTAIN TOPS AND SIERRA ANCHA. USUALLY FOUND ON STEEP, ROCKY SLOPES, POSSIBLY IN SANTA ANNA. SHOULD BE LOOKED FOR WHEREVER THE RANGES OF Agave rhizomeya var. bella AND Agave chrysantha OVERLAP.

NAME: ARIZONA CLIFFROSE
PURSNA SUBINTEGRIS
STATUS: ENDANGERED
CRITICAL HABITAT Yes
RECOVERY PLAN: Yes
CPR: 49 FR 22326 9-20-84
DESCRIPTION: EVERGREEN SHRUB OF THE ROSE FAMILY (ROSACEAE). BARE PALS."NEEDLE" LEAVES AND EDGES CURLED DOWNWARD (REVOLVED). FLOWERS END WHITE OR YELLOW ELEVATION RANGE: 4000 FT.
COUNTIES: GRIFFIN YAVAPAI, MARIPOSA, MOHAVE
HABITAT: CHARACTERISTIC WHITE SOILS OF TERTIARY LIMESTONE LAKESIDE DEPOSITS.
WHITE SOILS OF TERTIARY LIMESTONE LAKESIDE DEPOSITS CAN BE SEEN FROM A DISTANCE.

NAME: ARIZONA HEDGEHOG CACTUS
ECHINOCEREUS TRIGLOCHIDIATUS ARIZONICUS
STATUS: ENDANGERED
CRITICAL HABITAT Yes
RECOVERY PLAN: No
CPR: 44 FR 51565,10-15-1979
DESCRIPTION: DIAMETER SINGLE OR IN CLUSTERS, 1-3 INCH OR FINER CENTRAL SEEDS LARGEST, DUMPLISHED AND 1.1-1.2 SHORTER RAYS, SPINES. FLOWER: BRILLIANT RED, SIDE OF STEM IN APRIL-MAY
ELEVATION RANGE: 3700-5200 FT.
COUNTIES: MARIPOSA, GILA, PINAL
HABITAT: ECOZONE BETWEEN INTERIOR CHAPPARAL AND MADRAS EVERGREEN WOODLAND
OPEN SLOPES, IN WIDE CRACKS BETWEEN Boulders, AND IN UNDERSTORY OF SHRUBS. THIS VARIETY IS BELIEVED TO INTERGRADE AT THE EDGES OF ITS DISTRIBUTION WITH VARIOUS Echinocereus AND Neomexicanus CAUSING SOME CONFUSION IN IDENTIFICATION.
LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA
10/11/2001

**NAME:** LESSER LONG-NOSED BAT *LEPTONYCTERIS CURASAOAE YERBAJUEVAE*

**STATUS:** ENDANGERED  **CRITICAL HABITAT:** Yes  **RECOVERY PLAN:** Yes  **CFR:** 52 FR 34345, 02-30-87  **DESCRIPTION:** ELONGATED MAVILLE, SMALL LEAF NOSE, AND LONG TONGUE.  **YELLOWISH-BROWN OR GRAY ABOVE AND CINNAMON BROWN Below.**  **TALV MINUTE AND APPEARS TO BE LACKING. EASILY DISTURBED.**  **ELEVATION RANGE:** >9000 FT.

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

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

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

**NAME:** SONORAN PRONGHORN *ANTilocapra AMERICANA SONORENSIS*

**STATUS:** ENDANGERED  **CRITICAL HABITAT:** Yes  **RECOVERY PLAN:** Yes  **CFR:** 32 FR 4001, 03-11-57  **DESCRIPTION:** BUMPY ON BACK AND WAIST BELOW, HOODED WITH SLIGHTLY CURVED BLACK HORNS HAVING A SINGLE PRONG. SMALLEST AND PALEST OF THE PRONGHORN SUBSPECIES.

**ELEVATION RANGE:** 2000-4000 FT.

**COUNTIES:** PIMA, YUMA, MARICOPA

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

**TYPICALLY, BADNAS ARE USED AS PAVING AREAS AND SANDY DUNE AREAS PROVIDE FOOD SEASONALLY. HISTORIC RANGE HAS PROBABLY LARGER THAN EXISTS TODAY.**  **THIS SUBSPECIES ALSO OCCURS IN MEXICO.**

**NAME:** DESERT PUFPISH *CYPINODON MACULARUS*

**STATUS:** ENDANGERED  **CRITICAL HABITAT:** Yes  **RECOVERY PLAN:** Yes  **CFR:** 51 FR 10842, 03-31-1986  **DESCRIPTION:** SMALL, (6 INCHES) SMOOTHLY ROUNDED BODY SHAPED WITH NARROW VERTICAL BARS ON THE SIDES. BREEDING MALES BLUE ON HEAD AND DORSAL TIME. FEMALES & JUVENILE TAN TO OLIVE BROWN ON BACK AND SILKY SIDES.

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

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

**CRITICAL HABITAT INCLUDES QUABOAGO SPRING, PIMA COUNTY, PORTIONS OF SAN FELIPE CREEK, CHIRICUO RIAD, AND FISH CREEK WASH. IMPERIAL COUNTY, CALIFORNIA. TWO SUBSPECIES ARE RECOGNIZED: DESERT PUFPISH (C. M. macularus) AND QUABOAGO PUFPISH (C. M. eminus).**

**NAME:** GILA LIPMBARROW *PURULA LIPMBARROW OCCIDENTALIS OCCIDENTALIS*

**STATUS:** ENDANGERED  **CRITICAL HABITAT:** Yes  **RECOVERY PLAN:** Yes  **CFR:** 32 FR 4001, 03-11-57  **DESCRIPTION:** SMALL (2 INCHES), GUPPY-LIKE, LIVE BEARING, LACKS DERM SPOTS ON ITS FIN. BREEDING MALES ARE JET BLACK WITH YELLOW FINES.

**ELEVATION RANGE:** >9000 FT.

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

**HABITAT:** SMALL, STREAMS, SPRINGS, AND GININAS VEGETATED SHALLOWS

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

**NAME:** RAZORBACK SUCKER *XRYRAECHUS TEXANUS*

**STATUS:** ENDANGERED  **CRITICAL HABITAT:** Yes  **RECOVERY PLAN:** Yes  **CFR:** 56 FR 40457, 10-23-1991  **DESCRIPTION:** LARGE (UP TO 3 FEET AND UP TO 6 POUS), LONG, HIGH-SHAPED, EDGED KEEL-LIKE HUMP BEHIND THE HEAD, HEAD FLATTENED ON TOP. CLARKE BROWN ABOVE TO YELLOWISH BELOW.

**ELEVATION RANGE:** >9000 FT.

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

**HABITAT:** RIVERINE & LACUSTRIAN AREAS, GENERALLY NOT IN FAST MOVING WATER AND MAY USE BACKWATERS OR B RACKS

**SPECIES IS ALSO FOUND IN HORSESHOE RESERVOIR (MARICOPA COUNTY), CRITICAL HABITAT INCLUDES THE 100- YEAR FLOODPLAIN OF THE RIVER THROUGH GRAND CANYON FROM CHISEN WITH PAPA RIVER TO HONDO DAM; HOOVER DAM TO THE OAKS DAM; PARKER DAM TO IMPERIAL DAM; ALSO GILA RIVER FROM AZIMI BORDON TO COOLIDGE DAM, AND CAYLA RIVER FROM 1909 HOT SPRING 77 TO ROOSEVELT DAM, VERMEY RIVER FROM MS BOUNDARY TO HORSESHOE LAKE.**

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

**STATUS:** THREATENED  **CRITICAL HABITAT:** Yes  **RECOVERY PLAN:** Yes  **CFR:** 63 FR 35500, 07-12-98  **DESCRIPTION:** LARGE, ADULTS HAVE WHITE HEAD AND TAIL, HIDEY 28-38. **WINGSPAN 60-59 FT, 1-4 YRS DARK WITH VARYING DEGREES OF MOTTLED BROWN IN PAGES. FEET BARE OF FEATHERS.**

**ELEVATION RANGE:** VARIOUS FT.

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

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

**SOME BIRDS ARE NESTING RESIDENTS WHILE A LARGER NUMBER WANDERS ALONG RIVERS AND RESERVOIRS. AN ESTIMATED 200 TO 300 BIRDS WANDER IN ARIZONA. ONCE ENDANGERED (32 FR 4001, 03-11-1987, 43 FR 6295, 03-14-78) BECAUSE OF REPRODUCTIVE FAILURES FROM MOSQUITO FISHING AND LOSS OF HABITAT. THIS 675 COLUMS MING 137CITED TO THRIFTY ON AUGUST 17, 1981. BLACK- LOST, COMPLETELY LOST. LOSS OF HABITAT CONTINUES TO BE A PROBLEM. SPECIES HAS BEEN PROPOSED FOR DELISTING (64 FR 3944) BUT STILL RECEIVES FAIL PROTECTION UNDER ESA.**

2

3
LISTED, PROPOSED, AND CANDIDATE SPECIES FOR THE FOLLOWING COUNTY: MARICOPA

10/15/2001

NAME: BROWN PELICAN
Pelecanus occidentalis californicus

STATUS: ENDANGERED
RECOVERY PLAN: Yea CFR 16 CFR 1504.7, 10-14-70; 35
DESCRIPTION: LARGE DARK BROWN WATER BIRD WITH A POUCH UNDERNEATH
LONG BILL AND WEBBED FEET. ADULTS HAVE A WHITE HEAD AND NECK, BRONZISH BLACK BREAST, AND SIEN ASH GRAY UPPERS. RANGE: VARIES FT.
COUNTIES: APACHE, COCONINO, GILA, GRAHAM, GREENLEE LA PAZ, MARICOPA, Mohave, Navajo, PIMA, PINAL, SANTA CRUZ, YAVAPAI, YUMA
HABITAT: COASTAL, LAND AND ISLAND, ARIZONA LAKES AND RIVERS

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

NAME: CACTUS FERRUGINOSUS PYGMY OWL
Glaucidium brasilianum cactorum

STATUS: ENDANGERED
RECOVERY PLAN: Yea CFR 16 CFR 1504.7, 3-10-97
DESCRIPTION: SMALL, APPROX. 70, DIURNAL, OWL. REDDISH BROWN OVERALL WITH CREMA-COLORED BELLY STREAMED WITH REDDISH BROWN. SOME INDIVIDUALS ARE GRAYISH-BROWN RANGE: 40000 FT.
COUNTIES: MARICOPA, YUMA, SANTA CRUZ, GRAHAM, GREENLEE, PIMA, PINAL, GILA, COCHISE
HABITAT: MATURE COTTONWOOD/ASH, MESQUITE, DOUGLAS, AND SOUTHERN DESERTS

RANGE LIMIT IN ARIZONA IS FROM NEW RIVER (NORTH OF GILA BOX GUTT) TO CAREFREE (WEST). ONLY A FEW DOCUMENTED SITES WHERE THIS SPECIES EXISTS IS KNOWN, ADDITIONAL SURVEYS ARE NEEDED. CRITICAL HABITAT WAS DESIGNATED BY THE U.S. DISTRICT COURT FOR THE DISTRICT OF ARIZONA.

NAME: MEXICAN SPOTTED OWL
Strix occidentalis lucida

STATUS: THREATENED
RECOVERY PLAN: Yea CFR 16 CFR 1504.7, 04-11-01; 06
DESCRIPTION: MEDIUM-SIZED WITH DARK EYES AND NO EARS (Tufts). BROWNISH AND HEAVILY SPOTTED WITH WHITE ON CHEECE. RANGE: 40000 FT.
COUNTIES: MOHAVE, COCONINO, APACHE, YAVAPAI, GRAHAM, GREENLEE, COCHISE, SANTA CRUZ, PINAL, GILA, MARICOPA
HABITAT: NESTS IN CANYONS AND DENSE FORESTS WITH MULTI-LAYERED FOLIAGE STRUCTURE

GENERAL NESTS IN OLDER FORESTS OF MIXED CONIFER OR PIONEERA PINZAMBARIA, GAYL AXON, AND USE VARIOUS TYPES OF FOOD. SITES WITH COOL, LIGHT ATMOSPHERIC APPEAR TO BE OF IMPORTANCE FOR SITING. CRITICAL HABITAT WAS REMOVED IN 1988 BUT RE-PROPOSED IN JUNE 2000

NAME: SOUTHWESTERN WILLOW FLYCATCHER
Empidonax trailli extimus

STATUS: ENDANGERED
RECOVERY PLAN: Yea CFR 16 CFR 1504.7, 03-27-95
DESCRIPTION: SMALL PASSERINE. BROWNISH OR GRAYISH-BROWN BACK AND WINGS, WHITE THROAT, LIGHT GRAY-LIKE GRAY BREAST AND PALE YELLOWISH BELLY. TWO WINGBAR VISIBLE, EYE-RING PAINT OR ABSENT. RANGE: 4000 FT.
COUNTIES: YAQUAL, GILA, MARICOPA, MOHAVE, COCONINO, NAVADO, APACHE, PINAL, LA PAZ, GREENLEE, GRAHAM, YUMA, PIMA, COCHISE, SANTA CRUZ
HABITAT: COTTONWOOD/WILLOW & TAMARISK VEGETATION COMMUNITIES ALONG RIVERS & STREAMS

MIGRATORY RIPARIAN OBVIOUS SPECIES THAT OCCURS BREEDING HABITAT FROM LATE APRIL TO SEPTEMBER. DISTRIBUTION WITHIN ITS RANGE IS RESTRICTED TO RIPARIAN CORRIDORS. DIFFICULT TO DISTINCT FROM OTHER MEMBERS OF THE EMPODONAX COMPLEX BY SIGHT ALONE. TRAINING SEMINAR REQUIRED FOR THOSE CONDUCTING FLYCATCHER SURVEYS. CRITICAL HABITAT WAS SET ASIDE BY THE 10TH CIRCUIT COURT OF APPEALS.

NAME: YUMA CLAPPER RAIL
Rallus longirostris yumanensis

STATUS: ENDANGERED
RECOVERY PLAN: Yea CFR 16 CFR 1504.7, 03-14-70; 46
DESCRIPTION: WATER BIRD WITH LONG LEGS AND SHORT TAIL. LONG BENDER DECURVED BILL, MOTTLED BROWN ON GRAY ON ITS RUMP, PLANKS AND UNDERWINGS ARE DARK GREY WITH BROAD VERTICAL STRIPES. RANGE: 4000 FT.
COUNTIES: YUMA, LA PAZ, MARICOPA, PINAL, MOHAVE
HABITAT: FRESH WATER AND BRACKISH MARSHES

SPECIES IS ASSOCIATED WITH DENSE EMERGENT RIPARIAN VEGETATION. REQUIRE WET SUBSTRATE (MUD, SLAND) WITH DENSE HERBACEOUS OR WOODY VEGETATION FOR NESTING AND FORAGING. CHANNELIZATION AND MARSH DEVELOPMENT ARE PRIMARY SOURCES OF HABITAT LOSS.
A44 - Appendix 1-1

LISTED, PROPOSED, and CANDIDATE SPECIES FOR THE FOLLOWING COUNTY:

MARICOPA

10/11/2001

3) CANDIDATE

TOTAL - 1

NAME: YELLOW-BILLED CUCKOO

COCCYZUS AMERICANUS

STATUS: CANDIDATE

CRITICAL HABITAT No RECOVERY PLAN: No CFR: 50 FR 36811; 07-26-01

DESCRIPTION: MEDIUM-SIZED BIRD WITH A SLIGHTLY BULBIFORM, LONG-TAILED PROFILE, SLIGHTLY DOWN-CURVED BILL, WHICH IS BLUE-BLACK WITH YELLOW ON THE LOWER HALF OF THE BILL. PLUMAGE IS BROWNISH-BLACK ABOVE AND WHITE BELOW. MALE BREEDING PLUMAGE FEATURING A BRIGHT BROW. RANGE: 46,500 PT.

COUNTIES: APACHE, COCONINO, COYOTILLO, GRAHAM, GREENLEE, LA PAZ, MARICOPA, Mohave, Navajo, Pima, PINAL, SANTA CRUZ, YAVAPA, YUMA

HABITAT: LARGE BLOCKS OF ARID regions WOODLANDS (COTTONWOOD, YUCCA, OR TAMARISK GALLERIES)

SPECIES WAS FOUND WANTED, BUT PRECIPITATED FOR LISTING AS A DISTINCT VEGETATION POPULATION RESPONSIBILITIES FOR EVALUATING PROPOSED PROJECTS ON LANDS ADMINISTERED BY THE LAND MANAGER. THIS FINDING INDICATES THAT THE SERVICE HAS SUFFICIENT INFORMATION TO LIST THE 3RD, BUT OTHER, HIGHER PRIORITY LISTING ACTIONS PREVENT THE SERVICE FROM ADDRESSING THE LISTING OF THE CUCKOO AT THIS TIME.

Arizona Game and Fish Department Operating Manual

Section 1: Wildlife, Habitat and the Environment

Chapter 2: Habitat and the Environment

12.1 Races, Rallies, Endorsees

Effective: 01-01-95

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

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

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

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

12.2 National Environmental Act Compliance

Effective: 01-01-95

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

(Contact the Habitat Branch for procedures and guidelines for NEPA compliance.)

12.3 Wildlife and Wildlife Habitat Compensation

Effective: 06-04-94

Department Policy: It shall be the policy of the Department to develop adequate compensation plans for actual or potential habitat losses resulting from land and water projects in accordance with State and Federal laws. Habitat compensation plans shall seek compensation at a 100% level, where feasible, and be developed using habitat resource category designations. See Commission Policy A2.10.

Authority: The Director of the Arizona Game and Fish Department is authorized under A.R.S. Title 17-111, Subsection D, to perform the necessary administrative tasks required to manage the wildlife resources of the State of Arizona. Pursuant to these duties and in accordance with federal environmental laws and resource management acts, such as the National Environmental Policy Act, Fish and Wildlife Coordination Act, and Endangered Species Act, the Director is further charged with cooperating in the determination of potential impacts to Arizona's wildlife resources resulting from federally funded land and water projects. In addition, a Commission M.O.U. assigns similar responsibilities for evaluating proposed projects on lands administered by the State Land Department. An integral part of this process is the development of adequate compensation measures aimed at eliminating or reducing project-associated impacts.

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

A. Resource Category I:
1. Designation: Species. Habitats in this category are of the highest value to Arizona wildlife species, and are unique and/or irreplaceable on a statewide or regional basis.

2. Compensation Goal: No loss of existing kind habitat value.

3. Guidelines: The Department will recommend that all potential losses of existing habitat values be prevented. Insignificant changes that would not result in adverse impacts to habitat values may be acceptable provided they will have an insignificant cumulative impact.

B. Resource Category II:
1. Designation: Habitats. Habitats in this category are of high value for Arizona wildlife species and are

Chapter 1-2 Updated 05/97

Page 1 of 4
Appendix 1-1

Arizona Game and Fish Department Operating Manual

Section 1: Wildlife, Habitat and the Environment
Chapter 2: Habitat and the Environment

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

2. Compensation Goal. No net loss of existing habitat value, while minimizing loss of a kind value.

3. Guidelines. The Department will recommend that all potential issues of Resource Category II habitat values be avoided or minimized. If significant issues are likely to occur, the Department will recommend alternatives to immediately rectify, reduce, or eliminate these issues over time.

4. Habitat Types. Habitat types associated with Resource Category II shall include, but not limited to, the following examples:
   a. Key utilization areas for adult and adolescent sheep.
   b. Key utilization areas for Threatened and Candidate State Threatened Native Wildlife species, sensitive species, or species listed as Threatened or Endangered (Categories 1 and 2).
   c. Actual or potential reintroduction sites for species that are listed as Endangered or on the State Threatened Native Wildlife list.
   d. Blue ribbon fishing areas (i.e., Lee’s Ferry and Beaver Lake).
   e. Isolated mountain ranges providing Subalpine-foothill coniferous forest habitats (i.e., Pinaleno Mountains).
   f. State and federally operated game preserves, refuges, or wildlife areas.
   g. Mountain meadows.

C. Resource Category III

1. Designation Criteria. Habitats in this category are of high to medium value for Arizona wildlife species, and are relatively abundant on a statewide basis.


3. Guidelines. The Department will recommend ways to minimize or avoid habitat issues. Anticipated issues will be compensated by replacement or habitat values in-kind, or by substitution of high value habitat types, or by increased management of replacement habitats, so that no net loss occurs.

4. Habitat Types Involved. Habitats in this category are of a natural, undisturbed condition or they involve bodies of water of economic importance and shall include, but not be limited to, the following examples:
   b. Desert-grasslands and Chaparral zones.
   c. Oak and Coniferous woods and coniferous forests.
   d. Reservoir habitats.

D. Resource Category IV

1. Designation Criteria. Habitats in this category are of medium to low value for Arizona wildlife species, due to proximity to urban developments or low productivity associated with these lands.


3. Guidelines. The Department will recommend ways to avoid or minimize habitat issues. Should losses be unavoidable, the Department may make a recommendation for compensation, based on the significance of the loss.

4. Habitat Types Involved. Habitat types associated with Resource Category IV shall include, but not be limited to, the following examples:
   a. Agricultural Lands.
   b. Undeveloped urban areas (i.e., land proximal to waste water treatment facilities, municipal water systems, and underground utilities in proximity to municipal and industrial land).
   c. Habitats exhibiting low wildlife productivity as a result of man’s influence.

IL-4 Land Protection Evaluation Process

Stage 1: A. Proposal Submission. Conservation Supervisor (Habitat Branch) receives all land protection proposals on an open and continuous basis, whether they are generated internally or externally.

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

C. Times: 5 days from receipt for acknowledgement to proposer.

B. Proposer Screening Committee. Conservation Supervisor, chair; Development Branch Chief, Nogales Branch Chief, and Field Operations Chief.

C. Responsibilities: Screen proposals on a monthly basis to determine adequacy and appropriateness; return inadequate proposals to proposer; propose changes in the appraisal to the Conservation Supervisor.

D. Times: Director’s office briefing presentation occurs the Tuesday immediately following the monthly meeting; return to proposer (EFP) or forwarding to Assistant Director, WMD, to occur within 30 days of meeting.

E. Director’s Office Briefing Presentation. Conservation Supervisor presents summary of which proposals were returned to proposer (and why they were returned) and which were moved for biological review.

United States Department of Agriculture

NCRS
Natural Resources Conservation Service
2005 N. Central Ave., Suite 900
Phoenix, Arizona 85012-2840

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

Dear Mr. Mars:

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

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

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

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

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

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

Sincerely,

Michael Somerville
State Conservationist

CC: Jim Briggs, Assistant State Conservationist, NRCS, Phoenix, Arizona
Kristen Graham-Chaves, District Conservationist, NRCS, Phoenix, Arizona
Jim Schmit, Community Assistance Coordinator, NRCS, Phoenix, Arizona

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

An Equal Opportunity Provider and Employer
Dear Mr. Mars:

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

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

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

"Farmland means prime or unique farmlands as defined in section 2540(c)(1) of the Act or farmlands that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary to be farmland of statewide of local importance. "Farmland" does not include land already in or committed to urban development or water storage. Farmland "already in" urban development or water storage includes all such land with a density of 30 structures per 40-acre area. Farmland already in urban development also includes lands identified as "urbanized area" (OA) on the Census Bureau Map, or as urban area mapped with a "contact" on the USDA topographical maps, or as "urban built up" on the USDA Important Farmland Maps. Areas shown white on the USDA Important Farmland Maps are not "farmland" and, therefore, are not subject to the Act. Farmland "committed to urban development or water storage" includes all such land that receives a combined score of 160 points or less from the land evaluation and site assessment criteria."

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

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

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

An Equal Opportunity Provider and Employer

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

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

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

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

ERIC BANKS
Assistant State Conservationist (FA Programs)
Since you have already analyzed alternative corridors, your only remaining requirement is to report which alternative is selected. This is documented on the bottom of the NRCS-CPA-106 forms that are being returned to you as an attachment to this letter.

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

Sincerely,

[Signature]

DAVID L. MCKAY
State Conservationist

Enclosures:

cc: Corey Nelson, District Conservationist, NRCS, Avondale, Arizona
Stephen Smarik, Environmental Specialist, NRCS, Phoenix, Arizona
### CORRIDOR - TYPE ASSESSMENT CRITERIA

<table>
<thead>
<tr>
<th>Inventory</th>
<th>Animal</th>
<th>Cattle</th>
<th>Dairy</th>
<th>Sheep</th>
<th>Goat</th>
<th>Pigs</th>
<th>Horses</th>
<th>Sheep</th>
<th>Poultry</th>
<th>CAT</th>
<th>SW</th>
<th>CA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
<td>90-100%</td>
</tr>
<tr>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
<td>80-90%</td>
</tr>
<tr>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
<td>70-80%</td>
</tr>
<tr>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
<td>60-70%</td>
</tr>
<tr>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
<td>50-60%</td>
</tr>
<tr>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
<td>40-50%</td>
</tr>
<tr>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
<td>30-40%</td>
</tr>
<tr>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
<td>&lt;20%</td>
</tr>
</tbody>
</table>

**Notes:**
- CAT: Cattle
- SW: Sheep
- CA: Pigs
- Total: Sum of all categories

**Criteria:**
- 100%: Significantly contributes to the corridor
- 90-100%: Contributes to the corridor
- 80-90%: Moderately contributes to the corridor
- 70-80%: Slightly contributes to the corridor
- 60-70%: Very little contributes to the corridor
- 50-60%: Little contributes to the corridor
- 40-50%: Very little contributes to the corridor
- 30-40%: Little contributes to the corridor
- 20-30%: Very little contributes to the corridor
- <20%: No contribution to the corridor
December 11, 2009

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

Dear Governor Rhodes:

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

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

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

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

Sincerely,

[Signature]
Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
200 South Glendale Avenue Phoenix, Arizona 85007

May 30, 1986

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

Dear Cecil:

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

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

INTERCHANGES AT
31st Avenue, 34th Avenue, 7th Avenue, 13th Avenue, 40th Street, 49th Street, Kyrene, and McClintock Drive.

GRADE SEPARATIONS AT
49th Street and 56th Street

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

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

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

Sincerely,

[Signature]
John L. Louis
Corridor Location Engineer
Urban Highway Section

JLL/1a
ARIZONA DEPARTMENT OF TRANSPORTATION
OFFICE MEMO

February 5, 1987

TO: ROBERT P. MICHELSON
Deputy State Engineer

FROM: JUAN LUJAN
Corridor Location Engineer
Urban Highway Section

RE: Southeast Loop & Southwest Loop
GRIC concerns

The letter from the GRIC dated December 8, 1986 identifies the following as issues of concern:

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

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

Location and Type of Access Points

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

- TI at 51st Avenue
- TI in vicinity of 35th Avenue
- TI at 19th Avenue
- TI at 7th Avenue
- TI at 7th Street
- TI at 24th Street
- TI at 40th Street
- Grade Separation at 48th Street
- Grade Separation at 66th Street
- TI at Kyrene Road
- TI or Grade Separation at McClintock Road

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

Access to Pima - Chandler Industrial Park

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

Access to Price Road South of Pecos Road

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

Access to GRIC where Freeway is Offset from Reservation Boundary

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

This is the first positive piece of correspondence received from Governor Antone; it might be appropriate to recommend a meeting with him to show our interest. To this point their staff has not indicated any desire or ability to help solve any access or drainage problem by obtaining R/W & granting it to us.
Governor Thomas R. White  
Gila River Indian Community  
P. O. Box 97  
Socorro, Arizona 85347  

Dear Governor White:  

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

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

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

Sincerely,  

GARY E. ROBINSON  
Chief Deputy State Engineer  
Highway Division  

GER:GEW:v1b  

bcc: Jim Patterson  
George Wallace  

---  

October 5, 1989  

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

Dear Charlie:  

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

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

Sincerely,  

JIM PATTERSON  

cc: Gary Robinson
ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
208 South Seventeenth Avenue Phoenix, Arizona 85007
October 30, 1989
THOMAS R. BRYANT, JR.
State Engineer

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

Subject: South Mountain Freeway/7th Avenue Interchange

Dear Mr. Matteson:

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

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

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

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

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

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

Sincerely,

[Signature]

BOSENO GUTIERREZ
Urban Highway Engineer

Attachment

cc: Charles Miller
Thomas Bryant, II

HIGHWAYS • AERONAUTICS • MOTOR VEHICLE • PUBLIC TRANSIT • ADMINISTRATIVE SERVICES • TRANSPORTATION PLANNING
ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
206 South Seventeenth Avenue Phoenix, Arizona 85007

February 16, 1990

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

Dear Governor White:

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

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

Sincerely,

Renee I. Gutierrez
Urban Highway Engineer
Urban Highway Section

Enclosure
APPENDIX 1-1

ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
206 South Seventeenth Avenue Phoenix, Arizona 85007

March 21, 1990

Mr. Cecil Antone
Program Administrator
Gila Indian River Community
P.O. Box 398
Sacaton, Arizona 85267

RE: Price/Santan Freeways
TRAC No. H225 01B

Dear Mr. Antone:

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

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

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

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

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

Also, per your request at our staff presentation on Tuesday, March 20, 1990 I am enclosing one copy of Volume 1 - Main Report of the Hydrology Study performed by HDR Engineering, Inc., and one hard copy each of sheets 4 of 5 and 5 of 5 of the study depicting approximate detention basin locations, sizes, depths, etc., along Price Expressway and the Santan Freeway between Price Road and approximately 56th Street.

Thank you for your consideration.

Sincerely,

George E. Wallace, P.E.
Corridor Engineer
Urban Highway Section

Enclosures
Mr. Lucius Kyyitan  
October 19, 1990  
Page 2

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

Thank you for your consideration.

Sincerely,

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

GEN: m  
cc: Cecil Antone, GRIC Land Planning  
0745p

ARIZONA DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
208 South Seventeenth Avenue - Phoenix, Arizona 85007-3213

FRANK SYVANCE  
Governor  
CHANCEY COWAN  
Director

January 20, 1992

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

Dear Mr. Antone:

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

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

Sincerely,

George Wallace  
GEORGE E. WALLACE  
Corridor Engineer  
Urban Highway Section

GEN: km 005p  
Attachment  
cc: Lynn Acree, ADOT-ECS
October 3, 2001

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

RE: FEDERAL HIGHWAY ADMINISTRATION & ARIZONA DEPARTMENT OF TRANSPORTATION
AGENCY SCOPING - FIELD REVIEW AND WORKSHOP
South Mountain Corridor Location/Design Concept Report
& Environmental Impact Statement

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

Dear Amy Edwards:

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

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

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

Although subject to change, the general study area is defined as follows: the western portion of the study area is bounded Interstate 10 on the north, 107th Avenue/Gila River on the west and 83rd Avenue on the east. The eastern portion of the study area is bounded by Pecos Road on the north, Occidental Road on the south, the Gila River on the west and Interstate 10 on the east.

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

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

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

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

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

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

Sincerely,

[Signature]
Mary Vipartina, P.E.
Project Manager

Enclosures

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix, AZ 85016
A58 - Appendix 1.1

Federal Register /Vol. 66, No. 77/Friday, April 20, 2001 /Notices 20345

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

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

[FR Doc. 01-8972 Filed 4-19-01; 8:45 am]
B Linda CDE 01-8972-P

DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
Environmental Impact Statement; Maricopa County, Arizona

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

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

FOR FURTHER INFORMATION CONTACT: Kenneth H. Davis, District Engineer, Federal Highway Administration, 254 North Central Avenue, Suite 350, Phoenix, AZ 85004; telephone 602/258-6260.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Arizona Department of Transportation (ADOT), will prepare an environmental impact statement (EIS) to study the proposed South Mountain Corridor in Maricopa County, Arizona. The proposed project will involve construction of a new roadway facility in the northwestern Phoenix area extending approximately 23 miles from 1-10 west of Phoenix to 1-10 southwest of Phoenix to form a southeastern loop. The proposed project will evaluate potential impacts to regional economic, land, and commercial development, Tribal lands, cultural resources, historic roads and other cultural resources, visibility, and the water quality and quality of the environment.

Incorporation of the corridor into the existing and projected traffic demand. A full range of reasons to modify the state plan will be considered including (1) taking action; (2) using alternate travel modes; (2) limited access ways; and (3) major urban rail facilities.

A Final State Environmental Assessment was completed for the South Mountain Corridor. At that time, a recommended alternative was selected and an accompanying Design Concept Report was completed in September 1988. Due to the elapsed times and changes that have occurred since completion of these documents, the need for an EIS was determined.

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

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

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

[Catalog of Federal Domestic Assistance Program Number 01.568, Highway Planning and Construction. The regulations implementing Delegation Order 12072 regarding intergovernmental consultation on Federal programs and activities apply to this action.]

Kenneth H. Davis, District Engineer, Phoenix.

[FR Doc. 01-8972 Filed 4-19-01; 8:45 am]
B Linda CDE 01-8972-P

DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration

[Docket No. FMCSA-07-2001]
Parts and Accessories Necessary for Title Operations; Manufactured Home Tires

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

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

SUMMARY: The FMCSA announces its intent to deny petitions for rulemaking submitted by the Manufactured Housing Institute (MHI) and Multinational Legal Services, PLLC (MultiNational), concerning overloading of tires used for the transportation of manufactured homes. Currently, these tires may be loaded up to 18 percent over the load rating marked on the sidewall of the tire, or to the absence of such a marking, 18 percent above the load rating specified in publications of certain organizations specifying in tires. The load rating date of the tire allowing 18 percent overloading of tires was originally set for November 2000, but was delayed until December 31, 2005, to provide the agency time to complete its review of the MHI's petition to allow 18 percent overloading on a permanent basis. The agency has now completed its review of the MHI's data and believes that there should be no further delay in the termination date. The agency has also completed its analysis of MultiNational's petition to rescind the final rule which delayed the termination date until December 31, 2005, and determined that the MHI's petition should be denied.

DATES: We must receive your comments by May 23, 2001. We will consider comments received after the comment closing date to the extent practicable.

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

South Mountain Corridor Study
Facts, Questions and Answers

OVERVIEW

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

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

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

CHRONOLOGY

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

- 1985 — The Maricopa Association of Government (MAG) prepares planning studies for
  the Phoenix metropolitan area that identify corridors for an integrated freeway network.
  The South Mountain Freeway corridor is defined as roughly a two-mile-wide corridor from I-10 near 51st Avenue, around South Mountain, to I-10 near Chandler Boulevard.

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

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

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

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

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

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

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

ISSUES

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

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

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

QUESTIONS AND ANSWERS

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

Has an alignment along Pecos Road already been decided?

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

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

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

ADOT began purchasing right-of-way in the corridor at a time when a specific alignment along Pecos Road had been identified and adopted. ADOT began acquiring right-of-way to preserve the viability of the corridor and to minimize future relocation of homes and businesses. Should another alternative be adopted as a result of this study, ADOT can dispose of the land that has been acquired but is no longer needed.

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

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

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

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

What factors will be considered in choosing an alternative?

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

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

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

Will the public have a voice in choosing an alternative?

Yes. An extensive effort has been developed to keep the public informed of the progress of the study and to solicit public comment. Problems, concerns and preferences expressed by citizens will be factors in the ultimate decision whether to build or not to build a new facility, what should be built and where it should be located.
Appendix 1-1

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

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

Isn’t the real purpose of a South Mountain Freeway simply to act as a bypass to divert trucks from downtown Phoenix?
The Phoenix Regional Freeway System was conceived to improve mobility in the region by increasing capacity and providing alternatives to allow traffic, including truck traffic, to bypass already congested routes.

How will planned improvements to State Route 85 affect this project?
The effects of all planned improvements, including the upgrade of SR85, will be considered in the traffic analysis to be conducted as part of this study.

How is an EIS different from the EA that was conducted in 1998?
The 1998 EA was prepared in order to satisfy state requirements only. In order to make any resulting project eligible for federal funding, the new study will satisfy federal requirements and will have to comply with the National Environmental Policy Act (NEPA). Under NEPA, an EIS is required for this project due to the potential of substantial impacts on the environment and surrounding communities. An EIS is different from an EA in that it will address in detail a number of alternatives to satisfy the transportation needs in the corridor.

For More Information on the South Mountain Corridor Study:

Project Information Line: 602-712-7006
Website: www.dot.state.az.us
Email: SouthMountain@dot.state.az.us
Address: HDR Engineering, Inc., 2141 E. Highland Avenue, Suite 250
Phoenix AZ 85016

December 15, 2001

Mr. Anthony Villareal, Chairman
Gila River Indian Community
1700 S. 6th Avenue
P. O. Box 54
Laveen, Arizona 85339

Dear Mr. Villareal,

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

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

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

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

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

HDR Engineering, Inc. 2141 E. Highland Ave, Ste. 355 Phoenix AZ 85016
If you have any questions about this please call me. Thank you very much for your time, Mr. Villanuel.

incerely,
South Mountain Project Team

John D. Godec
602-366-5546

cc:
Sandra Shude
Mary Vigniaux
Ralph Ellis
Steve Martin
Jack Allen

April 26, 2002

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

Dear Mr. Folts:

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

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

The twelve questions posed in your letter are very specific regarding data parameters such as, distance from the freeway, exposure time periods, and percentages of impacts to distinct groups, such as, “children” or the “average person”. The project team will continue to research available literature and utilize any applicable studies related to freeway air quality that are geared to the highly specific parameters identified in your questions. We cannot, however, guarantee that ADOT will be able to provide definitive answers to your questions.
Typically, pollutants in vehicle exhaust are lighter than air and are quickly dispersed into the atmosphere. This also tends to be true for air pollutants from other sources. For this reason, vehicle exhaust is typically viewed as a part of a larger regional air quality problem and health effects are evaluated on a regional basis. The air quality analysis performed for the EIS evaluates the potential contribution of pollutants a proposed freeway makes to the regional air quality. The exception is carbon monoxide which is also evaluated for local impacts and this analysis will be presented in the EIS.

Information regarding the health effects related to regional air quality in Maricopa County may be obtained from the Maricopa Association of Governments at (602) 254-6390, the Arizona Department of Environmental Quality at (602) 207-2347 and the Maricopa County Department of Environmental Health Services at (602) 506-6712.

Sincerely,

Mary Vipartina
Senior Project Manager
ADOT Valley Transportation

MV/ta

c. Victor Mendez
William Vachon, FHWA
Thor Anderson

July 12, 2002

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

Dear Chief Hurr:

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

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

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

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

If you have any questions about this request or Chief Ontiveros' role in this matter, please feel free to call me at 602.266.5556, Mary Vipartina at ADOT at 602.712.7643, Thor Anderson at ADOT at 602.712.8037, or Bill Vachon at FHWA at 602.379.3646, extension 118.

HDR Engineering, Inc. 2141 E. Highland Ave., Ste. 250 Phoenix AZ 85018
South Mountain Citizen’s Advisory Team Letter
July 12, 2002
Page 2

Sincerely,
South Mountain Corridor Team

John H. Godoc
602.266.5556

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

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

Dick Wright
State Engineer

October 3, 2002

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

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

Dear Governor Antone and Lieutenant Governor Nacita:

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

Sincerely,

Mary Viparina
Project Manager
Arizona Department of Transportation

cc: Mary Thomas
Anthony Villareal
Sandra Shade
Project File

Enclosure
October 3, 2002

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

Re: Information on the South Mountain Corridor Study

Dear Mr. Pablo:

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

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

Sincerely,

Mary Vipalina
Project Manager
Arizona Department of Transportation

cc: Mary Thomas
Sandra Shade
Anthony Villarreal
Project File
March 21, 2003

Ms. Jeannette Yarmata
Gilg River Telecommunications Inc.
Box 5015, 7065 W. Allison Drive
Chandler, Arizona 85226

Via Facsimile: 520.796.7534

Dear Ms. Yarmata:

As per our telephone conversation I am seeking information to be used as part of the South Mountain Corridor Environmental Impact Statement study.

We need to identify the specific locations and addresses for existing and currently planned Gilg River Indian Community (GRIC) Fire Department stations, Police Department stations, Public and Private/Parochial Schools, and Hospitals. The GRIC Executive Officers referred me to you as the person who could provide us with this information.

Please call me if you have any questions about this issue, or if there is someone else that I should contact, or if there is anything else that I can do to expedite this request.

Thank you very much for your help.

Sincerely,

South Mountain Corridor Team

John D. Goode
602.956.5556

cc: Amy Edwards, HDR Engineering, Inc.

---

May 27, 2003

Arizona State Department of Transportation
ATTN: Mr. Bill Hayden, Special Assistant
State Engineer's Office
206 S. 17th Avenue
Room 101A
Phoenix, Arizona 85007

RE: South Mountain Transportation Corridor Alternative Screening Report, Version 2.0 March 2003 Review and Comments

May 27, 2003

Dear Mr. Hayden:

On behalf of the Tolleson Mayor and Council I would like to thank you and the South Mountain Transportation Corridor Team for taking the time to visit Tolleson on March 19, 2003 for the purpose of allowing Tolleson an opportunity to comment on the proposed alternatives for the South Mountain Freeway.

Regionally speaking, I acknowledge the need for an alignment that not only moves traffic but is also logically placed; however, there are significant cultural, financial and social issues and material technical elements that, in my opinion, make Alternatives #2 and #3 non-viable within our city corporate limits. As you will read in this letter, Alternatives #2 and #3 are, and will be, vehemently opposed by Tolleson. Tolleson strongly recommends that the South Mountain Freeway be located at its originally planned location, Alternative #1.

The Tolleson community would once again be disproportionately prejudiced by the extension of the South Mountain Freeway from Loop 101 along Alternatives #2 or #3. As you are aware, Tolleson is a small community comprised of six square miles, two miles of which are currently bypassed by I-10. The citizens of Tolleson are predominately Hispanic, earning less than the average median income. Obviously, given the elements of our city and its citizens, you can see our reservations are limited. The City's ability to effectively protest the proposed alignments or of its citizens to fight the siting of another freeway in their backyard is also limited. Clearly, Tolleson and its proud population have been the victims of previous highway construction. Tolleson's citizens were the last group to get a sound wall and the noise producing elevated interchange of I-10 and Loop 101 in Tolleson are recent examples of this blatant abuse of the disadvantaged. While some on the council are claiming the siting of the South Mountain Freeway in Tolleson...
The proximity of Alternatives #2 and #3 to the residential area immediately east of the proposed alignment would drastically increase existing noise pollution levels stemming from the stack at 99th Avenue and I-10. Virtually, all of the residential community between 91st and 97th Avenue north and south of Van Buren will be affected by the proposed alignment. The 97th Avenue alignment would also have a detrimental effect on the neighboring Tolleson Union High School Alternative Campus, which lies within a few feet east of the proposed alignment. Furthermore, increased traffic will adversely impact air quality within the adjacent residential neighborhoods.

The numerous trucking/warehousing businesses would require rerouting due to the proposed alignment on 99th Avenue, and obviously some of the same truck traffic will eventually end up on Tolleson's main street, in search of the path of least resistance—fewer left turns.

The study prepared by the committee completely ignores the floodplain caused by the railroad tracks and the compounding of the floodplain's problems caused by the Alternatives. The existing floodplain located within the City and designated as Category A Floodplains will require major modifications. Construction of either Alternative #2 or #3 without a natural flow will increase the geographical size of the flood plain. It currently lies south of Jefferson Street, and any major barrier will affect the plains, possibly as far north as Van Buren.

Alternatives #2 and #3 represent a significant threat to the financial well-being of the community. Both alignments create negative economic impacts that will last an army. Elimination of jobs, loss of primary property tax revenues, and secondary tax revenues that financed schools, city and county schools capital bond projects, reduction of current sales tax revenues as well as projected General Fund retail service developments, and most importantly, loss of development and building permits fees generated as a result of construction have large budget implications. From a service delivery perspective, the City of Tolleson would have to reduce the General Bond operating budget in order to meet the comprehensive loss generated by the construction of the South Mountain Freeway through the heart of Tolleson's commercial and industrial development corridor. Prime commercial and industrial land and accompanying improvements would be affected by the South Mountain Freeway. The adverse multiplier impact is unknown however; it would touch on all of the elements mentioned above.

The meeting held at the Southwest Valley Chamber of Commerce on Monday, May 5, 2003 did little to help address the devastation to Tolleson and its citizens caused by the construction of Alternatives #2 or #3. Frankly, if a western alignment of the South Mountain Freeway (west of 91st Avenue) is required the alignment for Alternatives #2 should be reassessed. An alignment of Alternative #9 just west of the 101th alignment appears to be a route with less impact. Your preliminary route for Alternative #6Bally destroyed existing warehouse — Sara Lee, Linsent, and State Logistics — and is projected to be built on the parcel that PepsiCo recently purchased for a new warehouse. A route slightly west of this path avoids these problems. Perhaps the safety issues regarding the Alternative #9 "S" curve conceptual design should be rethought.

would perpetuate the institutional racism Tolleson and its citizens have suffered in the past, this letter is written with the request that the sitting not be the result of what route the elected least resistance.

If the Loop 101/South Mountain Freeway extends south into Tolleson four of Tolleson's six square miles would be adversely impacted by freeways. Economically valuable property along the City's main industrial and retail corridor (99th Avenue) would be completely destroyed or severely diminished. After the South Mountain Freeway extension, land on the east side of 99th Avenue (Tolleson property) would be totally taken or only shallow development parcels would remain. Traffic on 99th Avenue in Tolleson, once a dynamic roadway, would become an awkward roadway no longer serving businesses on both frontages. From a General Plan and Land Use perspective and following a similar pattern with the construction of I-10 and Loop 101, both Alternatives #2 and #3 require a taking of large parcels of undeveloped land in Tolleson. Based on a percentage of incorporated square mile Tolleson has provided the most property for freeways during the past 15 years. When the 101 was connected to I-10 from the north, prime commercial and industrial property along McDowell was taken for retention and detention of waters flowing south from Glendale and Phoenix. Additional freeway takings will only add to the already high ratio of freeway dedicated land versus that developed or to be developed.

Both Alternatives drastically impact the ability of Tolleson to allow water to its residential and corporate citizens. Two wells serve all of Tolleson's water needs. Alternatives #2 and #3 wipe out Tolleson's only two water production wells.

We hope you are aware that there is a massive pollution plume comprised primarily of TCE directly east of Tolleson and over the recent past has continued its westward flow to Tolleson. The plume's western edge is at Tolleson's east border. The City has shut down its eastern most wells and has had to relocate its two wells in western Tolleson. These wells are now in the path of Alternatives #2 and #3. Tolleson has no lead in its boundaries east of 99th Avenue and north of Van Buren, in short if 101 is extended south. In Tolleson, Tolleson would lose its wells and would have to move its wells back east, backwards the pollution plume.

In addition to the wells and adjoining storage facilities, each well has water treatment facilities that provide the necessary purification to the water. Tolleson spent millions of dollars on the facilities. The electro dialysis reversal (EDR) systems are utilized for the treatment and purification of water, including water used by PepsiCo for their production of Canada. The production wells, booster pumps, electrical panels, stand-by natural gas driven diesel engine, metering and production equipment and buildings as well as the twelve inch (12") major transmission water lines leading to and from the production wells would require regular reevaluation and abandonment. A permanent or temporary curtailment of water production will create a severe water shortage in the city, for the average daily use is approximately 3.0 million gallons of water. Any reduction in water production would bring about a crisis for both commercial (Glendale and milk facilities at Fly's) and residential users as well as severely inhibiting fire suppression capabilities.
ADOT will be required to pay for the complete replacement of these important water utility facilities.

Alternatives #2 and #3 would have a significant impact on local and regional sewer lines. Four major sewer lines serving the Tolleson and the Phoenix Sewage Treatment facilities run in the path of both alternatives. Currently, a 60" sewer main runs in 99th Avenue. This major trunk line serves the northern affiliated parties/cities and would require relocation and major modifications at 99th Avenue and McDowell Road as well as major reconstruction of the diversion structure facility at 99th Avenue and Van Buren. Any existing or future businesses found in 99th Avenue would be disrupted due to the inability to provide sewer service. Loss of operations would result in reduction of respective businesses operating profits and loss of city sales tax.

The sewer lines - 60", 48" and 42" - run east and west and parallel the Union Pacific Railroad tracks from 99th Avenue across to 25th Avenue. At this juncture the lines turn south and are joined by yet another 27" line, all leading south on 99th Avenue under Brabham Road into the regional City of Tolleson Wastewater Treatment Plant head works facility. Replacement lines, whether permanent or temporary, would be required so as not to create a disruption in sewage flows being discharged by various affiliated parties - i.e. Sun City, Youngtown, Peoria, Glendale, Phoenix and Tolleson - and headed south to the respective sewage treatment facilities in Phoenix and Tolleson. Any below grade freeways would obviously destroy the regional transmission grid.

Any stoppage in sewer flows would trigger a reduction in effluent being discharged by Tolleson, pursuant to a contract, into a 25" line connected to the Palo Verde Nuclear Generating Plant where the water is used to cool nuclear generating system turbines. Failure to meet contractual obligations between Arizona Public Service will most definitely result in litigation against the City of Tolleson.

With respect to arterial streets and proposed intersection improvements, Alternatives #2 and #3 will create major modifications to the existing intersections at 99th Avenue and Van Buren, and eventually lead to water and sewer lines replacement and/or relocation. The proposed alignment would require a half or full diamond interchange somewhere between 96th and 99th Avenue. These improvements would increase traffic in the immediate vicinity and ultimately have an adverse traffic impact on Tolleson's major streets, Van Buren and 99th Avenue. Local traffic could no longer utilize local streets for through traffic. Obviously, the increase in traffic will affect the service level of Van Buren Street, Tolleson's downtown main street.

Brievly, the proposed Alternatives #2 and #3 fail to recognize both the pollution plume referred to earlier and the hazardous site at approximately 97th Avenue and Earpston Street. The site, running from 97th Avenue west to approximately 150 feet east of 99th Avenue, has been abandoned for years, and at last report, the site is being remediated by the air by a mechanical device.
Ms. Elaine Blackwater  
Gila River Indian Community  
August 27, 2003  
Page 2

At this time, the study team will not be performing any field surveys for data. However, as the study continues, it will be necessary to make field surveys for specific data. At that time, your office will be notified of our schedule for performing these functions.

If you have any questions regarding this matter, please contact me at 602-712-7643.

Sincerely,

Floyd P. Roehrlich, Jr., PE  
Senior Project Manager  
Valley Project Management Group  
205 S. 17th Ave., MD 614E  
Phoenix, AZ 85007

cc:  
Bill Vachue, FHWA  
Amy Edwards, HDR

Attachments:  
Governor Nacuo's Letter – April 11, 2003  
South Mountain Study Area within GRIC
The previous letter was also sent to:
Mr. Urban Giff, Gila River Indian Community, Community Manager
Ms. Pat Mariella, Gila River Indian Community, Department of environmental Quality
Mr. John Ravesloot, Gila River Indian Community, Cultural Resource Management Program

April 11, 2003

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004-2285

Re: HDA-AZ File #: NH-202-D(ADY)

Dear Mr. Hollis:

This correspondence is in response to your March 6, 2003 letter in which you have requested the Community to identify a corridor for study for the Environmental Impact Statement Study for the South Mountain Corridor Study.

As you will note from the attached letter to ADOT dated January 10, 2002 and accompanying map to the Right of Entry Permit, a reduced corridor study was outlined as the area North of the Ocotillo Road section line and North of the Gila River.

For the Community to offer an “alignment(s)” for study, we would have to undertake a similar process that ADOT’s consultant, HDR, is currently undergoing with regard to the Environmental Impact Statement Study. If the Community were to “dictate” an alignment for study, this might defeat the purpose of the study.

As also conveyed in a letter to FHWA dated April 25, 2002 our Community Council has adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Until such time that our Council revisits this resolution, the Community staff, as a part of the monthly EIS meetings, cannot offer any alignments for consideration.

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

Richard R. Nieme
GOVERNOR

Mary E. Thomas
LIEUTENANT GOVERNOR

315 WEF CASA BLANCA ROAD • POST OFFICE BOX 97 • SKYVIEW, ARIZONA 85247
TELEPHONE (520) 562-4000 • FAX: (520) 562-6010 • EMAIL: ronniebustime@mail@gri.com.us
Robert E. Hollis  
April 11, 2003  
Page 2

At this time, we feel that you have a corridor to study alignments. Any alignments for consideration must be ultimately approved by our Community Council.

Sincerely,

Richard P. Naczi  
Governor

cc: Mary V. Thomas, Lt Governor  
Community Council, GRIC  
Victor Mendez, Director, ADOT

attachments: Correspondence dated January 10, 2002 to ADOT Director  
Correspondence dated April 25, 2002 to FHWA Division Administrator
August 27, 2003

Ms. Sandra Shade, Director
Gila River Indian Community
Department of Transportation
315 W. Casa Blanca Rd.,
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Environmental Impact Statement

Dear Ms. Shade:

Over the past two years, the Arizona Department of Transportation along with the Federal Highway Administration have been studying the South Mountain Freeway Corridor. As part of this study, we have met regularly with technical staff from the Gila River Indian Community, including representatives from your office, and have met periodically with the Executive Office. As such, in accordance with Governor Nacicia’s letter of April 11, 2003 (see attached), the study team is developing potential alignments within the Community in the established study area (see attached).

Part of the effort required for developing potential alignments is acquiring data regarding existing social and environmental conditions. At this time, the study team is performing literature and database reviews of any known information pertinent for an environmental study. To facilitate this effort, representatives of the study team will be in contact with your office to work with you in determining what information is necessary at this point of the study and how we can acquire it. The study team will be contacting representatives of the Department of Transportation, Department of Economic Development, Department of Land Use Planning and Zoning, Cultural Resource Management Program, the Community Manager and the Pima-Maricopa Irrigation Project.

cc: Bill Vachon, FHWA
    Amy Edwards, HDR

Attachments
Governor Nacicia’s Letter – April 11, 2003
South Mountain Study Area within GRIC
The previous letter was also sent to:
Mr. Lee Thompson, Gila River Indian Community
Mr. Dean Weatherly, Director of Economic Development, Gila River Indian Community

September 8, 2003

Bob Broscheid
Project Evaluation Program Supervisor
Arizona Game and Fish Department
Habitat Branch
2221 W. Greenway Road WM-HB
Phoenix, AZ 85023

Re: South Mountain Corridor Study

Dear Mr. Broscheid:

In a letter dated January 10, 2002, HDR, Inc. sent a request to you for a species list and critical habitat information that would be pertinent to South Mountain Corridor Study. This was done on behalf of the Arizona Department of Transportation and the Federal Highway Administration. The database information is being used as part of the Environmental Impact Statement being prepared for the proposed project. Since two years have almost passed, I am requesting more up to date information. I have attached the initial AGFD response letter that you may find helpful.

The freeway would connect to Interstate 10, south of Phoenix, at Pecos Road. The alignment continues along Pecos Road through the western tip of South Mountain Park, then north to Interstate-10 between 59th and 99th Avenues. Presently, there are five alternative alignments being considered. The legal location of the study area is: Township 2 North, Range 1 East, Sections 23-36; Township 2 North, Range 2 East, Sections 31-34; Township 1 North, Range 1 East, Sections 1-36; Township 1 North, Range 2 East, Sections 3-30, 1-52, and 27-34; Township 1 South, Range 1 East, Sections 1 and 12; Township 1 South, Range 2 East, Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East, Sections 31-33.

HDR, Inc. is requesting a species list, critical habitat information, or any additional information that would be relevant to the proposed project. A response received by October 1, 2003 would be greatly appreciated, since a technical report must be submitted the following week. Information should be sent to Ms. Andrea Love, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

Thank you for your assistance.

Sincerely,

HDR ENGINEERING, INC.

Andrea Love
Senior Environmental Planner
Mr. Mark Schlappi  
Maricopa Association of Governments  
302 North 1st Avenue, Suite 300  
Phoenix, Arizona 85003

Subject: South Mountain Corridor L/DCR & EIS  
MAG Model Traffic Forecast Request

Dear Mr. Schlappi:  

The ADOT South Mountain Freeway corridor study team has identified 3 preliminary alignments that will be evaluated further to determine the preferred roadway alignment alternative. Four scenarios using these alignments will be evaluated using as base the 2025 RTP network and the newly adopted 2025 MAG socioeconomic data. The networks will be coded by Linau & Associates to include the alternative networks and will be provided to MAG in EMME2 format via e-mail or CD. Forecasted traffic volumes for the 24-hour and am and pm peak hour conditions will include the following alternatives:

- Alt. T1 South Mountain alignment along 59th Avenue as per the RTP with the I-10 Reliever  
- Alt. T1A South Mountain alignment along 59th Avenue as per the RTP without the I-10 Reliever  
- Alt. T6 South Mountain alignment with I-10 Western termini between 75th and 83rd Avenue with the I-10 Reliever  
- Alt T2A South Mountain alignment with I-10 Western termini at Loop 101 and the I-10 Reliever

We would like to request that all EMME2 files be provided to us in shape file format or EMME2 text file format, and be sent via e-mail, if possible, to Ms. Patrizia Gonorra-Ramos at gonorra@lima-inc.com. If you need further clarifications, please contact Ms. Gonorra-Ramos at 602.331.0600.

Thank you for your continuing cooperation.
Sincerely,

Frays Roetrich, Jr., PE
Senior Project Manager
Valley Project Management Group
205 S. 17th Ave., MD614E
Phoenix, AZ 85007

cc: Amy Edwards, HDR
Patrizia Gonella-Ramos, Lima & Associates

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

March 29, 2004

Debra R. Brisk
Deputy Director

Sandra Shade, Director
Department of Transportation
Gila River Indian Community
315 West Casa Blanca Road
Sacaton, AZ 85247

Dear Ms. Shade:

Enclosed for your review and distribution are 125 copies of the South Mountain Freeway Study videos with attachments.

Preparation of the video was in response to District 4's Community Council's request to provide an informational video for those Community members who had not previously been involved in or aware of ADOT's Environmental Study.

The video provides a brief overview of the study and a status update regarding freeway alternative alignments currently being evaluated. Response cards are provided for Community members who view the video, as we are very interested in their comments and suggestions. As discussed, a thirty-day period will be provided for Community members to review the video. We will of course provide you with all input received from their review.

As requested the South Mountain Corridor Study Team will present the video and provide a status update of the Study to the Tribal Administration and the Tribal Council prior to scheduling meetings in Districts 4, 6 and 7.

We are most appreciative of your and your staff's support and involvement in the preparation of this important activity and look forward to meeting with the involved Districts' residents and landowners to discuss all issues associated with the Study.

Please contact me if you have questions regarding the video or its distribution. The Study team will be coordinating future presentations to the Administration and Tribal Council with you as soon as feasible.
Sincerely,

Bill Hayden

William "Bill" Hayden
Special Assist. Regional Freeway System

Enclosures:
Cc:
Ken Davis, FHWA
Bill Vachon, FHWA
Dave Anderson, HDR
Amy Edwards, HDR
John Godac, Godac & Assoc.
Theresa Gunn, Godac & Assoc.
Dan Lano, ADOT
Steve Jimenez, ADOT
Floyd Roederich, ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

June 30, 2004

Delora P. Skiak
Deputy Director

Ms. Saada Shabe
Director of the Department of Transportation
Gila River Indian Community
P.O. Box 97
Sacaton, AZ 85247

RE: South Mountain Freeway EIS & L/DCR
Draft Public Involvement Plan for Gila River Indian Community

As we continue moving forward with the South Mountain Freeway EIS & L/DCR project, we appreciate the opportunity to work with you and your staff in determining the best approach for providing information and gathering input with Gila River Indian Community members. With the distribution of the project video within GRIC, it is now time to consider the details of the next phase of public involvement. As such, we are providing a brief history of where we have been and draft plan of how to proceed for your review. If possible, we would like to meet with you and your representatives to discuss these issues prior to our next Coordination Team meeting scheduled for July 9, 2004.

History
From 2001 through mid-2003, public meetings were held on a regular basis with GRIC districts and key organizations. Members of GRIC districts and other GRIC stakeholders have participated continually in the South Mountain Citizens Advisory Team (SMCAT). Project newsletters have been distributed in the Community and reprinted in the Gila River Indian Community Newspaper (GRIN).

In June of 2003 a meeting was held with key GRIC officials from Districts 4, 6 and 7 as well as other tribal stakeholders. At that meeting GRIC council members requested that ADOT, FHWA and consulting team members not meet with GRIC citizens until a video compilation of the project could be produced and distributed within the Community. Few meetings were held with GRIC members other than tribal leaders, officials and SMCAT members during the nearly year-long video production.

Plan
A proactive, transparent and ongoing public involvement program must be reinitiated with GRIC members as soon as GRIC tribal officials agree ADOT, FHWA and the consulting team members should meet with residents in their Community. This project must be presented to Community residents so it is completely understood.
Implementation Options
Keeping the intent of the plan in mind, we suggest the following actions be taken during the timeframes indicated:

- It is recommended that a newsletter update be written and produced to explain the history of the project, activity to date, promote the availability of the video, and invite members to meetings to share their comments and concerns about the project. We recommend that the newsletter be written with the cooperation of tribal officials and made available to community members at distribution points on the Community. Where appropriate, we will also work with tribal officials and the GRIN to enable copy from the newsletter to be used and published in news stories off the Community. We recommend that this action commence immediately.

- We will design and produce an informational poster to be used and displayed in the districts in the Community to encourage members to learn more about the project and give us their feedback. We recommend that this action commence immediately.

- We will also work with each GRIC district to meet with residents as often as possible to answer questions about the project and present updates on the progress of the study. We suggest meeting with District 4, 6 and 7 residents monthly. We recommend beginning this coordination effort immediately with the intent to be included in district meeting schedules during the month of August. We intend to promote each district meeting with displays on district signboards.

Additional steps could be taken to support communication efforts with Community members. We look to you for your guidance on the potential need to implement the following actions:

- We will work to find a GRIC member to work with the consulting team on a part time or interim basis to help guide the public information/involvement effort and to host meetings and presentations.

- We will work to the goal of co-hosting a joint District 4, 6 and 7 public meeting to get feedback from GRIC residents on the study process, impacts and hopefully, a preferred alignment.

Any suggestions you have regarding the plan as presented or possible improvements would be greatly appreciated.

Thank you for your ongoing assistance on this project. We look forward to meeting with you as soon as possible to discuss the details of this plan. Please contact me at 602-712-7643 at your earliest convenience to coordinate a meeting time.

Sincerely,

Floyd Roehrich, Jr., P.E.
Senior Project Manager
ADOT Valley Project Management Group
205 S. 19th Ave., MD614E
Phoenix, AZ 85007

Cc: Doug Torres, GRIC
Gary Bohnee, GRIC
Bill Vachon, FHWA
Amy Edwards, HDR
Dan Lance, ADOT
Shannon Wilhelmsen, ADOT
William Hayden, ADOT
Ms. B. Elaine Blackwater  
Land Use Planning and Zoning Director  
Gila River Indian Community  
P.O. Box E  
Sacaton, AZ 85247

RE: South Mountain Freeway DCR/EIS Study ROE Permit Request

Dear Ms. Blackwater:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration in cooperation with the Gila River Indian Community (GRIC), was initiated July 9, 2003. Our study will evaluate transportation improvement alternatives, including construction of a new freeway, around South Mountain between the southeast valley and the northwest valley. Refer to attached Regional Freeway System map. The study will require entry onto GRIC lands during the study duration of three years from August 2004 through August 2007 for a variety of information collection project tasks. We are requesting a blanket Right of Entry permit for the project team to enter GRIC lands for the project duration to include the following general types of work:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities and other environmental considerations.

Attached is a map showing the general GRIC geographic limits to be included in the study. Also attached is a list of personnel and a list of vehicles makes, models, and license plate numbers that may enter GRIC lands periodically during the study phase of the project.

B. Elaine Blackwater  
July 16, 2004

Page 2

Our staff will advise you prior to their research activities.

Please contact me directly at (602) 712-7524 if you require additional information to approve our Right of Entry request. Thank you for your assistance.

Sincerely,

William “Bill” Hayden  
Special Assistant to the Regional Freeway System

Attachments

C: Lt. Governor Mary Thomas  
Sandra Shade  
Doug Torres  
John Roberts  
Floyd Rechich  
Amy Edwards  
File
Mr. Eric Anderson  
Maricopa Association of Governments  
302 N. 1st Avenue, Suite 300  
Phoenix, AZ 85003

RE: ADOT’s South Mountain Freeway EIS & L/DCR  
Economic Impacts Analysis

Dear Mr. Anderson:

The Arizona Department of Transportation’s South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report project is entering the detailed impacts analysis phase. Over the past three years, the project team has acquired preliminary data regarding a variety of potential impacts, including economic impacts. As the team moves forward in the analysis of all impacts, we would like to work with each of the affected jurisdictions on the approach that will be used.

At this time, the project team is proposing the following multi-step approach to the economic impacts development and analysis. Each step within this process requires close coordination with each of the potentially affected jurisdictions. As such, we would be looking to you and your staff to assist where you feel it is appropriate. The efforts detailed below would be initiated with a coordination meeting including all potentially affected jurisdictions. The intent of this meeting would be to agree upon the process to be followed, the modeling software to be used, the input and output data required and the source of the data. It is anticipated that each jurisdiction would assist to the extent possible in gathering and developing the necessary input data. However, this would be discussed and agreed upon in the initial coordination meeting. The proposed steps in the process and the anticipated jurisdictional staff involvement are detailed in the following:

1. Determine and evaluate direct and indirect impacts of residential, commercial and industrial displacements (existing and planned). Determine which properties are displaced and direct impacts in net loss of property value, wages and tax revenue. Secondary and induced impacts will be evaluated by use of a pre-approved, widely accepted input output economic model. The project team will work closely with your staff in identifying existing and planned direct and indirect impacts, property value impacts, wages impacts and tax revenue impacts. Impacts evaluation will look at:
   - Impacts of the alternatives to specific industrial sectors at the local and regional levels (including but not limited to trucking, auto dealerships and light industry).
   - Potential for loss of tax revenue at the local and regional level.

2. Determine and evaluate road user benefits associated with each alternative. These will be in terms of time savings, travel cost savings and safety. The project team will develop this information utilizing the MAG travel model.

3. Develop and evaluate land use changes that could occur as a result of each alternative and identify positive and negative changes in property value and in distribution of growth. The project team will utilize the MAG land use model as a starting point, then a special allocation model to capture impacts on local communities in terms of land values, employment and other factors. This analysis would only be developed for comparison purposes between alternative locations with and without the freeway and the No Build alternative. The project team will develop the necessary data with input from your staff. Consensus will be reached prior to data collection on the appropriate allocation software to be used in the analysis.

4. The results of the previous steps would be utilized to develop appropriate mitigation measures that could reduce or reverse negative impacts. Consensus will be reached among all jurisdictions regarding the proposed mitigation measures and their anticipated affect.

Throughout the implementation of this economic impacts analysis, the project team will not only coordinate with the potentially affected jurisdictions, but also with key stakeholders in the public. We would be looking to your staff to assist in determining who these stakeholders should be within your jurisdiction.

As we move forward with the implementation of this analysis process, we will be contacting you or your designated representative to set up the initial coordination meeting. We anticipate this meeting to occur within the month of August. If you have any questions regarding the process as presented or would like to suggest additional contact and coordination people, please do not hesitate to contact either myself at 602-712-7643 or Amy Edwards of HDR at 602-522-7755.

Sincerely,

Floyd Roeltlich, Jr., P.E.  
Senior Project Manager  
ADOT - Valley Project Management Group  
2015 S. 1st Ave., MD614E  
Phoenix, AZ 85007

cc: Dan Larrue, ADOT  
Shannon Wilhelmsen, ADOT  
Bill Vachon, FHWA  
Amy Edwards, HDR
The previous letter was also sent to:
Mr. Bob Woodring, Maricopa Department of Transportation
Mr. Jeff Fairman, CED, Economic Development Director, City of Avondale
Mr. Robert Franco, Acting Community and Economic Development Director, City of Phoenix
Mr. Ralph Velez, City of Tolleson

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

Mr. Jim Book
Transportation Director
City of Glendale
5850 W. Glendale Avenue
Glendale, AZ 85301

RE: South Mountain EIS and L/DCR

Dear Mr. Book:

Almost three years ago, the Arizona Department of Transportation (ADOT) began an Environmental Impact Statement and Location/Design Concept Report for the South Mountain Freeway (Loop 202) project. At this time, the project team is providing update information to all potentially affected jurisdictions, regarding the past project efforts and current undertakings.

As part of the project efforts, numerous alternative connections to I-10 on the west side of Phoenix were considered, between the Agua Fria River and 43rd Avenue. During this consideration, the alternative connections to be carried forward for further analysis were determined to be the following:

- Approximately 55th Avenue (similar to the connection proposed in the 1988 ADOT Environmental Assessment and Design Concept Report).
- Approximately 74th Avenue, and
- Direct connection at Loop 101.

The project team is currently studying the potential impacts of each of these connection locations on the existing I-10 and Loop 101 facilities. Connecting the South Mountain Freeway at any of these locations will require extensive construction along both of these facilities, including approximately nine miles of construction along I-10 for each alternative and four miles of construction along Loop 101 with the direct connection alternative. The construction required may include additional travel lanes, reconfiguration of existing interchanges and reconstruction of arterial street crossings.

Due to the potential impacts of these alternatives on your city, we would like to offer you an opportunity to be involved in the project. This involvement level is left to your discretion, and could include periodic update meetings to your staff from the project team, participation by a city staff member in the monthly progress meetings and/or inclusion of key staff members on the public information mailing list to receive update newsletters and public meeting notices.
Please let me know how best to accommodate the interests of Glendale in our on-going study process. If you have any questions or would like to discuss this matter, please do not hesitate to contact me at 602-712-7643 or Amy Edwards of HDR at 602-522-7753.

Sincerely,

Floyd Roehrich Jr., PE
Senior Project Manager
ADOT- Valley Project Management
205 S. 17th Ave., MD 614E
Phoenix, AZ 85007

cc:
Amy Edwards, HDR, Inc.

---

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

JANET NEPOTINO
Governor

VICENTE M. MENDOZA
Director

Debra Brown
Deputy Director

October 21, 2004

Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85247

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Study

Dear Ms. Martinez:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated July 9, 2001. This study will evaluate potential transportation improvements, including a potential new freeway, around South Mountain between the southeast valley and the northwest valley. The study will require entry onto allotee lands within GRIC for a variety non-destructive project tasks. We are requesting authorization from your agency to begin coordination with the landowners and to access the land for the following specific project tasks:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

Attached is a map showing the general GRIC limits expected to be included in the study. Also attached is a list of personnel, and a list of vehicle makes, models, and license plates that may enter GRIC lands during the project.
It is our intent to continue to coordinate with your agency regarding all matters of the study. Please advise if there is anything else you need for approval of this request. Thank you for your assistance.

Sincerely,

Shannon L. Wilhelmson
Director of Communication and Community Partnerships
Arizona Department of Transportation

Attachments:
Map
Personnel List

cc: Lt. Governor Thomas
Sandra Shade, ORIC DOT
Bill Vachon, FHWA
Amy Edwards, HDR
Project File

November 29, 2004

Mr. Daniel L. Brown
Assistant City Attorney
City of Phoenix
200 West Washington Street, Suite 1300
Phoenix, AZ 85003-1611

Re: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Study
ADOT Trac No. H 5764 01L

Dear Mr. Brown:

As a follow up to the recent South Mountain Freeway EIS & L/DCR Status Meeting held on November 4, 2004, I have enclosed the additional information you requested regarding the project. Enclosed, you will find the following information:

- General EIS Topics, Responsible Author and Firm
- Federal Register Notice of Intent
- Public Scoping Report – Includes comments acquired during initial scoping effort
- Alternatives Screening Report – Includes basis of analysis in screening initial 9 corridors to 3 corridors for further study

Thank you for your interest in this study. I look forward to working with you and other City of Phoenix staff as the study continues. If you have additional questions, please do not hesitate to contact me at (602) 712-7356.

Sincerely,

Shannon L. Wilhelmson
Director of Communication and Community Partnerships

cc: Steve Jimenez, ADOT
Bill Vachon, FHWA
Amy Edwards, HDR
Project File
December 3, 2004

Ms. Cecilia Martinez
Deputy Superintendent of Trust Services
Bureau of Indian Affairs
Pima Agency
P.O. Box 8
Sacaton, Arizona 85241

RE: South Mountain Freeway Environmental Impact Statement & Location/Design Concept Study
ADOT Trace No. H 5764 01L

Dear Ms. Martinez:

As you are aware, part of the on-going public involvement efforts by the Arizona Department of Transportation and HDR, Inc. (engineering consultant to ADOT), on the South Mountain Freeway project, is an on-going dialogue with Community members. Throughout the life of the project, we have periodically met with Community members through District update meetings and occasional landowner meetings. As we move forward on the project we would like to reach out to more of the landowners within this area of the Community.

This letter is to request your assistance, as the repository of landowner records, in providing the name and addresses of the parcel owners within the freeway study’s affected area. This information will be used to notify landowners of upcoming meetings and to invite their input into the study process. Enclosed, we are providing the realty group of the Pima Agency with a map developed by HDR that delineates parcels within the Community that we believe may be affected by this study.

If you would like, we will use our resources to send the landowner notices. We are very aware of the sensitivity of this information and the high level of confidentiality that must be maintained upon receipt of this documentation. Therefore, any records we receive will only be used to generate a mailing list for its intended purpose of notifying landowners of upcoming meetings and inviting their input into the study process.

Sincerely,

Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Governor Nacia, GRIC
Lt. Governor Thomas, GRIC
Sandra Shade, GRIC DOT
Bill Yachon, FHWA
Mike Brader, ADOT
Amy Edwards, HDR
Project File
Mr. Overton

Page 2

After this review, a comment resolution meeting will be held to discuss and resolve comments on the document. Once the Draft EIS is completed and approved by FHWA, the document will be available for public review. The anticipated public hearings (still to be established) will be announced with the publication of the Draft EIS.

After the public hearings, an additional cooperating agency comment resolution meeting will be held to discuss the comments received from the public involvement process. After ADOT EEG reviews the pre-final EIS, the final document will be reviewed by FHWA and the cooperating agencies. To finalize the EIS process, FHWA will request BIA provide them a letter stating their agreement with the findings of the EIS.

If you have any questions or need additional information, please contact me as noted below.

Respectfully,

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007
ADOT NEPA Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3000 (Main Office fax number)

Enclosures

cc. Steve Thomas, FHWA
Mike Brader, ADOT Valley Project Management
Ralph Ellis, ADOT Environmental & Enhancement Group
Amy Edwards, HDR, Inc
Jack Allen, HDR, Inc
Project file
Dear Mr. Overton:

Please complete as appropriate,

1. Does BIA require additional sections be included in the EIS? (yes or no)
   
   If yes, please inform me and I will forward to FHWA for their review.

2. After your review, do you consider appropriate, to set up a meeting between FHWA, ADOT and yourself, so we discuss in detail your review comments? (yes or no)
   
   If yes, please let me know of the date, location and time that are appropriate for you.

3. BIA will review the Draft and Final documents and a quick turn around review time for each submittal will be required.
   
   Please let me know how many bound and/or unbound copies of each document you will need for your review.

Upon completion please forward to:

Maria A. Deeb-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPA Planner & Valley Team Leader
Environmental & Enforcement Group, Planning Section

602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

---

RE: South Mountain Freeway EIS & L/DCR Table of Contents.

Summary

Introduction
Purpose of the Environmental Impact Statement
Description of the Approach Used to Prepare the Draft EIS
Coordination Undertaken to Date
Status of the Project Description & the Preferred Alternative at the Draft EIS Stage
Purpose of and Need of the Proposed Action
Other Government Actions and Permits Required
Section 404 Permit, Clean Water Act
Section 401, Water Quality Certification, Clean Water Act
Section 402, NPDES Permit, Clean Water Act
Application for Earth Moving Permit, Demolition, and Dust Control Plan

Floodplain?
Incidental Take Permit, Section 7, Endangered Species Act?
Section 106 National Historic Preservation Act Memorandum of Agreement
Change of Access Report
Various Utility Relocations
Furnalita Farm AD-19007?
Government-to-Government Agreements
Tribal Council Resolution
Other Governmental Agreements

Others???

Summary of Environmental Consequences
Areas of Concern (Unresolved Issues) and expected date of resolution, if known
Mitigation Measures to Avoid, Reduce, or Otherwise Mitigate Adverse Effects
How Draft EIS Comments Will Be Reviewed and Responded To
Independent Evaluation of the Draft EIS

Purpose of the Draft EIS

Chapter 1 Purpose and Need
Introduction
Project Location, Description, and Status
ADOT Mission Statement
Regional Transportation Planning

Freeways
Transit
Streets
Transportation Demand Management and Transportation Systems Management

Need for the Proposed Action
Social Demands and Economic Development
Historical Population Growth, Projections, and Housing Projections
Economic Development
Appendix 1-1

Chapter 2  Gila River Indian Community Coordination

Introduction
District Coordination
Council Coordination
Governmental Department Coordination
Citizens’ Advisory Team Coordination
GRIC Public Involvement
Status of GRIC Alignments at Time of DEIS Issuance
Treatment of Impacts on GRIC Land
Treatment of Section 4(f) Resources
Future Coordination
Context of Coordination in Relation to Environmental Justice Executive Order

Chapter 3  Alternatives

Project Terminology and Why They Are Logical
Alternatives Considered
Status of Alternatives
Concurrence to Historical Context
Western Section Alternatives
Eastern Section Alternatives
Treatment of Section 4(f) at the Draft EIS Stage (South Mountain Park)

Alternatives Screening Process
Screening Process Described
Creation and Screening of Corridors
Creation and Screening of Alignments
Screening Western Section Alignments
Screening Eastern Section Alignments
Beneficial Effects of Screening Process
Alternatives Considered but Eliminated From Further Study
Non-Freeeway Alternatives
TSM and TDM Alternatives
Transit Alternatives
Arterial Road Network Expansion Alternatives
Land Use Alternatives
Freeway/Light Rail Combination Alternatives
Freeway Alignment Alternatives

Traffic Analysis
Operational Characteristics
Mainline Characteristics
I-10 Operations
Western Section
Eastern Section
Anticipated Traffic Mix Once in Operation
Identification of Preferred Alternative
Compliance with Section 404(h)(1) Guidelines
Appendix 1-1

Chapter 4 Affected Environment, Consequences, and Mitigation

Introduction
Statement of Negative Declaration (if applicable)

Land Use

Affected Environment
Existing Land Use
Western Section

Eastern Section

Plans and Policies for Future Land Use Development

General Plans
Maricopa County
City of Phoenix
Avondale

Telco

City of Glendale

City of Chandler

Zoning Ordinances

Other Plans

Environmental Consequences

Impacts Associated with All Action Alternatives, Western and Eastern Sections (Land Use Conversion)

Western Section Alternatives

Impacts Associated with Western Section Alternatives

59th Avenue Alignment

Land Use Compatibility

Land Use Plan Consistency

71st Avenue Alignment

Land Use Compatibility

Land Use Plan Consistency

99th Avenue Alignment (Including Options)

Land Use Compatibility

Land Use Plan Consistency

Eastern Section Alternative (Pecos Road Alternative)

Land Use Compatibility

Land Use Plan Consistency

No-Action Alternative

Land Use Compatibility

Land Use Plan Consistency

Beneficial Effects Associated with All Action Alternatives

Mitigation

Avoidance Measures

Minimization Measures

Social Conditions

Affected Environment

Demographic Characteristics

Regional Characteristics

Western Section

Eastern Section

Community Character and Cohesion

Social Impacts Associated with All Action Alternatives (W/E)

Travel Patterns and Accessibility

Public Facilities

Regional and Community Growth

Social Impacts Associated with Western Section Alternatives

57th Avenue Alternative

71st Avenue Alternative

99th Avenue Alternative (and Options)

Social Impacts Associated with Eastern Section Alternative

No-Action Alternative

Beneficial Effects Associated with All Action Alternatives

Mitigation

Avoidance Measures

Minimization Measures

Title VI and Environmental Justice

Western Section Alternatives

57th Avenue Alternative

71st Avenue Alternative

99th Avenue Alternative (and Options)

Eastern Section Alternative

No-Action Alternative

Beneficial Effects Associated with All Action Alternatives

Mitigation

Avoidance Measures

Minimization Measures

Displacements and Relocations
**Appendix 1-1**

- Impacts associated with All Action Alternatives (A/E)
- Impacts Associated with Western Section Alternatives
  - 57th Avenue Alternative
  - 71st Avenue Alternative
  - 99th Avenue Alternative (and Options)
- Impacts Associated with Eastern Section Alternative
- No-Action Alternative
- Beneficial Effects Associated with All Action Alternatives
- Mitigation
  - Avoidance Measures
  - Minimization Measures

**Economics**

- Affected Environment
  - Primary Industrial Sectors
  - Sales Tax Generation
  - Property Tax
  - Other Revenues
- Overall Regional Economic Assessment

**Environmental Consequences**

- Impacts Associated with All Western Section Alternatives
  - Conversion of Private Lands to Transportation Use
  - Primary Industrial Sectors
  - Sales Tax Generation
  - Property Tax
- Other Revenues

**Impacts Associated with 57th Avenue Alternative**

- Conversion of Private Lands to Transportation Use
  - Primary Industrial Sectors
  - Sales Tax Generation
  - Property Tax
- Other Revenues

**Impacts Associated with 71st Avenue Alternative**

- Conversion of Private Lands to Transportation Use
  - Primary Industrial Sectors
  - Sales Tax Generation
  - Property Tax
- Other Revenues

**Impacts Associated with 99th Avenue Alternative (and Options)**

- Conversion of Private Lands to Transportation Use
  - Primary Industrial Sectors
  - Sales Tax Generation
  - Property Tax
- Other Revenues

**Impacts Associated with All Eastern Section Alternative**

- Conversion of Private Lands to Transportation Use
  - Primary Industrial Sectors
  - Sales Tax Generation
  - Property Tax

**Air Quality**

- Affected Environment
  - Relevant Pollutants
    - Air Quality Regulations and Planning
    - Clean Air Act Amendments of 1990
    - Federal attainment Status and Implementation Plans
    - National and State Ambient Air Quality Standards
    - Regional Overview
    - Project Level Analysis
    - Air Quality Regulation Trends (to address recent trends)

- Environmental Consequences
  - Impacts Associated with All Action Alternatives (A/E)
  - Impacts Associated with Western Section Alternatives
  - Impacts Associated with Eastern Section Alternative
  - No-Action Alternative
  - Beneficial Effects Associated with All Action Alternatives
  - Mitigation
    - Avoidance Measures
    - Minimization Measures

**Noise**

- Affected Environment
  - Noise Criteria
  - Existing Noise Levels
  - Unique Characteristics (Truck Stack, Night Readings, Bowl Effect)

- Environmental Consequences
  - Impacts Associated with the Operation of All Action Alternatives
  - Impacts Associated with Western Section Alternatives
    - 57th Avenue Alternative
    - 71st Avenue Alternative
    - 99th Avenue Alternative (and Options)
  - Impacts Associated with Eastern Section Alternative
  - No-Action Alternative
  - Beneficial Effects Associated with All Action Alternatives
  - Mitigation
    - Avoidance Measures
    - Minimization Measures

**Water Resources**

- Affected Environment
  - Surface Water
Appendix 1.1

Area Description and Flow Characteristics
    Surface Water Quality
    Water Supply Trends (?)

Groundwater
    Groundwater Setting and Development
    Groundwater Quality

Environmental Consequences
    Operational Impacts Associated with All Action Alternatives
    Operational Impacts Associated with Western Section Alternatives
        57th Avenue Alternative
        74th Avenue Alternative
        99th Avenue Alternative (and Options)
    Operational Impacts Associated with Eastern Section Alternative
    No-Action Alternative
    Beneficial Effects Associated with the Action Alternatives

Mitigation
    Avoidance Measures
    Minimization Measures

Floodplains

Affected Environment
    Existing Conditions
    Water Course Description
    Summary of Flooding History

Factors Affecting Flooding Risks

Environmental Consequences
    Operational Impacts Associated with All Action Alternatives
        Risks Associated with the Action
        Impacts on Natural and Beneficial Floodplain Values
        Support of Incompatible Floodplain Development
        Measures to Minimize Floodplain Impacts
        Measures to Restore Natural and Beneficial Floodplain Values
        Alternatives to Encroachments
    No-Action Alternative
    Beneficial Effects Associated with the Action Alternatives

Mitigation
    Avoidance Measures
    Minimization Measures

Jurisdictional Waters of the United States

Affected Environment

Environmental Consequences
    Impacts Associated with All Action Alternatives
    No-Action Alternative
    Beneficial Effects Associated with the Action Alternatives

Mitigation
    Avoidance Measures
    Minimization Measures

Topography, Geology and Soils

Affected Environment
    Soils and Topography
    Geology
    Land Subsidence
    Earth Fluvioles
    Seismic Activity
    Mining

Environmental Consequences
    Impacts Associated with All Action Alternatives
    No-Action Alternative
    Beneficial Effects Associated with the Action Alternatives

Mitigation
    Avoidance Measures
    Minimization Measures

Biological Resources
    Affected Environment
    Biological Resources Regulations
        Federal
        State
        Description of Ecosystem
        Threatened and Endangered Species/Arizona Species of Concern
        Arizona Native Plant Law Species
        Invasive Species

Environmental Consequences
    Impacts Associated with All Action Alternatives
    Impacts Associated with Western Section Alternatives
        57th Avenue Alternative
        74th Avenue Alternative
        99th Avenue Alternative (and Options)
    Impacts Associated with Eastern Section Alternative
    No-Action Alternative
    Beneficial Effects Associated with the Action Alternatives

Mitigation
    Avoidance Measures
    Minimization Measures

Cultural Resources
    Affected Environment
    Cultural Resource Regulations
    Conditions

Environmental Consequences
    Archaeological Resource Impacts – Western Section
    Archaeological Resource Impacts – Eastern Section
    Historic Resource Impacts – Western Section
    Historic Resource Impacts – Eastern Section
    Impacts on Traditional Cultural Properties
    No-Action Alternative
    Beneficial Effects Associated with the Action Alternatives

Mitigation
Hazardous Materials
Minimization Measures

Affected Environment

Environmental Consequences
Impacts Associated with All Action Alternatives
Impacts Associated with Western Section Alternatives
57th Avenue Alternative
71st Avenue Alternative
99th Avenue Alternative (and Options)
Impacts Associated with Eastern Section Alternative
No Action Alternative
Beneficial Effects Associated with the Action Alternatives

Mitigation
Avoidance Measures
Minimization Measures

Visual Resources

Affected Environment

Pertinent Regulations and Guidance
Local Setting
Visual Character and Quality

Environmental Consequences
Impacts Associated with Operation of All Action Alternatives
Western Section Alternatives
57th Avenue Alternative
71st Avenue Alternative
99th Avenue Alternative (and Options)
Eastern Section Alternative
No-Action Alternative
Beneficial Effects Associated with the Action Alternatives

Mitigation
Avoidance Alternatives
Minimization Alternatives

Farmlands

Affected Environment

Existing Prime and Unique Farmlands
Planned Designations

Environmental Consequences
Impacts Associated with All Action Alternatives
Western Section Alternatives
57th Avenue Alternative
71st Avenue Alternative
99th Avenue Alternative (and Options)
Eastern Section Alternative
No-Action Alternative
Beneficial Effects Associated with the Action Alternatives

Mitigation
Avoidance Alternatives

Energy
Minimization on Alternatives

Affected Environment

Environmental Consequences
Impacts Associated with All Action Alternatives
No-Action Alternative
Beneficial Effects Associated with the Action Alternatives

Mitigation
Avoidance Alternatives
Minimization Alternatives

Temporary Construction Impacts

Construction Impacts Associated with All Action Alternatives
Air Quality
Noise
Water Resources
Socioeconomic Conditions
Pedestrian and Vehicular Traffic
Utilities
Visual Resources
No-Action Alternative
Beneficial Effects Associated with the Action Alternatives

Mitigation
Avoidance Alternatives
Minimization Alternatives

Irreversible and Irretrievable Commitments of Resources

Relationship Between Short-Term Uses of the Environment and Long-Term Productivity

Secondary and Cumulative Impacts

Introduction
Purpose and Regulatory Basis
FHWA and CEQ Guidance
Secondary Impacts
Cumulative Impacts
Methodology
Overview of Historic, Existing, and Future Conditions
Demographics
Population Growth
Income and Minority Status
Land Use and Ownership
Analysis of Potential Impacts
Statement of Negative Declarations
Elements Analyzed
Topography
Analysis of Potential Impacts
Mitigation and Responsibility
Vegetation/Native Plants
Analysis of Potential Impacts
Mitigation and Responsibility
Water Resources
Appendix 1-1

Chapter 5 Section 4(f) Evaluation

Introduction
Definition of Section 4(f)
Status of GRIC Alternatives within Section 4(f) Context
Description of Section 4(f) Resources in the Western Section, Impacts, & Measures to Minimize Harm

Property No. 1
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 2
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 3
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Chapter 6 Comments and Coordination

Previous Coordination Activities
Environmental Impact Statement Coordination
Agency Coordination
Cooperating Agencies
Participating Agencies
Stakeholders
Public Coordination
Western Section Communities
Eastern Section Communities
Citizens’ Advisory Team
Environmental Justice Populations
Gila River Indian Community

Proximity Impacts
Measures to Minimize Harm
Property No. 4
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 5
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 6
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 7
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 8
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 9
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 10
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 11
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 12
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Proximity Impacts
Measures to Minimize Harm
Property No. 13
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 14
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 15
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 16
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 17
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 18
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 19
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 20
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 21
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 22
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 23
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 24
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 25
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 26
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 27
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 28
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 29
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 30
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 31
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 32
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 33
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 34
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 35
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 36
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 37
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 38
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 39
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 40
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 41
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 42
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 43
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 44
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 45
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 46
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 47
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 48
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 49
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 50
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 51
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 52
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 53
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 54
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 55
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 56
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 57
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 58
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 59
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm

Property No. 60
Description
Direct Impacts
Proximity Impacts
Measures to Minimize Harm
Sandra Shade, Director
GRIC Department of Transportation
315 West Casa Blanca Road, PO Box 97
Safford, AZ 85540

Re: Project Name: South Mountain Freeway
ADOT TRACS No: 202 MA 054 H3764 01L
Project No: NH-202-D-( )

Dear Ms. Shade:

The Gila River Indian Community (GRIC) is an important stakeholder that, together with Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are collaborating in the development of the South Mountain Freeway Environmental Impact Statement (EIS). Per the phone conversation with your office on April 14, 2005, I am, submitting on behalf of FHWA this letter requesting that GRIC comment on the EIS table of contents. These comments, as they relate to GRIC’s needs, will allow ADOT to ensure that they are reflected in the FHWA document.

After your review of the table of contents for the EIS, I would like to set up a meeting, if you consider it necessary and appropriate, between FHWA, ADOT and yourself, so we can discuss in detail your review comments. Please let me know of the date, location and time that is appropriate for you.

EIS review process

After ADOT Environmental & Enhancement Group (EEG) reviews and incorporates comments of the Administrative Draft EIS, it will be submitted to FHWA for initial review (the document will include line numbers). At this time we would like to know if the GRIC will participate in a concurrent review with FHWA, the Army Corps of Engineers and the Bureau of Indian Affairs (BIA) of the Draft and Final documents, and that a 4 weeks turn around review time for each submittal will be required. Please let me know how many copies of each document you will need for your review, as well as the time you consider appropriate for the reviews mentioned above.
Appendix 1-1

Ms. Shade
Page 2

After this review, a comment resolution meeting will be held to discuss and resolve comments on the document. Once the Draft EIS is completed and approved by FHWA, the document will be available for public review. The anticipated public hearings (still to be established) will be announced with the publication of the Draft EIS.

After the public hearings, an additional cooperating agency comment resolution meeting will be held to discuss the comments received from the public involvement process. After ADOT EBG reviews the pre-final EIS, the final document will be reviewed by FHWA, GRIC and the cooperating agencies. To finalize the EIS process, FHWA will request the cooperative agencies provide them a letter stating their agreement with the findings of the EIS and will continue to work with the GRIC in final resolution.

If you have any questions or need additional information, please contact me as noted below.

Respectfully,

Maria A. Deich-Roberge, PE, MEP
205 S. 17th Ave. Room 213E, MD 619E
Phoenix, Arizona 85007

ADOT NEPAs Planner & Valley Team Leader
Environmental & Enhancement Group, Planning Section
602.712.8641 (Direct phone number)
602.712.3352 (Direct fax number)
602.712.3600 (Main Office fax number)

Enclosures

c.c. Steve Thomas, FHWA
William Yablon, FHWA
Mike Bruder, ADOT Valley Project Management
Ralph Ellis, ADOT Environmental & Enhancement Group
Matt Burdick, ADOT Communication & Community Partnerships
Amy Edwards, HDR, Inc
Jodi Allen, HDR, Inc

Project file

Arizona Department of Transportation
Communication and Community Partnerships
206 South Seventeenth Avenue - Phoenix, Arizona 85007-3213

Shannon Williamson
Communications Director

April 15, 2005

Ms. LaQuinta Allison, Community Chairperson
District 4 Community Council
Gila River Indian Community
Downtown Service Center
PO Box 577
Sahuarita, AZ 85624

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Ms. Allison:

Thank you for the opportunity to visit your District on November 15, 2004, to share information about the South Mountain Freeway Study and to receive District members input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received:

- Concerns expressed to keep the land for the children who are the future of the Community.
- The land is needed for homes in the future.
- A freeway may be useful in the future but not now.
- Do not want the freeway on GRIC land but do not want to be blocked from having access to it.
- Concerned about environmental impacts whether a freeway is on GRIC or not - noise impacts, potential for rubberized asphalt.
- Tired of ADOT's question and answer sessions regarding the freeway.
- How many acres of GRIC land would a freeway take? Allotted lands? Tribal lands?
- ADOT has made promises in the past with regard to SR 587, SR 87 and I-10 freeway access.
- GRIC has a resolution saying no to the freeway.
- Problems (traffic speeds, safety) with SR 587 and SR 87 at Sunaas Road and Sesame Road.

We recognize and respect the importance of the Gila River Indian Community ("GRIC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.

We respect the Community's resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted lands and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.
If the community allows the Study Team to study ORUC alternatives, these alternatives would be located within the study area described by the community, which does not include Riggs Road. Also, any study of ORUC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the community does not allow the Study Team to study ORUC alternatives, the Study Team will continue to work with the community to provide information regarding any possible alignment alternatives that are not on the community, and the impacts that these alignments adjacent to the community may cause. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

Given the lengthy history of this project, (almost 20 years), there have been other alternatives studied in the area, including a toll road. During the development of the toll road study, during the early 1990’s, it became apparent that the project would not be economically feasible and was dropped from further study. At this time, the South Mountain Freeway Study is not considering a toll road option.

We also recognize that there are other concerns within the community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching the concerns you expressed regarding SR 557, SR 87 and I-10. Where problems exist, ADOT will work with the community on potential solutions.

During the last few months, we have also had the opportunity to visit Districts 6 and 7 with this same presentation. We have attached a summary of what you heard at those meetings as well for your information. All of this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussions with the community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,

Shannon L. Wilhelmsen
Director
Communication and Community Partnerships

Mike Bruder
Project Manager
ADOT Valley Project Management

CC: Ms. Sandra Shade, ORUC DOT
Mr. Gary Bolems, ORUC Chief of Staff
ORUC Natural Resources Standing Committee
Ms. Ben Novena, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Yachon, FHWA
Mr. Dan Lamey, ADOT
Ms. Amy Edwards, HDR

ARIZONA DEPARTMENT OF TRANSPORTATION
Communication and Community Partnerships

200 South Seventeenth Avenue
Phoenix, Arizona 85007-3213

Shannon Wilhelmsen
Communications Director

April 15, 2005

Mr. Terrance Evans
Community Chairperson
District 6 Community Council
Gila River Indian Community
District 6 Service Center
PO Box 54
Laveen, AZ 85339

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Mr. Evans:

Thank you for the opportunity to visit your District on November 15, 2004, to share information about the South Mountain Freeway Project and to receive District members’ input, opinions, and concerns regarding the study efforts. Please see the following list of the input we received:

- Concerns regarding truck traffic on 31st Avenue and potential truck bypass.
- What happened with the toll road study?
- Over 85% of land is allotted land in the area under consideration.
- Trucks affecting Community. Kids feeling threatened.
- Advantages to access to freeway for those going to Sahuarita for work or business. Allows an opportunity for Community transit.
- Setting 31st Avenue and Riggs Road back to the Community if a freeway is constructed.
- Concerns regarding access to the dialysis center.
- Community members must have vehicles suited for emissions even though the low population and clean air of the Community should make this unnecessary.
- I-10 Widening issues:
  - Only two ways out of Sahuarita - is there a problem and people need to leave.
  - Frontage roads on I-10 – who will pay for construction? Maintenance?
  - Coordinated public outreach is necessary – have not heard from I-10 Widening team in a while.
  - Community emergency response teams (fire, EMT, police) are first contacted for incidents on I-10. Is there a potential to share this cost with neighboring communities?
- Do not consider putting the freeway on Riggs Road.
- If freeway is in allotted lands, it should be 1-1/2 miles south of Perino Road.
- How does the potential relocation of Rawhide play into the discussion of the freeway?

We recognize and respect the importance of the Gila River Indian Community ("ORUC") land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.
We respect the Community’s resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that those alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal and design issues of each build alternative evidences too much negative affect.

Given the lengthy history of this project, (almost 20 years), there have been other alternatives studied in the area, including a toll road. During the development of the toll road study, during the early 1990’s, it became apparent that the project would not be economically feasible and was dropped from further study. At this time, the South Mountain Freeway Study is not considering a toll road option.

We also recognize that there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be readdressing the concerns you expressed regarding I-10. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we had the opportunity to visit Entenre 4 and 7 with this same presentation. Attached is a summary of Community input from those meetings for your information. All this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for on-going discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7356 and Mike at 602-712-6836. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,

Shannon W. Willenhaven
Director
Communication and Community Partnerships

CC: Ms. Sandra Shono, GRIC DOT
Mr. Gary Bohane, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ben Novarino, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Yachon, FPIRA
Mr. Dan Larena, ADOT
Ms. Amy Edwards, BDR

Mike Brehm, Project Manager
ADOT Valley Project Management

April 15, 2005
Mr. Keith Fohrenkem, District Chairperson
District 7 Community Council
Gila River Indian Community
District 7 Service Center
Rm 4 Box 185
Laveen, AZ 85339

RE: ADOT South Mountain Freeway Environmental Impact Statement and Location/Design Concept Report

Dear Mr. Fohrenkem:

Thank you for the opportunity to visit your District on November 13, 2004, to share information about the South Mountain Freeway Study and to receive District members’ input, opinions and/or concerns regarding the study efforts. Please see the following list of the input we received:

- District 7 is opposed to the study.
- ADOT should ask the people “do you want a freeway or not” – simple question to determine if the District supports it.
- GRIC resolution reflects the direction of all districts, not just District 6.
- Development is occurring all around the Community. This is the only land the Community has.
- Consider putting the question of a South Mountain Freeway on Community land to a GRIC vote.
- Is No Build really an option?
- What is the study schedule?
- How much traffic is on 51st Avenue? Baseline Road? There has been an obvious increase in traffic along Baseline Road in the last 5 years.
- Could the Community take certain roads back from the County?
- Original alternative in 1985 did not parallel so much of the Community.
- Businesses in Laveen – do they still want the original alternative?
- Compensate landowners for land but then they have no land.
- Could compensation be – yearly to landowners? Through toll road?
- Community also includes landowners. Will ADOT coordinate with the landowners?
- Freeway would also serve the Community. It would take traffic off roads. Could return roads to the Community from the County.
- Other issues to be considered – Tonto Basin, I-10 Widening, crime rates, tourism, and the future for the kids. All issues are interconnected and need to be addressed as such.
- District 7 motion still stands opposing the freeway.

We recognize and respect the importance of the Gila River Indian Community (“GRIC”) land to the landowners and members of the Tribal Community and we will not study alternatives on the Gila River Indian Community without approval from the Community.

Shannon Willenhaven
Communications Director,
We respect the Community’s resolution regarding any freeway construction on GRIC lands. We also recognize that potential alternatives on GRIC lands would involve both allotted and tribal lands. As such, we are working with both the Natural Resources Standing Committee and the BIA to involve as many tribal members in the decision as possible.

If the Community allows the Study Team to study GRIC alternatives, these alternatives would be located within the study area described by the Community, which does not include Riggs Road. Also, any study of GRIC alternatives would include a detailed study of a wide variety of environmental, societal, and design issues, including concerns regarding traffic, air quality, etc. If the Community does not allow the Study Team to study GRIC alternatives, the Study Team will continue to work with the Community to provide information regarding any possible alignment alternatives that are not on the Community, and the impacts that these alignments adjacent to the Community may create. Additionally, the Study Team will also continue to study and analyze the No-Build alternative that could become the preferred option if detailed study of the environmental, societal, and design issues of each build alternative proves too much negative impact.

Given the lengthy history of this project, almost 20 years, there have been other alternatives studied in the area, including a toll road. During the development of the toll road study during the early 1990’s, it became apparent the project would not be economically feasible and was dropped from further study. At this time, there is no consideration of a toll road for the South Mountain Freeway.

We also recognize there are other concerns within the Community regarding highways and freeways not associated with the South Mountain Freeway. As such, we will be researching concerns expressed regarding 510. Where problems exist, ADOT will work with the Community on potential solutions.

During the last few months, we have the opportunity to visit Districts 4 and 6 with this same presentation. Attached is a summary of Community input from those meetings for your information. All this information will be provided to the Gila River Indian Community Department of Transportation, Natural Resources Standing Committee, and Executive Office, as well as the Bureau of Indian Affairs.

We at ADOT recognize the need for ongoing discussion with the Community regarding this project and others. As such, we are offering to meet regularly with your District members to discuss issues pertaining to all ADOT facilities. We look forward to working with you. If you have any questions or comments regarding the information presented in this letter, please do not hesitate to contact Shannon at 602-712-7750 and Mike at 602-712-6330. Thank you again for the opportunity to meet with you and your District Council.

Sincerely,

[Signature]
Shannon L. Wilhelmsen, Director
Communication and Community Partnerships

CC: Ms. Sandra Bland, GRIC DOT
Mr. Gary Bohme, GRIC Chief of Staff
GRIC Natural Resources Standing Committee
Mr. Ivan Navarro, BIA Superintendent
Ms. Cecilia Martinez, BIA Deputy Superintendent
Mr. Bill Vajda, FHWA
Mr. Dan Logan, ADOT
Ms. Amy Edwards, HDR

Sincerely,

[Signature]
Mike Bruder, Project Manager
ADOT Valley Project Management

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue
Phoenix, Arizona 85007-2013
July 13, 2005

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

Re: South Mountain Freeway – Loop 202

Dear Mr. Folts:

Thank you for your letter dated, April 16, 2005, requesting that responses to 12 air quality questions, from the Concerned Families Along South Mountain Loop 202, be included in the Environmental Impact Statement (EIS) for the referenced project. Air Quality impacts are a very important component of the EIS; ADOT and FHWA will evaluate potential impacts in accordance with regulatory requirements. The Air Quality evaluation in the draft EIS will include a discussion of carbon monoxide, particulate, diesel fuel emissions, and various mobile source chemical emissions. We believe that the air quality evaluation in the draft EIS will address the issues raised by the Concerned Families in your letter. The Concerned Families will have an opportunity to ask for further clarification of air quality issues during the public comment period following issuance of the draft EIS. Responses will be included in the Response to Public Comments Section of the Final EIS.

It is important to note that mobile source control programs recently promulgated by the Environmental Protection Agency (EPA), such as, the reformulated gasoline program, national low emissions vehicle standards, Tier 2 motor vehicle emissions standards, gasoline sulfur control requirements, proposed heavy duty engine and vehicle standards, and on-highway diesel fuel sulfur control requirements are expected to dramatically reduce motor vehicle air pollutants. The EPA projects that between 1990 and 2030 these programs will reduce on-highway diesel particulate emissions by 90 percent and emissions of benzene, formaldehyde, 1,3-butadiene, and acetaldehyde by 67 to 76 percent.

ADOT appreciates Concerned Families’ participation in the South Mountain – Loop 202 Environmental Impact Study. We will continue to seek input in public meetings that will be held throughout the study process. If you have questions or comments, please call me at 602-712-6161.

Sincerely,

[Signature]
Ralph Ellis
Environmental Planner
Environmental & Enhancement Group
Mr. David Folts  
July 13, 2005  
Page 2

c:  
Enrique Manzanilla, EPA  
Lisa Harf, EPA  
Ken Davis, FHWA  
Bill Vachon, FHWA  
Steve Thomas, FHWA  
Dan Lance, ADOT  
Mike Bruder, ADOT  
Shannon Williamson, ADOT  
Amy Edwards, HDR  
Project File  

AS-5766

Arizona Department of Transportation  
Communication and Community Partnerships  
200 South Seventeenth Avenue  
Phoenix, Arizona 85007-3213

July 22, 2005

Shannon Williamson  
Communications Director

The Honorable Richard Narnia  
Governor, Gila River Indian Community  
PO Box 97  
Sicott, AZ 85247

Dear Governor Narnia:

Thank you for allowing myself, Bill Hayden, Dan Lance and Ken Davis from the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to recently speak with the Community Council regarding transportation issues affecting the Community. It was an honor to discuss these issues with the Council and on behalf of ADOT and FHWA, we truly appreciated the opportunity to hear the Council’s perspective on the many impacts our activities have on the quality of life of the Community members and the Community as a whole.

Please accept this letter as our commitment to continue to listen to Community concerns and listen to the Community Council and the Community’s Department of Transportation to address and work towards resolution of these issues. In an attempt to better address the concerns and issues we heard from the Community Council, we have attached a synopsis of the different points and our responses regarding explanation, resolution and follow-up on each item.

Once again, thank you very much for allowing us to speak with the Community Council and to hear the Council’s perspective on the many activities ADOT is working on throughout the Community. We look forward to continuing our dialogue with the Council and working together on the issues addressed within the attachments to this letter and any additional issues that arise.

Very truly yours,

Shannon L. Williamson, Director  
Communication and Community Partnerships

CC:  
Lt Governor Thomas, Gila River Indian Community  
Gila River Indian Community Members  
Gary Bohner, Gila River Indian Community Chief of Staff  
Sandi Shade, Gila River Indian Community Department of Transportation  
Cecilia Martinez, Bureau of Indian Affairs, Pima Agency  
Victor Mender, Arizona Department of Transportation  
Bob Hollee, Federal Highway Administration
Summary of Discussion Items
Gila River Indian Community Council July 5, 2005 Meeting
ADOT / FHWA Transportation Presentation

ADOT Roadways Located Within the Gila River Indian Community

It is clear that an increase in communication, coordination and collaboration is necessary between ADOT and the Community regarding the many roadways that are within and traverse through the Community. To address these specific issues regarding possible signalization, turn lanes, facility access, litter pick-up and other maintenance issues, we will establish quarterly coordination sessions between ADOT (Director’s Office, Phoenix District personnel, Tucson District personnel), the Community’s Department of Transportation and FHWA to discuss the needs of each of these roadways and provide ongoing assessment of the conditions and necessary improvements. At this time, we are in the process of scheduling our first coordination meeting.

Specifically, to the issue of Community access to Loop 202 (Santan) at the McAlpine interchange, please see the attached letter from Dan Lance addressing some of these issues.

In addition, ADOT will work with DPS (DPS stated they would send a letter to the Community, under separate cover expressing the Department’s commitment to participate in this effort) to conduct ongoing coordination meetings with ADOT, DPS and the relevant departments within the Community to address the traffic routing and enforcement issues stated at the Community Council meeting. Also, ADOT will work with the Community’s Department of Transportation and other relevant departments to develop the ADOT Statewide Alternate Route Plan for the detour routes that involve roadways within the Community.

Regarding ADOT’s current Final County Corridor Definition Study that is studying the necessity and impact of potential transportation corridors that impact the Community (i.e., “Bunt Highway”), we would like to make a presentation to the Natural Resources Standing Committee regarding the latest findings from the study. We will send a letter under separate cover to request this opportunity.

ADOT / FHWA I-10 Widening (Loop 202 to Jct. I-8) Design Concept Report and Environmental Assessment Study

Frontage Roads

As discussed at the Community Council meeting, the issue of I-10 frontage roads deserves a lot of attention and coordination between ADOT and the Community. Please see the following synopsis of the I-10 Study Team’s (ADOT / FHWA) perspective on this very important issue:

ADOT understands that the current Right of Way agreement permits the construction of Frontage Roads within the existing Right of Way of Interstate 10 as stated below:

“At such time as necessity for development of the adjacent land warrants such construction, the State Highway Department agrees to permit the construction of frontage roads within the right of way limits of Interstate Highway I-10 except where the State Highway Department establishes that such frontage road location interferes with the design, construction and maintenance of said Interstate 810 Highway. Said frontage roads shall be constructed to Arizona State highway Department standards for similar roads and upon their satisfactory completion the State shall accept the roads for permanent maintenance.”

However, since this agreement was put in place in 1966 there have been many changes in the manner in which highways, and in particular high volume, high-speed highways and freeways, are designed and constructed. Most of these changes have been made to facilitate improved safety and more efficient traffic operation. The Frontage Road plan envisioned in the 1960’s is no longer considered a safe or efficient roadway design, and both the Arizona Department of Transportation and the Federal Highway Administration would have serious reservations about approving or constructing such a plan.

To modify the original Frontage Road design to more accurately reflect current design standards, the I-10 Widening Study Team has worked for the past two years with the Technical Advisory Committee (TAC) to suggest an access plan for the Gila River Indian Community that may meet the Community’s objectives. The suggested access plan includes Parallel Roadways in the north portion of the Community (north of Riggs Road) that are offset from Interstate 10 by approximately 500 feet. This design would enhance the safety of those using the parallel roadways, would greatly improve traffic operations, particularly around the interchanges and would expand the potential for economic development since landowners on both sides of the parallel roadways would have access.

The I-10 Widening Study Team requests permission to move forward with a Community Outreach Program that will present the Suggested Access Plan to Community Members, including the landowners along the freeway. The Community Council Resolution currently under consideration by the Community Council would offer the team direction from Council about the content of the plan before our team presents it to the Community at large.

Community Cultural Resources Management Program (CRMP)

ADOT clearly heard that the Community Council has concerns regarding the involvement of the Community’s cultural resources staff in ADOT’s highway studies (I-10 and South Mountain). In particular, the following concerns were expressed: 1) the possibility of a potential conflict of interest if Gila River Indian Community Cultural Resources Management staff participate as members of the study team; 2) the likelihood that such participation may lead to the inadvertent disclosure of sensitive Community information; and 3) the possibility that such participation may divert important CRMP resources from Community projects such as the completion of the Prino Maricopa Irrigation Project (PMIP). Please see the following synopsis of the I-10 Study Team and the South Mountain Study Teams’ perspectives regarding this issue:

To complete a highway study, ADOT must follow a process defined by Federal Law known as the National Environmental Policy Act (NEPA), and this law requires ADOT
to complete cultural resource surveys. In order for ADOT to complete these surveys, cultural resource experts would obtain permission from the community to perform field surveys of the lands potentially affected by the plans suggested during the study. However, CRMP staff has already completed over 80% of these needed surveys.

ADOT understands the sensitivity the Community has for preserving its cultural heritage, and would like to avoid a situation where outside experts would be needed to survey community lands. It is our belief that there is a benefit to the Community to have CRMP staff involved in the study, and to remain the guardian of this sacred Community information. CRMP would only disclose information that is pertinent to complying with Federal Regulations, and ADOT commits to not disclose specific relic information to the general public, and only release information necessary for completing the NEPA process.

The type of surveys needed to comply with the Federal Regulations is not invasive, meaning no recovery of artifacts is required, and so the number of staff members needed to complete the surveys is limited. This is in contrast to PMIP where data recovery is needed, requiring trenching and laborious recovery of artifacts.

Community Cultural Resource Preservation

ADOT understands the Community’s concerns regarding the impact ADOT activities have had on the preservation of the Community’s cultural resources and sacred sites. Please see the following commitment expressed regarding this issue from the I-10 Study Team:

ADOT understands there is a concern over the impact to cultural resource sites from the original construction of I-10, the widening of I-10, and the re-routing of traffic from I-10 during freeway closures. Therefore, one of the key reasons for including CRMP in this concern for protection of sacred resource sites.

In order to lessen and avoid impacts to important cultural sites, ADOT will rely on the recommendations of CRMP on how best to facilitate these activities throughout the implementation of a mutually agreed upon access plan.

I-10 Alternative Routes

ADOT understands there is disruption to the Community when unfortunate incidents occur on Interstate 10 that require closure of this main thoroughfare as it runs through the Community. In addition to addressing these through the coordination sessions between ADOT, DPS and the relevant departments throughout the Community, and the redesigning of the ADOT Statewide Alternate Route Plan as it relates to roadways within the Community, please see the following perspective on this issue from the I-10 Study Team:

The Suggested Access Plan proposed by the I-10 Widening Study Team includes potential roadways that could be used as a parallel detour route for I-10. ADOT may also propose innovative ideas to provide signing that could be activated during an incident to better guide drivers that are unfamiliar with the Community through the approved detour routes.

The I-10 Widening Study Team requests permission to move forward with a Community Outreach Program that will present the Suggested Access Plan to Community Members, including the potential detour routes. The Community Council Resolution, currently under consideration by the Community Council, would offer the team direction from Council about the content of the plan before our team presents it to the Community at large.

ADOT / FHWA South Mountain Freeway Environmental Impact Statement Study

ADOT and FHWA clearly heard many of the concerns expressed by the Community Council regarding the South Mountain Freeway Study and the potential impacts of the current study on the Community. ADOT recognizes the importance of continuing to work with the Community members, the Community Council and the Community’s Department of Transportation to openly communicate and address these potential impacts throughout every step of the study process. Please see the following South Mountain Study Team’s perspective on the various issues stated by the Community Council during our recent presentation:

Preservation of Land and Quality of Life

As part of the study process, ADOT is required by federal law to analyze the potential affects of both building a freeway and not building a freeway on two very important environmental resources – Air and Noise.

As a first directive, the study team looks to eliminate all impacts. However, it is not possible to eliminate all impacts, so the next step is to minimize the impacts. Ultimately, if there are impacts to these environmental resources as a result of the project, ADOT will work with the Community on acceptable mitigation solutions. Some approaches used on past projects include:

- Construct noise barriers and apply rubberized asphalt to minimize the affect of noise.
- Develop an economic opportunities study independent of the environmental study that looks at potential development opportunities.
- Lead the process of acquiring lands currently not part of the Community to exchange for Community lands used if a Community alternative is selected for build.
- Provide signage along the freeway identifying the adjacent lands as being the Gila River Indian Community.

Community Freeway Access

ADOT will work with the Community to incorporate the Community preferences regarding access to freeway interchange locations and which freeway access points best accommodate the Community’s plans for the future. As a regional facility, the Community would be allowed access to the freeway at any of the proposed interchange locations. Specifically, access would be immediate in areas where the Community has existing roadways and in areas where Community roads do not currently exist, access
would be available whenever the Community develops the roadways that connect to the interchange locations.

In an effort to fully understand the Community's interchange preferences, ADOT will issue a letter to the Community detailing potential interchange locations along the alternatives currently under study. Additionally, we will provide details of potential options for the 51st Avenue interchange. We would like your input on all the potential interchange locations and any comments you may have specific to the 51st Avenue options.

The Honorable Richard Nancia
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor Nancia:

Thank you for allowing ADOT and FHWA representatives to discuss important transportation related issues with the Community Council on July 5, 2005. Please accept this letter as my response to important issues identified by the Council regarding the Santan Freeway.

There continues to be a misunderstanding of access to/from the Santan Freeway at McClintock Drive and Chandler Village Drive (Country Club Way). The attached Final Environmental Update, Santan Freeway (SR 202L), 54th Street to Price Freeway, dated April 1999, clearly illustrates that access to/from Gila River Indian Community (GRIC) roadways at these locations was planned. Whenever the Community desires to connect roadways to the Santan Freeway at McClintock Drive and Chandler Village Drive, a no cost permit will be issued after ADOT and GRIC agree upon the engineering details of these roadway connections. ADOT would like to work with the Community to assure adequate control of access of approximately 300 feet is protected prior to the first driveway or side street connection to these roadways. ADOT will purchase this control of access and participate in the construction costs within these limits when these connections are made.

Similarly, the Community would also have access to the South Mountain Freeway traffic interchanges intersecting local roads. If a freeway were constructed along Pecos Road, the Community would have access to the interchanges that were constructed. Or if a freeway were constructed on Community land then the Community would have access on both sides of the freeway. Either of these concepts assumes that a build alternative is selected. ADOT has the final say on freeway interchange locations that connect to locally owned roads. This is done in cooperation with affected local governments but it is ultimately an ADOT decision. ADOT is not in the leadership role for determining where roadways may cross over or under the freeway, but do not connect to the freeway. Those roadways across freeways need to be resolved between appropriate political jurisdictions, in cooperation with ADOT, to assure freeway operations and safety is maintained.
The Honorable Richard Nuncia  
July 25, 2005  
Page Two

Additionally, there seems to be a misunderstanding of ADOt’s Noise Policy, particularly regarding where berms or sound walls are constructed as a noise mitigation feature along the Santan Freeway. ADOt’s 2000 Noise Policy is in compliance with the FHWA laws and policy guidance manual. Per federal guidelines, residential properties and public use areas receive the highest priority for protection/mitigation when the amount of noise exceeds specific thresholds. Undeveloped land is not normally considered for noise mitigation. Commercial property owners often waive their right for noise mitigation even if they qualify for mitigation because visibility is usually more important to them than noise mitigation. This is why there are chain link fences adjacent to undeveloped land and most commercial properties, while most residential neighborhoods, parks, schools etc. have sound walls or berms. We would be pleased to schedule a presentation concerning noise analysis and mitgation strategies, if desired. ADOt has also developed a 15-minute noise video to help explain the basics of the noise policies. The policy is also available on the ADOt web page @ www.azdot.gov or upon request.

We look forward to continuing work with your office, Community Council members, the Community Department of Transportation staff, District representatives, and landowners as the I-10 and South Mountain studies progress. Thank you for your ongoing cooperation and consideration of these issues.

Sincerely,

Dan Lasso  
Deputy State Engineer  
Valleym Transportation

cc: Lt. Governor Thomas  
Gila River Indian Community Council Members  
Gary Bohnee, Gila River Indian Community Chief of Staff  
Sandra Shade, Gila River Indian Community Department of Transportation
Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano
Governor

Victor M. Mendez
Director

Karen L. Williams, Rio Salado Coordinator
City of Phoenix, Office of the City Manager
206 West Washington Street, 12th Floor
Phoenix, Arizona 85003

RE: Recreation and Public Purposes Act Lease A-31292
Rio Salado Ocot Project

August 18, 2005

Dear Ms. Williams:

This letter summarizes the agreements voiced at the meeting held on July 11, 2005 with representatives from the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT). The meeting pertained to the relationship of the above-referenced lease and the W35 Alternative being considered for the South Mountain Freeway in an Environmental Impact Statement (South Mountain Transportation Corridor in Maricopa County, Arizona) now under preparation. As currently aligned, the alternative would pass through the leased property.

At the meeting, it was agreed upon that the City of Phoenix (lessee) has been aware of, planned for, and has incorporated the alternative concept in the City of Phoenix General Plan and has designed the Rio Salado Ocot Project incorporating such concept, which at this time crosses the lease property. It was further agreed that although the current lease agreement does not include reference to the South Mountain Freeway, the Bureau of Land Management (lessee) would support working in concert with the City of Phoenix to take the steps necessary to amend the lease in a manner that would allow for the W35 Alternative to pass through the property if the W35 Alternative is identified as the selected alternative in the FHWA/ADOT approved EIS and record in the NEPA Record of Decision.

If this is an accurate summary of what was discussed at the meeting, please sign concurrence line below.

Thank you.

Sincerely,

[Signature]

Ralph Ellis, CPM
ADOT Environmental & Enhancement Group

[Signature for Rio Salado Ocot Project Concurrence]

c: Steve Thomas, FHWA
Mike Beaver, ADOT Valley Project Management
Amy Deppa, Hallapa, Jack Allen, HDR
Shannon L. Wilhelmson  
Arizona Department of Transportation  
206 S. 17th Avenue  
Mail Drop 115A  
Phoenix, AZ 85007  
Swilhelmson@dot.state.az.us

I look forward to continuing to work with you and your staff as this project moves forward. If you have any questions regarding this matter, or the study in general, please do not hesitate to contact me at (602) 712-7356.

Sincerely,

Shannon L. Wilhelmson, Director  
Communication and Community Partnerships

CC: Governor Richard Naccia, Gila River Indian Community  
Lt. Governor Mary Thomas, Gila River Indian Community  
Gary Bohnee, Gila River Indian Community Chief of Staff  
Sandra Shade, Gila River Indian Community Department of Transportation  
Victor Mendez, Arizona Department of Transportation  
Mike Brader, Arizona Department of Transportation  
Bill Vachon, Federal Highway Administration  
Amy Edwards, HDR

Arizona Department of Transportation  
Intermodal Transportation Division  
200 South Seventeenth Avenue  
Phoenix, Arizona 85007-2813

Janet Napolitano  
Governor

Victor M. Mendez  
Director

August 24, 2005

Sam Elten  
State Engineer

The Honorable Richard Naccia  
Governor, Gila River Indian Community  
PO Box 97  
Sedona, AZ 85247

Dear Governor Naccia,

Please accept this letter as a follow-up to the Arizona Department of Transportation’s (ADOT) recent letter to the Community Council and the July 5, 2005 Community Council meeting with ADOT and FHWA. As discussed at the Council meeting and in Shannon Wilhelmson’s follow-up letter of July 22, 2005, ADOT is continuing detailed analysis of alternatives for the South Mountain Freeway. A significant portion of this analysis pertains to potential interchange locations. Although the freeway alternatives under study are not located on the Gila River Indian Community, they are immediately adjacent to the northern boundary of the Community. Therefore, per our commitment to work with yourself and the Community Council on issues affecting the Community, we are requesting Community input on potential interchange locations and the three configuration options for the proposed 51st Avenue interchange.

**Potential Interchanges**

The South Mountain Freeway study has reached a point where interchange locations must be defined to allow the study to move forward. ADOT is requesting input from jurisdictions adjacent to the corridor regarding the appropriateness of the proposed locations. Following concurrence from the local jurisdictions these locations are included in the alternatives and studied in detail.

The attached Figure 1 illustrates interchange locations being considered along the northern border of the Community. Given our analysis of traffic demands and design, it is possible to construct interchanges in these locations and have them utilized by traffic and function properly. Potential interchange locations, from east to west, are:

- 46th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- 27th Avenue
- 51st Avenue
- Elliot Road
- Dobles Road
- Baseline Road

ADOT is formally requesting input from the Community regarding these potential interchange locations.
It should be noted freeway access will be permitted from the Community at all of the approved interchange locations. Existing roadways within the Community will have immediate access to the interchanges. At locations where no roadways exist, access will be permitted when Community roads are extended to the interchange location. Access control will be required at all TI locations per ADOT standard policy, see attached Figure 2.

51\textsuperscript{st} Avenue TI

As part of the detailed study of alternatives, the project team has developed three options for the 51\textsuperscript{st} Avenue interchange. The options being considered were developed to minimize impact to South Mountain, an area provided special protection by federal law. As such, the proposed options have resulted in shifting the 51\textsuperscript{st} Avenue interchange west thereby minimizing the impact to South Mountain. A brief listing of the key components and a graphic depiction for each of these options is attached.

Spur Road Option

This option is shown in Figure 3.
- 51\textsuperscript{st} Avenue remains within the existing right of way and follows the existing alignment.
- The South Mountain Freeway would go over 51\textsuperscript{st} Avenue on bridges.
- A new road (Spur Road) would intersect with 51\textsuperscript{st} Avenue north of the boundary and south of Estrella Drive.
- The Spur Road would provide access from 51\textsuperscript{st} Avenue to the interchange with South Mountain Freeway, west of 51\textsuperscript{st} Avenue and south of Estrella Drive.
- To access the freeway from 51\textsuperscript{st} Avenue, vehicles would turn onto the spur road and access the interchange ramps.
- Vehicles traveling from the north into the Community would continue to do so as they are now, utilizing 51\textsuperscript{st} Avenue without change.
- The Community would have access to this interchange if a Community road is built to connect with the Spur Road.

Realigned 51\textsuperscript{st} Avenue Option

This option is shown in Figure 4.
- The interchange would be west of 51\textsuperscript{st} Avenue and south of Estrella Drive.
- From the north, 51\textsuperscript{st} Avenue would be realigned to provide access directly to the proposed South Mountain interchange. From the south, 51\textsuperscript{st} Avenue would curve west to intersect with the realigned 51\textsuperscript{st} Avenue.
- South Mountain Freeway would go over the realigned 51\textsuperscript{st} Avenue on bridges.
- To access the freeway from 51\textsuperscript{st} Avenue, vehicles from the north would utilize the realigned 51\textsuperscript{st} Avenue and directly access the interchange ramps. Vehicles from the south would utilize the realigned 51\textsuperscript{st} Avenue to an intersection with the realigned 51\textsuperscript{st} Avenue from the north. From the intersection, vehicles would go southwest on realigned 51\textsuperscript{st} Avenue to access the interchange ramps.
- Vehicles traveling from the north into the Community would utilize the two realigned portions of 51\textsuperscript{st} Avenue and go through the intersection made by these two facilities.
- The Community would have access to this interchange if a Community road is built to connect with the portion of 51\textsuperscript{st} Avenue realigned from the north.

Estrella Drive Option

This option is shown in Figure 5.
- 51\textsuperscript{st} Avenue follows its existing alignment.
- The South Mountain Freeway would go over 51\textsuperscript{st} Avenue on bridges.
- The South Mountain Freeway interchange would be with Estrella Drive, west of 51\textsuperscript{st} Avenue.
- To access the freeway from 51\textsuperscript{st} Avenue, vehicles from both the north and south would utilize the intersection with Estrella Drive and continue west to access the interchange ramps.
- Vehicles traveling from the north into the Community would continue to do so as they are now, utilizing 51\textsuperscript{st} Avenue without change.
- The Community would have access to this interchange from Estrella Drive.

ADOT is requesting comment from the Community regarding their preference of these three options. If the Community feels there may be other options to consider, we welcome this input. Community input on these very important matters is requested by October 31, 2005.

If you have any questions regarding this matter, please do not hesitate to contact me at 602-712-8274. We look forward to working with you, Sandra Shade and the GRIC Department of Transportation staff on these matters.

Sincerely,

Daniel S. Lance
Deputy State Engineer
Valley Transportation

Cc: Lieutenant Governor Mary Thomas, Gila River Indian Community
city manager, community council members
Gary Bohner, Gila River Indian Community, Chief of Staff
Sandra Shade, Gila River Indian Community, Director Department of Transportation
Bill Vachon, Federal Highway Administration
Cecilia Martinez, Acting Superintendent, BIA Pima Agency
Shannon Wiberg, ADOT, Director Communication and Community Partnerships
Michael Brader, ADOT
SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 48 RESOURCE
PHOENIX SOUTH MOUNTAIN PARK / PRESERVE
OPTION 1 - 51ST AVENUE SPUR

SOUTH MOUNTAIN TRANSPORTATION CORRIDOR
ALIGNMENT SHIFT TO MINIMIZE IMPACT TO SECTION 48 RESOURCE
PHOENIX SOUTH MOUNTAIN PARK / PRESERVE
OPTION 2 - SOUTH 51ST AVENUE

FIGURE 3

FIGURE 4
Appendix 1-1

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

October 7, 2005

The Honorable Richard N ready
Governor, Gila River Indian Community
PO Box 97
Sacaton, AZ 85247

Dear Governor N ready,

On August 24, 2005, the Arizona Department of Transportation (ADOT) forwarded a letter to Gila River Community management and staff outlining potential interchange locations on the South Mountain Freeway and presenting three options for a 51st Avenue Traffic Interchange (TI). An error was noted in the text listing the potential interchange locations. The correct locations are, from east to west:

- 49th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- 25th Avenue
- 51st Avenue
- Elliot Road
- Dobbin's Road
- Baseline Road

The original letter indicated a potential interchange location at 27th Avenue. The actual proposed location is 25th Avenue and is accurately listed on Figure I attached to the original letter. Please accept our apologies for any inconvenience this oversight may have caused.

Community input is requested by October 31, 2005 on these very important matters. If you have any questions regarding this matter, please do not hesitate to contact me at 602-712-8274.

We look forward to continuing to work with you, Sandra Shade and the Community on these matters.

Sincerely,

Daniel S. Lance
Deputy State Engineer
Valley Transportation

Figure 5

South Mountain Transportation Corridor
Alignment Shift to Minimize Impact to Section 4/1 Resource
Phoenix South Mountain Park/Preserve
Option 3: Estrella Drive Interchange

Appendix 1-1 - A107
The Honorable Richard Narica
October 7, 2005
Page Two
c: GRIC Lt. Governor Thomas
   GRIC Tribal Council
   Shannon Wilhelmson, ADOT
   l/Michael Bruder, ADOT
   Bill Vachon, FHWA
   Project File

Arizona Department of Transportation
Office of the Director
206 South Seventeenth Avenue  Phoenix, Arizona  85007-3213

David P. Jankowski
Deputy Director

November 7, 2005

The Honorable Richard Narica
Governor Gila River Indian Community
P.O. Box 97
Sanitation, AZ 85247

Dear Governor Narica:

Thank you for continuing to communicate your concerns with ADOT. In response, I offer the following information.

1. In regards to Resolution GR-119-05, ADOT is still in the process of evaluating and assessing the Gila River Indian Community’s requests. In the meantime, ADOT remains committed to working with you and will be ready to initiate negotiations with the Gila River Indian Community in the near future.

2. In reference to communication protocol with the Gila River Indian Community, ADOT is reviewing the available options and a contact person will be designated in the near future.

3. Finally, in relation to SR 347, ADOT’s understanding of needs and potential improvements are outlined below:

   - SR 347 at Casa Blanca Road: A draft Traffic Warrants Study has been completed by the Tucson District and a complete Accident History Report has been requested from the Gila River Indian Community to further analyze and update the Draft Study. ADOT is still awaiting the Accident Report Data, which could change the outcome of the Draft Study. Further discussion and coordination is expected to occur between the Tucson District and the Gila River Indian Community to finalize this issue.

   - SR 347 at Riker Sand and Gravel Plant: The Tucson District has received and reviewed the Traffic Impact Analysis (TIA) and it indicates that a traffic signal is not warranted at this location based on current conditions. However, a traffic signal will be warranted if the Riker Sand and Gravel Plant completes the proposed...
expansion of their operation. In that case, as with all new development impacts throughout the state, Rinker will be expected to pay for the traffic signal. In the meantime, ADOT will coordinate with Rinker under a cost-sharing agreement to add an acceleration lane in the SB direction on SR 347 as an interim improvement and could possibly include it in an upcoming pavement preservation project in this area.

- SR 347 at Old Maricopa Road:

  It is not clear to ADOT what the specific traffic concerns are at this location. However, the Phoenix Maintenance District has identified some signing improvements that consist of upgrading the stop sign at Maricopa Road to a 60-inch and the warning signs to 48 x 48 inch signs. The District is also considering adding a right-turn acceleration lane and taper from the Maricopa Road to the SR 347. We believe improvements will enhance the functionality and efficiency of this intersection. Future development will have significant impact on the operation of this intersection. ADOT remains committed to working with you and will require the necessary Traffic Impact Analysis to ensure adequate improvements are identified and constructed by such future development.

Should you have any questions, please contact my office.

Sincerely,

Victor M. Mendez

cc: The Honorable Governor Janet Napolitano
Mary V. Thomas, Lt. Governor, GRIC
Gary Bohner, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
David Snider, Supervisor, Pinal County Board of Supervisors
GRIC Community Council
Robert Holli, Division Administrator, FHWA
David Jankowski, Deputy Director, ADOT
Sam Ehlers, State Engineer, ADOT
Dan Lance, Deputy State Engineer, Valley Transportation, ADOT
Dennis Alvarez, Tucson District Engineer, ADOT
John Haukins, Phoenix Maintenance Engineer, ADOT
Shannon Wilhelmsen, Director, Communications and Community Partnerships, ADOT

Attachment
We also have a traffic safety concern at the intersection of Queen Creek Road (SR 347) and “Old” Maricopa Road that we feel should also be studied by ADOT.

I am again requesting that an updated Traffic Signal Evaluation document be sent directly to my office with a courtesy copy to Ms. Sandra Shade, Director for our Community’s Department of Transportation. Upon our review, we would like to meet with you regarding this matter. We would also appreciate a status update on the study conducted by Lee Engineering.

Please feel free to contact my office if you have any questions.

Sincerely,

Richard P. Narcia, Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
    GRIC Community Council
    Gary Bohner, Chief of Staff
    Sandra Shade, Director, GRIC DOT
    Supervisor David Senden, Past County Board of Supervisors

Richard P. Narcia
Governor
Gila River Indian Community

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 14, 2005

Mr. Victor Mendoza, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007-3213

Dear Director Mendoza:

On behalf of the Gila River Indian Community (the “Community”), I appreciate the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) for taking the time to meet to discuss important transportation issues that face our respective organizations.

As such, I believe the key to building a successful partnership is to develop a better communication process and protocol. Central to this effort is the need to identify a point of contact in our respective organizations that is both knowledgeable and capable of speaking in an official capacity. For the Community, Ms. Sandra Shade, Director, Gila River Department of Transportation will continue to serve as the primary contact.

Consistent with our discussion, the Community would like to have Mr. Bill Hayden serve as the ADOT’s primary liaison to the Community. As a part of your current team, Mr. Hayden brings to the table the requisite experience in working with tribal governments. He has established relationships with the Community Council, key staff, and the Bureau of Indian Affairs (BIA). Of equal importance are his experience, knowledge and respect for our tribal protocol. The Lieutenant Governor and I both feel strongly that Mr. Hayden has demonstrated the ability to work with our leadership in an effective manner and, therefore, remain unyielding in our request that he serve as the key point of contact from ADOT to work with our Community on this project. We believe Mr. Hayden will move this project forward in a positive manner in the spirit of communication and cooperation with all stakeholders.

Importantly, the Community recognizes the Interstate 10 (I-10) Widening Project is the number one statewide priority project for ADOT. As such, we feel strongly that ADOT
must bring an experienced and professional project management team who will work closely with our key staff in moving this project forward.

The Community Council adopted Resolution GR-119-05 on August 5, 2005 that identifies several priority areas regarding the alignment, improvement, operation and maintenance of, and access to Interstate 10 within the boundaries of our Community. A copy of this resolution has been provided to you and Mr. Robert Hollis of FHWA so that your respective organizations may begin the review process while we concurrently move forward with a Community outreach program and additional input and participation.

Again, it was a pleasure to have the opportunity to meet with you and Mr. Hollis and I look forward to a mutually beneficial working relationship. Your consideration of the Community’s recommendations is greatly appreciated.

Sincerely,

Richard P. N sigma
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
Gary Bohnee, Chief of Staff, GRIC
Sandra Shude, Director, GRIC DOT
Robert Hollis, FHWA Division Administrator
The Honorable Governor Janet Napolitano

Arizona Department of Transportation
Office of the Director
266 South Seventeenth Avenue
Phoenix, Arizona 85007-3213

November 9, 2005

David A. Jarboe
Deputy Director

The Honorable Richard Norgia
Governor Gila River Indian Community
P.O. Box 97
Sedona, AZ 85257

Dear Governor Norgia:

Please accept this communication as a formal follow-up to some communication items we understand Mr. Bill Hayden has relayed to the Community. Our understanding is that you have already been informed of the following items and this communication is intended to be a more formal summary from my office.

Currently, ADOT is in the midst of an extensive public involvement effort to brief local communities, elected officials and media organizations regarding the South Mountain Freeway project in preparation for an extensive round of public meetings to be held next week.

Public Meetings
Public meetings will be held from Noon - 8 p.m. on November 15 in Avondale, November 16 in Laveen and November 17 in Ahwatukee to discuss the South Mountain Freeway study. Large aerial photographs overlaid with the freeway alignments will be on display at the meeting to illustrate the potential right of way impacts to give the public their first look at a detailed depiction of the South Mountain Freeway alignments. These meetings will generate significant comments and discussion among the public, elected officials and the media.

Local Agency Briefing
My understanding is that Mr. Hayden invited the Community to attend an agency briefing ADOT will hold on November 5, 2005 at 3 p.m. to discuss the information that will be presented at the public meetings. At this time, I have not heard whether or not Community representatives are planning on attending the briefing and my hope is that you are in attendance.

Media Briefings
On November 8, 2005 ADOT held media briefings with the Arizona Republic and the Ahwatukee Foothills News to discuss the South Mountain Freeway study.

General Communication
ADOT has produced a newsletter to provide general information about the project as well as to advertise the public meetings. We have distributed nearly 100,000 newsletters in Ahwatukee and the West Valley to homes and businesses in the study area.
The Honorable Richard N. S. Z.,
November 6, 2005
Page Two

area. We also have set aside several thousand brochures for distribution on the Gila River Indian Community.

My understanding is that Mr. Hayden asked representatives from the Community whether or not the brochures should be distributed to Community members and we have not yet heard whether or not the Gila River Indian Community will allow such distribution. Please let us know if you would like us to distribute the brochures.

Traffic Interchange and Drainage Issues

The location of future traffic interchanges along the South Mountain Freeway is another issue that we would like to have input from the Gila River Indian Community. We have written letters to the Community on August 24, 2005 and October 7, 2005 seeking input from the Community about the Community’s preference for interchange locations along the South Mountain Freeway. Also, my understanding is that Mr. Hayden recently communicated to the Community the preferences stated by the City of Phoenix to eliminate the proposed South Mountain interchange at 32nd Street and to move the proposed interchange at 25th Avenue further west to match up with Chandler Boulevard at 27th Avenue. The interchange at 32nd Street has generated considerable concern among Ahwatukee residents given the number of homes that would need to be acquired if it is built and the potential increase in traffic passing by Desert Vista High School. It would be extremely helpful to know whether or not the Gila River Indian Community has a preference for an interchange at 32nd Street.

In the near future, we also will need to discuss the analysis of drainage impacts and methods to address drainage associated with the South Mountain Freeway study.

Since ADOT staff has informed me that they have not heard from Gila River Indian Community representatives on these subjects, I wanted to confirm that the information regarding developments on the South Mountain Freeway solely and the projects yields involvement efforts have been communicated so that the Gila River Indian Community may provide input to the study team.

I look forward to receiving information from the Community regarding the above items.

Sincerely,

Victor M. Mendez

cc: Mary V. Thomas, LT. Governor, GRIC
Gary Bonnew, Chief of Staff, GRIC
Sandra Shode, Director, GRIC DOT
Robert Holmes, Division Administrator, FYWA
David Jankat, Deputy Director, ADOT
Sain Elers, State Engineer, ADOT
Dan Lance, Deputy State Engineer, ADOT
Shannon Witteman, Director, Communications and Community Partnerships, ADOT
Bill Hayden, Life Cycle Coordinator, ADOT

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue, Phoenix, Arizona 85007-2313
January 19, 2006

Leslie Spencer-Snider
Phoenix Mountain Preservation Council
P.O. Box 26121
Phoenix, AZ 85068-6121

Re: Project Name: South Mountain Transportation Corridor
ADOT TRAC No.: 205 MA 54 19764 01L
Project No.: RAM-202-C-200

Dear Ms. Spencer-Snider

On November 7, 2005, a presentation was made to the Phoenix Mountain Preserve Council (PMPC) regarding the potential impacts on South Mountain Park/Preserve (SNMP) as a result of the proposed South Mountain Transportation Corridor (SMTC). The purpose of the meeting, in addition to updating the PMPC about the project, was to solicit input regarding measures to minimize harm to the park.

At the conclusion of the meeting, attendees were requested to complete and return a comment sheet. The following represents a summary of the comments received during the meeting and through the comment forms:

- The PMPC was in favor of the No Build Alternative
- Land in the SMPP is irreplaceable
- Another method should be found to move people
- There is a Parks Board resolution opposing use of the Park.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the Park are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or relocating trailheads that may be impacted.
- ADOT, FYWA, and the City of Phoenix could examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed Eastern Section Alternative of the SMTC would be located as far south as possible to avoid the creation of remnant parcels.
- Sound barriers would be constructed as part of the Eastern Section Alternative on the approach to SMPP near the Foothills Reserve residential development, and just past SMPP near the Dusty Lane residential area. Although these barriers are not specifically for SMPP, they would provide partial noise mitigation to the park/preserve.
- Impacts on visual character would result from the Eastern Section Alternative and associated cuts into South Mountain. The proposed freeway would be the dominant feature in the area and would introduce forms, lines, colors, and textures distinctly different from the existing ridgelines. The visual impacts of the section of freeway adjacent to SMPP could be reduced by blending the color, line, and form of the freeway with the surrounding environment.
- Vegetation buffers could be used to screen views of the freeway.
- Any retention basins and their landscape treatments could be blended into the surrounding area.
Ms. Leslie Spencer-Snider  
Page 2  
January 19, 2006

- Larger saguaros, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.
- Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help 'naturalize' the surrounding area.
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.
- Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
- The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.
- When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the PMPC does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments regarding the meeting summary should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 19, 2006 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,

[Signature]

Ralph Ellis  
Environmental Planner  
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map

This graphic was included as an enclosure to the four letters that follow in this appendix (Coover, Burke, Nowicki, Spencer-Snider).
Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue
Phoenix, Arizona 85007-3213

January 19, 2006

Sam Litters
State Engineer

Jim Burke
Phoenix City Hall
City of Phoenix Parks and Recreation Department
206 W. Washington Street, 16th Floor
Phoenix, AZ 85003

Re: Project Name: South Mountain Transportation Corridor
ADOT TRACS No.: 202 MA 54 HS764 01L
Project No.: RAM-202-C-209

Dear Mr. Burke

On September 22, 2005, representatives from the Federal Highway Administration (FHWA), the Arizona Department of Transportation (ADOT), HDR Engineering, Inc. (HDR), the City Phoenix Parks and Recreation Board (Board), and the public met at the Phoenix Zoo to discuss the potential impacts on Phoenix South Mountain Park/Preserve (SMPP) as a result of the potential South Mountain Transportation Corridor (SMT Corridor) and to solicit input from park stakeholders regarding measures to minimize harm to the park. This correspondence serves as a summary of that meeting along with a discussion of future related actions.

The meeting commenced with an update to the Parks and Recreation Board on the progress of the SMT Corridor Environmental Impact Statement (EIS) with a focus on the SMPP. The project team gave a presentation highlighting the freeway alternatives, the environmental study process, and the potential impacts on SMPP. A two-sided handout was distributed to the Board that included the freeway alternatives on one side and the Regional Freeway System 2001/2030 Traffic Volumes on the other. A comment form was also distributed with the intention of receiving additional suggestions to minimize harm to SMPP.

The following comments were offered by Board members:

Gila River Indian Community (GRIC) Land

- What is the status of the GRIC coordination?
  - Response: GRIC Coordination, at the time of the meeting, was ongoing.
- City of Phoenix should join ADOT/FHWA at the negotiating table and take more time to coordinate with GRIC.
  - Response: ADOT/FHWA have had continuous coordination with GRIC since the start of the study in 2000. Although GRIC continues to communicate no desire for the project on their land, ADOT will continue to communicate with GRIC.
- ADOT should slow down and allow this process and coordination to occur, noting that the GRIC process takes a longer time.
  - Response: See above. Also, the SMT Corridor is an integral part of the Regional Freeway System (RFS) and an important link in optimizing the RFS’s operation. Planned since 1985, the project remains critical. ADOT, in turn, has an obligation to be responsive to the traveling public.

Potential Freeway Alternative Through SMPP

- Board does not want to see the cuts in SMPP.
  - Response: noted
- The land at the western edge of the SMPP (now) was purchased by ADOT/City of Phoenix as joint condemnation land to be used by the SMPP.
  - Response: noted
- The project team should work to improve the treatment of habitat and learn from the good and bad experiences of State Route 51. Cuts should blend in to the surroundings and not look like a scar.
  - Response: ADOT will prepare a proposed plan to mitigate Park impacts. The plan will include measures relevant to habitat and slope treatment.
- Options for mitigation include adding trailheads that could be accessed from the freeway interchanges, land trade-offs, and a tunnel.
  - Response: Trailhead and land trade-offs are still under discussion as possible mitigation. At this time, for design and operational reasons, a tunnel is no longer under consideration.
- How many lanes is the freeway going to accommodate? How will the freeway work with respect to the power lines and water line that currently go through SMPP?
  - Response: Intersection 3-lanes in each direction. Ultimate 4-lanes plus an HOV lane for a total of 2
  - Response: In each direction.
- Has the Board/City approved land for the freeway through SMPP?
  - Response: We are unaware of ADOT purchasing land within the Park; however, land adjacent to the Park has been purchased by ADOT. Additionally, the 1988 City of Phoenix General Plan shows the proposed SMT Corridor designated as “planned southwestern loop”, going through the Park.

No comments or questions were offered by the public.

In conclusion, the Board unanimously passed a resolution that “strongly opposes any alignment that goes through SMPP.” They also feel that the City of Phoenix and ADOT should work with GRIC “as long as it takes” to allow for alignments to be studied.

- Response: See above responses
- There is new development in GRIC other than casinos.
  - Response: noted

Mr. Jim Burke
Page 2
January 19, 2006

- The Board unanimously passed a resolution that “strongly opposes any alignment that goes through SMPP.” They also feel that the City of Phoenix and ADOT should work with GRIC “as long as it takes” to allow for alignments to be studied.
  - Response: See above responses
- There is new development in GRIC other than casinos.
  - Response: noted

Potential Freeway Alternative Through SMPP

- Board does not want to see the cuts in SMPP.
  - Response: noted
- The land at the western edge of the SMPP (now) was purchased by ADOT/City of Phoenix as joint condemnation land to be used by the SMPP.
  - Response: noted
- The project team should work to improve the treatment of habitat and learn from the good and bad experiences of State Route 51. Cuts should blend in to the surroundings and not look like a scar.
  - Response: ADOT will prepare a proposed plan to mitigate Park impacts. The plan will include measures relevant to habitat and slope treatment.
- Options for mitigation include adding trailheads that could be accessed from the freeway interchanges, land trade-offs, and a tunnel.
  - Response: Trailhead and land trade-offs are still under discussion as possible mitigation. At this time, for design and operational reasons, a tunnel is no longer under consideration.
- How many lanes is the freeway going to accommodate? How will the freeway work with respect to the power lines and water line that currently go through SMPP?
  - Response: Intersection 3-lanes in each direction. Ultimate 4-lanes plus an HOV lane for a total of 2
  - Response: In each direction.
- Has the Board/City approved land for the freeway through SMPP?
  - Response: We are unaware of ADOT purchasing land within the Park; however, land adjacent to the Park has been purchased by ADOT. Additionally, the 1988 City of Phoenix General Plan shows the proposed SMT Corridor designated as “planned southwestern loop”, going through the Park.

No comments or questions were offered by the public.

In conclusion, the Board unanimously passed a resolution that “strongly opposes any alignment that goes through SMPP.” They also feel that the City of Phoenix and ADOT should work with GRIC “as long as it takes” to allow for alignments to be studied on GRIC land.

In addition to measures already undertaken to reduce harm, such as reducing the right-of-way impacts, the following measures to minimize harm to the SMPP are under consideration:

- The project team is working with the City of Phoenix and Maricopa County in locating trailheads on planned trails or in relocated trailheads that may be impacted.
- ADOT, FHWA, and the City of Phoenix would examine opportunities to provide replacement lands to those converted to the freeway use.
- The proposed Eastern Section Alternative of the SMT Corridor would be located as far south as possible to avoid the creation of new parks.
- Sound barriers would be constructed as part of the Eastern Section Alternative on the approach to SMPP north of the Foothills Reserve residential development, and just past SMPP near the Dusty Lane residential
Appendix 1-1

Mr. Jim Burke
Page 3
January 19, 2006

Areas: Although these barriers are not specifically for SMPP, they would provide partial noise mitigation to the park/preserve.
- Impacts on visual character would result from the Eastern Section Alternative and associated cuts into South Mountain. The proposed freeway would be the dominant feature in the area and would introduce forms, lines, colors, and textures distinctly different from the existing ridgelines. The visual impacts of the section of freeway adjacent to SMPP could be reduced by blending the color, line, and form of the freeway with the surrounding environment.
- Vegetation buffers could be used to screen views of the freeway.
- Any retention basins and their landscape treatments could be blended into the surrounding area.
- Larger saguaros, mature trees, and larger shrubs could be transplanted to relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.
- Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help "naturalize" the surrounding area.
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.
- Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
- The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.
- When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blinding new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Park Board does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (DEI).

Comments regarding the meeting summary should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3260 East Camelback Road, Suite 330, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 19, 2006 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,
Ralph Ellis

Environmental Planner
Environmental & Enhancement Group

Enclosure: Project Study Area and Alternatives, Variance and Location Map
Mr. Scott Newicki  
Page 2  
January 19, 2006

- Vegetation buffers could be used to screen views of the freeway.  
- Any retention basins and their landscape treatments could be blended into the surrounding area.  
- Larger saguaros, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Section Alternative to blend with the existing landscape.  
- Clustering or grouping plant material in an informal pattern to break up the line form of the freeway could help "naturalize" the surrounding area.  
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as on areas adjacent to residential development.  
- Aesthetic treatments and landscaping could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible hedges.  
- The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.  
- When constructing concrete barriers, highly visible land walls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.  
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blending new slopes could mimic the existing contours and highlight natural formations.  
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and biker use as well as wildlife crossings.  

Assuming the Mountain Bike Association of Arizona does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Comments should be addressed to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 10, 2006 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,

[Signature]

Ralph Ellis  
Environmental Planner  
Environmental & Enhancement Group

cc: Tommy Collins, Recreational Director of MBAA

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map
Ms. Leslie Spencer-Studer  
Page 2  
January 26, 2006

- Larger, expensive, mature trees, and larger shrubs could be transplanted in relatively natural areas near the Eastern Alternative to blend with the existing landscape.
- Clustering or grouping plant material in an informal pattern to break up the linear form of the freeway could help "naturalize" the surrounding area.
- Landscape treatments on the periphery of right-of-way areas at overpass locations could be installed as well as areas adjacent to residential development.
- Aesthetic treatments and patterning could be applied to sound barriers and screen walls, bridges, concrete barriers, retaining walls, and highly visible headwalls.
- The use of earth colors for lighting standards, overpasses, abutments, retaining and screening walls, and sound barriers could blend the freeway into the natural setting.
- When constructing concrete barriers, highly visible headwalls, and end walls for box culverts, materials and textures could be used to blend these structures into the existing landscape.
- Newly exposed rock faces could be blended with natural rock features to incorporate characteristics of the adjacent natural rock and rounding and blending new slopes could mimic the existing contours and highlight natural formations.
- Culverts could be sized large enough to accommodate equestrians, bicyclists, and hiker use as well as wildlife crossings.

Assuming the Arizona State Horsemens’s Association does not provide any further insight into mitigation, these measures will be presented in the Draft Environmental Impact Statement (EIS).

Please convey these comments and any others you wish to make to Audrey Unger, HDR Engineering, Inc. via U.S. Mail at 3200 East Camelback Road, Suite 350, Phoenix, Arizona 85018 or by email at Audrey.Unger@hdrinc.com. A response received by February 28, 2005 or sooner would be greatly appreciated. Thank you in advance for your cooperation.

Sincerely,

Ralph Ellis

Environmental Planner
Environmental & Enhancement Group

cc: Sara Goodnick, Past President ASHA
cc: Jean Anderson, Past President ASHA

Enclosure: Project Study Area and Alternatives, Vicinity and Location Map

Arizona Department of Transportation  
Office of the Director  
208 South Seventeenth Avenue  
Phoenix, Arizona 85007-3213  
March 1, 2006  

The Honorable William R. Rhodes  
Governor  
Gila River Indian Community  
P.O. Box 97  
Socorro, AZ 85347  

Dear Governor Rhodes:

Thank you for the opportunity to present the Pinal County Corridor Definition studies at the Gila River Indian Community Council meeting on February 15, 2006. As I stated at the meeting, I would like to have more regular interaction with the Community Council to improve coordination and communication with ADOT. My recommendation is that I appear before the Community Council once every two months to provide a status update on the ADOT projects that effect the Community. Please let me know if this is acceptable and I will have my staff work with Janie Stewart, the Community Council Secretary, to make the arrangements.

As I mentioned at the Community Council meeting, we would like to establish an appropriate communication protocol to work with the Community. I have assigned Matt Burdick, our Community Relations Director, to serve as the designated point of contact within ADOT for all communications with the Gila River Indian Community.

Matt Burdick has direct access to myself, as well as our senior leadership team, to monitor and address issues that impact the Gila River Indian Community. I would ask the Community to designate one person within ADOT to improve coordination between ADOT and the Community. I have enclosed several copies of his business card and I encourage the Community’s staff to contact Mr. Burdick directly regarding ADOT related issues.

Former Governor Richard Nodl provided me with a copy of the Community Council Resolution GR-119-05. The Resolution enumerates the Community’s desires for certain collaborative strategies and improvements to be considered as part of the interstate 10 widening project.

Over the past few months, I have worked with senior members of my staff to review and discuss each item in GR-119-05. This has been an exhaustive and time-consuming analysis, but we recognize the importance of the Resolution and felt it was imperative that we fully assess each item. We have also met with the Federal Highway Administration and the Department of Public Safety to review and discuss points made in the Resolution.
March 1, 2008

I would like to meet with you and your designated representatives to initiate discussions to fulfill the intent of the Community Council to take "...all actions reasonably necessary to negotiate, agree to, arrange for and effectuate..." the item as listed in GR-118-06. Given that the Federal Highway Administration has a direct interest in the outcome of the negotiations, I would suggest that our federal partners be an integral part of the discussions.

Please advise me regarding the appropriate venue for these discussions in order to move forward with our collective efforts to improve Interstate 10 as soon as possible.

With regard to SR 347, we are making progress on the traffic signal project on Casa Blanca Road and will be working with Ms. Sandra Shade to establish a project kick-off with the Community's staff. We are also working to process the permit for the traffic signal project on SR 347 at the Rioser Sand and Gravel Plant.

As you know, we will continue to refine the corridor information with respect to the Pinal County studies. Your Community's input is critical and we will work with you on these studies. At this point in time, we do not know exactly how right-of-way issues will be impacted on State Routes 87, 897, 897 and 587. However, as the studies progress that information will become available.

I also have contacted the Maricopa County Department of Transportation and the Maricopa County Sheriff's Office about trucks falling to comply with the No Parking signs along Hunt Highway and the need to check the condition of the signs and for increased enforcement to cite those drivers that disregard the signs.

Again, thank you for the opportunity to meet with you and the Council.

Sincerely,

Victor M. Mendez

cc: Jennifer Atkisson, Ray, Lieutenant, GRIC
    Gila River Indian Community Council
    Greg Mendez, Chief of Staff, GRIC
    Sandra Shade, Director, GRIC JDOT
    Emill Beall, Director, GRIC Land Use Planning & Zoning
    David Jarrel, Deputy Director, ADOT
    Sam Elter, State Engineer, ADOT
    Shannon Whilens, Communication Director, ADOT
Sincerely,

Ruth L. Greenesan
Historic Preservation Specialist
Environmental Planning Group
1611 W. Jackson St., MD EM02
Phoenix, Arizona 85007-3213

cc: Doug Torres, Director, Department of Transportation, Gila River Indian Community
David White, Community Manager, Gila River Indian Community

Dear Dr. Greenesan:

Thank you for providing us the opportunity to review the draft technical report summary prepared for the Citizens Advisory Team (CAT) and for your invitation to Barnaby V. Lewis and me to participate in the upcoming CAT Meeting on August 28, 2008.

I am attaching my comments to the draft technical report summary, which in general looks good to me. Because of the short time available, if Mr. Lewis has any additional comments he will contact you by phone. My main concern is that the report singles out Native American tribes as the only groups that would be affected by impacts to cultural resources. This may draw unnecessary attention to Tribes as the only group concerned about cultural resources, particularly since not all cultural resources are tribal. It is true that Tribes are the primary constituency, particularly in regard to TCPs; however from a public standpoint all other groups invested in the cultural and natural landscape should be acknowledged. Also, I think it should be emphasized that mitigation as an action, recognizes the adverse effects of freeway construction, however, mitigation is not preservation but salvage. ADOT is making attempts to avoid (preserve) and mitigate (minimize effects or salvage) sites and landscapes in connection with freeway construction and design. The general public may assume that site avoidance is primarily a financial concern to ADOT, not preservation. However, I think it is reasonable to mention that ADOT (in conjunction with the Grico CRD and the City of Phoenix) is considering possible measures for avoiding sites or minimizing impacts to sites particularly on South Mountain as part of long-term planning.

Finally, you will see in my comments in the report text that while this is a technical report summary, I note that this is an opportunity for ADOT to assert its commitment to coordinated transportation planning and heritage preservation, recognizing that freeways...
like the South Mountain Transportation Corridor are of a different order of construction with far reaching cultural impacts as compared to smaller connector routes or surface streets.

In regard to the CAT meeting, Mr. Lewis and I will consider attending on August 28th pending availability in our schedules, but we will not prepare a formal presentation or ask to be placed on the agenda. We appreciate your invitation and look forward to a future opportunity to speak to the CAT.

If you have any questions please call me at (520) 562-6824 or (480) 784-7221 [cell].

Sincerely,

[Signature]
J. Andrew Darling
Coordinator

Jennifer Allison-Ray, Lt. Governor, Gila River Indian Community
doug Torres, Director, Department of Transportation, Gila River Indian Community
David White, Community Manager, Gila River Indian Community
Alta Masionette, Director, Public Information Office, Gila River Indian Community

South Mountain Transportation Corridor Study
Citizen Advisory Team
Technical Report Summary

Draft Cultural Resources

What are Cultural Resources?

Cultural resources are the prehistoric and historic sites, structures, places, landscapes, and objects that are important to a culture or community for historic, scientific, traditional, religious, or other reasons. They are irreplaceable resources that link us with our past and define our heritage and social identity at the local, state, and national levels. Examples of cultural resources identified in the South Mountain Transportation Corridor include prehistoric rock art sites, historic houses and farms, railroads, and irrigation canals.

Cultural resources also include traditional cultural properties (TCPs). TCPs are places considered important for their association with cultural practices or beliefs of a living community that are rooted in that community’s history, and are important in maintaining the continuing cultural identity of the community. Often TCPs are places in the landscape that are important culturally, but may not be distinguishable by physical manifestations resulting from human activity. For example, TCPs could include a location associated with the traditional beliefs of a Native American group about its origins or its cultural history, or a location where Native American communities have historically gone, and are known to go today, to perform traditional cultural practices.

Why study cultural resources in the Environmental Impact Statement (EIS)?

Cultural resources hold an intrinsic value in that they provide us with a direct link to the past, and help people define and understand their own heritage, as well as the heritage of others. Cultural resources can afford opportunities to study and learn about and enjoy our cultures and societies have developed over time. Both the federal government and the State of Arizona acknowledge the importance of Arizona’s cultural heritage to its citizens and recognize that physical links to our past should be preserved for future generations.

Where preservation is not possible, the mitigation of effects to these resources is warranted.

The South Mountain Transportation Corridor study is a federal undertaking requiring regulatory compliance with the National Historic Preservation Act (NHPA). Section 106 of the NHPA requires federal agencies to take into account the effects of their activities and programs on cultural resources objects for the National Register of Historic Places (NRHP). Regulations for Protection of Historic Properties, which primarily implement Section 106, were most recently amended in 2000 (36 CFR 800). These regulations define a process for responsible federal agencies to consult with the State or Tribal
Appendix 1-1

Archaeological Resources Affected, Action Alternatives

<table>
<thead>
<tr>
<th>Action Alternatives</th>
<th>Number of Sites Affected</th>
<th>Site Type</th>
<th>NRHP Eligibility Criterion</th>
<th>Mitigation Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Section</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W55</td>
<td>6</td>
<td>1 village site; 5 habitation sites</td>
<td>D</td>
<td>Yes</td>
</tr>
<tr>
<td>W71</td>
<td>4</td>
<td>2 village sites; 2 habitation sites</td>
<td>D</td>
<td>Yes</td>
</tr>
<tr>
<td>W101 Western Option</td>
<td>3</td>
<td>2 village sites; 1 habitation site</td>
<td>D</td>
<td>Yes</td>
</tr>
<tr>
<td>W101 Central Option</td>
<td>2</td>
<td>2 village sites</td>
<td>D</td>
<td>Yes</td>
</tr>
<tr>
<td>W101 Eastern Option</td>
<td>2</td>
<td>2 village sites</td>
<td>D</td>
<td>Yes</td>
</tr>
<tr>
<td>Eastern Section</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EI</td>
<td>8</td>
<td>1 artifact scatter; 2 limited activity sites; 3 house quarters; 1 petroglyph site; 4 trail sites</td>
<td>D</td>
<td>Yes</td>
</tr>
</tbody>
</table>

NRHP Eligible Historic Properties (non-TCP) Affected, Action Alternatives

<table>
<thead>
<tr>
<th>Action Alternatives</th>
<th>Site Affected</th>
<th>NRHP Eligibility Criterion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Section</td>
<td></td>
<td></td>
</tr>
<tr>
<td>W55</td>
<td>Roosevelt Canal</td>
<td>Criterion A</td>
</tr>
<tr>
<td>W71</td>
<td>Roosevelt Canal</td>
<td>Association with events that have made a significant contribution to the broad patterns of our history</td>
</tr>
<tr>
<td>W101 Western Option</td>
<td>Historic Southern Pacific Railroad</td>
<td>Criterion A</td>
</tr>
<tr>
<td>W101 Central Option</td>
<td>Historic Southern Pacific Railroad</td>
<td>Association with events that have made a significant contribution to the broad patterns of our history</td>
</tr>
<tr>
<td>W101 Eastern Option</td>
<td>Historic Southern Pacific Railroad</td>
<td>Criterion A</td>
</tr>
<tr>
<td>Eastern Section</td>
<td></td>
<td>No historic structures present</td>
</tr>
</tbody>
</table>
Historic South Pacific Railroad which is NRHP-eligible. Similarly, all the alternatives would intersect the Roosevelt Canal. The segments of the Roosevelt Canal that would be crossed by the WSS and WTI Alternatives represent the original construction of the canal, and do contribute to the canal's eligibility, whereas the segments that would intersect the WTI Alternatives do not contribute to the canal's eligibility because they are modern improvements.

What kind of freeway operational impacts (post-construction) could occur?

The continued operation of the freeway would interfere with traditional cultural practices of some Native American groups.

Impact to the subsurface cultural and natural landscapes will occur in many areas but Native American groups have an interest in cultural landscapes that are not affected by construction activities. Cultural landscapes include both cultural resources and cultural landscapes that are integrated into the cultural landscapes of the area.

How do the alternatives differ in operational-related impacts?

Once constructed, the Western Section action alternatives should not result in operational impacts on cultural resources. Operational impacts from the Eastern Section action alternative could affect traditional activities of Native American groups.

I think everyone feels that the term “operational-related” is important. We can think about how the term is used in other jurisdictions and the meaning of the term in this context. The term “operational-related” is important because it helps to define the scope of impacts that can be anticipated. In this context, “operational-related” is the term used to describe the impacts that are directly related to the operation of the freeway.

What if the project were not constructed?

Due to the urban growth of the Phoenix metropolitan area as it is currently planned, it is likely that cultural resources in and around the development, such as agricultural fields, would eventually be disturbed. Furthermore, if these lands are developed by the private sector, there is no federal protection afforded in the form of mitigation, although some local governments have ordinances that offer some protection to cultural resources. Cultural resources in protected areas, such as the South Mountain Park Preserve, would be preserved.

Land use strategies that can be implemented to mitigate future cultural resource impacts will include, but are not limited to:

1. Limiting development to non-cultural development areas.
2. Maintaining cultural resources in their natural state.
3. Imposing land use restrictions to protect cultural resources.
4. Implementing cultural education programs to inform the public about the importance of cultural resources and their protection.

Is there any specific cultural impacts from the build alternatives?

Archaeological sites and places considered culturally significant by Native American groups would be affected by any of the build alternatives. The Gila River Indian Community and the Salt River Pima-Maricopa Indian Community have both passed Tribal Resolutions designating the South Mountains as a TCP. HWA and ADOT recognize the South Mountains as a TCP, and Section 106 consultations regarding the South Mountains TCP are ongoing.

For the South Mountain Park Preserve in NRHP-eligible areas, historic property for its National Park Service master plan design that is historical precedent in planning natural parks and its association with Civilian Conservation Corps New Deal programs in Arizona during the Depression era.

Are there things that could be done to reduce or avoid impacts?

Much has already been undertaken to avoid direct impacts on cultural resource sites throughout the study area. For example, adjustments to the WSS, WTI, and WTI-101 alternatives have been made to avoid cultural resources. However, it appears that not all cultural sites could be avoided by the alternative. ADOT could undertake to reduce impacts during construction and operation of the freeway. Below are some measures ADOT could undertake. Measures will be presented in the Draft EIS and finalized during the final design process after the EIS process is concluded.

The degree of impact on cultural resources could be reduced by minimizing the construction footprint to the greatest extent possible. Impacts on historic buildings could be reduced through relocation of the structures. Impacts on cultural resources in the construction footprint that could not be relocated could be reduced through mitigation, such as archaeological investigations and architectural engineering documentation prior to construction.
If cultural resources cannot be avoided, what is the process for mitigating the adverse impacts?

Specific mitigation strategies will vary depending on the type of cultural resource being treated. For prehistoric sites, work plans and research designs are developed that describe research questions, methods, and excavation strategy that will be used for site excavation. In addition, a burial agreement with Arizona State Museum and concerned Native American tribes is developed that outlines the procedures for proper and respectful removal, treatment, and return of any human remains and associated inventory objects that might be encountered.

The mitigation field work is typically performed in two phases. The first phase involves conducting test excavations of a sample of a site to assess the type, condition, and distribution of features present below the ground surface, and in turn, to determine if there is a need for a more extensive program of data recovery excavation. This is typically accomplished in the Phoenix area by excavating a series of backhoe trenches sometimes coupled with some limited excavation in trenches by hand (see Photo 1). If warranted, a second phase involves data recovery excavations where large excavation units are opened up over targeted features (see Photo 2). Sediments overlaying features are sometimes stripped away mechanically. The features are then recovered by hand in horizontal layers.

Mitigation strategies for historic cultural resources can be varied. For historic artifact disposal, such as in historic trash dumps, where the cultural material is below ground, a physical mitigation strategy is used similar to that of prehistoric sites. Mitigation for buildings typically involves a combination of architectural assessments, historical research, and archival-quality (photographic) documentation. Mitigation for historic structures, such as cotton and bridges, involve a similar approach, usually with the preparation of an Historic American Engineering Record (HAER) which follows the Secretary of the Interior’s Standards and Guidelines for Architectural and Engineering Documentation.

Photo 1: Phase I: Archaeological testing.
Photo courtesy of Archaeological Consulting Services Ltd.

Photo 2: Phase II: Data Recovery Excavation.
Photo by Adriel Heisey
Are the conclusions presented in this summary final?

The conclusions in this summary are not final. Consultation with Native American communities and the State Historic Preservation Office regarding the evaluation of TCPs within the project area is ongoing. In addition, many of the agricultural fields in the alternative footprint have been in production with crops such alfalfa, and have therefore prevented the inspection of the ground surface for cultural resources. Future cultural resource surveys of these parcels could result in the identification of additional sites.

In situations such as this, where the effects of a project to cultural resources cannot be fully determined prior to the approval of the undertaking, a Programmatic Agreement (PA) is prepared that specifies the steps and procedures that will be taken to address the effects as they become known. A PA for the South Mountain Freeway project has been developed and executed. To date, this document has been signed by the Federal Highway Administration, the Arizona State Historic Preservation Office, the Arizona Department of Transportation, the Salt River Project, the Maricopa Department of Transportation, the Flood Control Districts of Maricopa County, the City of Phoenix, the Arizona State Museum, the Fort McDowell (Yavapai) Nation, the Tonopah Apache Tribe, and the Yavapai-Apache Nation.

As a member of the Citizens Advisory Team, how can you review the entire technical report?

The cultural resource technical reports are confidential due to the cultural importance and sensitivity of their content. In accordance with state and federal law, these reports are not available for public review.

Arizona Department of Transportation
Office of the Director
208 South Seventeenth Avenue
Phoenix, Arizona 85007-3213

John A. Buretta
Chief Operations
John McBee
Executive Director
for Planning & Policy

Representative John McComish
House of Representatives
Arizona State Legislature
1700 W. Washington Street, Room 217
Phoenix, AZ 85007

Re: Proposed South Mountain Freeway

Dear Representative McComish,

On behalf of the Arizona Department of Transportation (ADOT), I would like to provide you with a brief overview of the ongoing study for the proposed Loop 202 South Mountain Freeway:

Study Process

As part of the proposed South Mountain Freeway Study, ADOT is following the federal process, as defined in the National Environmental Policy Act (NEPA), by completing an Environmental Impact Statement (EIS) on behalf of the Federal Highway Administration (FHWA). The Draft EIS will present information about the study's purpose and need; alternatives developed and studied in detail; potential impacts to the social, economic and natural environment, including measures to avoid, reduce or otherwise mitigate impacts; Section 4(f) evaluation;1 and public and agency outreach.

ADOT is currently revising the Administrative Draft EIS; to include analysis of the Maricopa Association of Government's (MAG) proposed changes to the Regional Transportation Plan. These changes include reducing the overall "footprint" of the freeway to eight lanes (three general-purpose lanes and one High Occupancy Vehicle (HOV) lane in each direction) and evaluating a proposed modification to the I-15 connection in the West Valley at 59th Avenue.

Upon completion of the Administrative Draft EIS, the document will be reviewed by FHWA and other governmental agencies. ADOT's timeline for release of the Draft EIS and the associated public hearing is largely based on this review process. At this time, ADOT anticipates publication of the Draft EIS and the public hearing will occur in summer 2010, with an associated 60-day public comment period (twice the federal requirement). The Final EIS will be available for public review during a 60-day comment period. After considering any comments received on the Final EIS, FHWA will issue a Record of Decision (ROD). The ROD will identify the selected alternative for the proposed action. If a build alternative is selected, MAG will allocate funding.

While potential impacts associated with the proposed freeway, such as The foothills' well, are disclosed in the Draft and Final EIS, mitigation measures presented would become formal ADOT commitments (if a build alternative is selected) when published as part of the ROD.

1Section 4(f) of the U.S. Department of Transportation Act protects the use of public recreational land, historic resources and traditional cultural properties (TCPs). This includes an evaluation of Section 4(f) resources, a determination of impacts and an evolution of measures available to minimize impacts, when warranted.
October 31, 2001

Mary Viparina, P.E.
Project Manager
HDR Engineering
2141 E. Highland Ave., Suite 250
Phoenix, AZ 85016

Re: Scoping for South Mountain Corridor Location/Design Concept Report and Environmental Impact Statement

Dear Ms. Viparina,

Thank you for inviting us to the Agency Scoping and Field Review Workshop held on October 30 and 31. We are providing our initial comments herein.

Arizona Revised Statutes Title 17 gives the Arizona Game and Fish Department the authority for wildlife management in Arizona, except on Indian Reservations. We also have authorities under the federal Fish and Wildlife Coordination Act to provide federal agencies recommendations to minimize impacts to fish and wildlife and their habitats that may result from federal projects that relate to water. This Act comes into play in this project due to the necessity of the highway to cross washes and the Salt River. Although the Endangered Species Act mandates certain considerations for federally protected species which are also managed by the state, the Fish and Wildlife Coordination Act mandates that consideration be given to all other fish and wildlife species.

The following information on special status species that may be present in the project vicinity is from our Heritage Information System Database. Please consider these species, as well as all state wildlife in planning your project. Keep in mind that this information is based on past occurrence records in the general vicinity of the proposed project. Some of these species may not be affected by the proposed project. However, other special status species not listed here may be present. To better assess whether your project would impact special status wildlife or other species, more current and thorough surveys at the proper time of year need to be conducted in the project area.

Arizona Game and Fish Department, Heritage Data Management System, November 6, 2001.

The most significant wildlife and habitat resources that exist within the study area are in the riparian and wetland zones along the Salt River. As the Salt flows west the amount of water in the river, and thus the amount of wetland and riparian habitat, increases. The Salt River on the western end of the study area supports some highly developed riparian habitat that is habitat for many species of fish and wildlife. The broadleaf riparian and mesquite bosque communities along the Salt River support a diverse community of migratory songbirds. The Yuma clapper rail is a federally listed Endangered species that occurs in the emergent vegetation habitats along the Salt River. Other high priority species in the area include the yellow-billed cuckoo (federal candidate species), the black-crowned night heron, and the osprey. Xeririparian habitats (desert washes) also have high value to many species of wildlife not only due to the vegetation, but as movement corridors. Burrowing owls may be present in open upland areas along proposed highway alignments. If these areas are to be disturbed, the Department recommends that the owls be captured and relocated by experienced personnel. The following is a summary of the issues of concern to the Department:

Riparian and other Habitat: The Department would support an alternative that minimizes impacts to the riparian habitats along the Salt River. Crossing locations over the Salt River on the eastern end of the project study area would minimize disturbance to these key riparian areas. The Department would prefer an alignment that utilizes previously disturbed areas, existing highway corridors or farmland. The Department wishes that the NEPA analysis quantities and compare the relative impacts of the alternatives under consideration to riparian habitats. This would be best presented with a matrix showing the relative quantity and quality of habitat that would be disturbed by the alternatives under consideration.

Habitat Loss Replacement: The Department wishes to ensure that all habitat losses are replaced per the Department policy 12.3 (enclosed). Through the 404 permitting process the Corps of Engineers usually requires replacement of habitat within the waters of the United States. Our compensation policy, as well as that of the U.S. Fish and Wildlife Service, seek replacement of upland habitat as well. The Department would prefer that
Ms. Viparnna  
11/07/01

habitats be replaced either through improvement of existing habitat through fencing or other projects, or by acquisition and preservation of lands that are destined for development.

Wildlife Movement Corridors: The proposed project has the potential to cut off wildlife’s access to water and interrupt wildlife movement corridors. The Department would like to meet with the project planners to identify key movement areas and ensure that drainage crossing are adequately sized to accommodate wildlife movement where necessary. Further, we would like to identify areas where the highway may cut off access to water. In such situations if water is provided on both sides of the road, this would eliminate wildlife crossings and vehicle/wildlife collisions.

Wildlife Fencing Specifications: The Department’s wildlife fencing specifications are enclosed. These specifications are designed to prevent livestock from crossing the fence, while ensuring that deer and other wildlife can cross without becoming entangled in the fence.

Access: The Department wishes that access to roads onto public lands and State trust lands be maintained for hunters, wildlife enthusiasts, off-highway vehicle users and other users of these lands. If access is cut off, it is likely that historical users will cut fences to access these roads, and this will result in livestock getting on the highway creating severe safety hazards. We would like to meet with the project planners to specifically identify key access points to maintain and develop safe and sensible designs to provide access from the new highway or other points.

Non-interruption of Flows: The Department wishes to ensure that highway construction does not cut off or divert flows that currently support native wash vegetation downstream.

Thank you for the opportunity to provide input into the planning of this highway. Please contact me at (480)981-9400 X 222 to set a time to discuss in more detail issues we have identified. We are looking forward to working with you and the agencies involved in the development of this highway.

Sincerely,

Russell A. Haughey  
Habitat Program Manager, Region VI

Ms. Viparnna  
11/07/01

cc: Rod Lucas, Region VI Supervisor  
Bob Broscheid, Habitat Branch  
Josh Hurst, Wildlife Manager

RH:th
Appendix 1-1 - A127

Appendix 1-1

Arizona Game and Fish Department Operating Manual
Section 1: Wildlife, Habitat and the Environment
Chapter 2: Habitat and the Environment

12.1 Races, Bails, Endorse

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

Procedures: While recognizing a segment of the population innocently enjoys involvement in road/trail races, rallies, endurance, and similar events, organized or otherwise, the Department’s primary concern is protection of wildlife resources and habitat. Department employees are requested to be alert to such activities and inform management.

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

12.2 National Environmental Act Compliance

Department Policy: The Arizona Game and Fish Department will comply with the National Environmental Policy Act of 1969. This requires that every proposed Federal Aid project be examined objectively to determine if it will have the environment in the environment in accordance with NEPA in Federal Aid Projects. For projects that may have an effect on the environment, the Department will comply with the objectives of NEPA on any other project or proposal that may have an effect on the environment.

12.3 Wildlife and Wildlife Habitat Compensation

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

Authority: The Director of the Arizona Game and Fish Department is authorized under A.R.S. Title 17, Chapter 2, Subchapter D, to perform the necessary administrative tasks required to manage the wildlife resources of the State of Arizona. Pursuant to these duties and in accordance with federal environmental laws and resource management acts, such as the National Environmental Policy Act, Fish and Wildlife Coordination Act, and Endangered Species Act, the Director is further charged with cooperating in the determination of potential impacts to Arizona’s wildlife resources resulting from federally funded land and water projects. In addition, a Commission M.O.U. assigns similar responsibilities for evaluating proposed projects on lands administered by the State Land Department. An integral part of this process is the development of adequate compensation measures aimed at eliminating or reducing project-associated impacts.

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

A. Resource Category I:

1. Designation Criteria. Habitats in this category are of the highest value to Arizona wildlife species, and are unique and/or irreplaceable on a statewide or region basis.
2. Compensation Goal. No loss of existing in-kind habitat.
3. Guidelines. The Department will recommend that all potential losses of existing habitat values be prevented. Insignificant changes that would not result in adverse impacts to habitat values may be acceptable provided they will have a significant cumulative impact.

B. Habitat Types. Habitat types associated with Resource Category I shall include, but not limited to the following examples:

a. Perennial riparian habitats.

C. Resource Category II:

1. Designation Criteria. Habitats in this category are of high to medium value for Arizona wildlife species and are relatively abundant on a regional basis.
2. Compensation Goal. No loss of existing in-kind habitat.
3. Guidelines. The Department will recommend ways to minimize or avoid habitat losses. Anticipated losses will be compensated by replacement of habitat values in-kind, or by substitution of high value habitat types by increased management of replacement habitats, so that no net loss occurs.

D. Habitat Types Involved. Habitats in this category are the following examples:


E. Resource Category III:

1. Designation Criteria. Habitats in this category are of high value for Arizona wildlife species and are relatively scarce or becoming scarce on a statewide or regional basis.
2. Compensation Goal. No net loss of existing habitat values, while minimizing loss of in-kind value.
3. Guidelines. The Department will recommend that all potential losses of Resource Category II habitat values be avoided or minimized. If significant losses are likely to occur, the Department will recommend alternative sites to immediately rectify, reduce, or eliminate these losses over time.

F. Habitat Types. Habitat types associated with Resource Category III shall include, but not limited to, the following examples:

a. Key utilization areas for anadromous and migratory fish.

G. Resource Category IV:

1. Designation Criteria. Habitats in this category are of medium to low value for Arizona wildlife species, due to proximity to urban development or low productivity associated with these lands.
3. Guidelines. The Department will recommend ways to avoid or minimize habitat losses. Should losses be unavoidable, the Department may make a recommendation for compensation, based on the significance of the loss.

H. Habitat Types Involved. Habitats types associated with Resource Category IV shall include, but not limited to, the following examples:

a. Agricultural lands.

I. Undeveloped urban areas (i.e., land proximal to waste water treatment facilities, municipal water supplies, and undeveloped lands in proximity to municipal and industrial areas).

J. Habitats exhibiting low wildlife productivity as a result of man's influence.
ARIZONA GAME AND FISH DEPARTMENT
STANDARD GAME FENCE SPECIFICATIONS

The following are fence specifications on cattle allotments intended to facilitate safe movements by wildlife.

Standard AGFD Recommended Fence Specifications.

<table>
<thead>
<tr>
<th>Wire</th>
<th>Type</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>smooth</td>
<td>16&quot; above ground</td>
</tr>
<tr>
<td>2nd</td>
<td>barbed</td>
<td>6&quot; above bottom wire</td>
</tr>
<tr>
<td>3rd</td>
<td>barbed</td>
<td>8&quot; above second wire</td>
</tr>
<tr>
<td>4th</td>
<td>smooth</td>
<td>12&quot; above third wire</td>
</tr>
</tbody>
</table>

Total Fence Height = 42"

Additional Specifications: 20-25 feet between T-posts, with at least three equally spaced stays in between each post.

Most Important Specifications:
- total fence height
- height of bottom wire
- space between 1st and 4th wire
- fence stays and spacing between posts
- smooth bottom wire

Negotiable Points:
- smooth top wire
- space between 2nd and 3rd wire
- space between 1st and 2nd wire
- total height up to 44"
Appendix 1-1

Fence Specifications in Bighorn Sheep Range

<table>
<thead>
<tr>
<th>Wire</th>
<th>Type</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>smooth</td>
<td>20&quot; above ground</td>
</tr>
<tr>
<td>2nd</td>
<td>barbed</td>
<td>15&quot; above bottom wire</td>
</tr>
<tr>
<td>3rd</td>
<td>smooth or barbed</td>
<td>4&quot; above second wire</td>
</tr>
</tbody>
</table>

Total Fence Height = 39"

Burro Exclusion Fence Specifications in Bighorn Sheep Range

<table>
<thead>
<tr>
<th>Wire</th>
<th>Type</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>rail</td>
<td>20&quot; above ground</td>
</tr>
<tr>
<td>2nd</td>
<td>rail</td>
<td>15&quot; above bottom rail</td>
</tr>
<tr>
<td>3rd</td>
<td>barbed</td>
<td>8&quot; above second rail</td>
</tr>
<tr>
<td>4th</td>
<td>barbed</td>
<td>4&quot; above third wire</td>
</tr>
</tbody>
</table>

- OR -

<table>
<thead>
<tr>
<th>Wire</th>
<th>Type</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>barbed</td>
<td>20&quot; above ground</td>
</tr>
<tr>
<td>2nd</td>
<td>barbed</td>
<td>15&quot; above bottom rail</td>
</tr>
<tr>
<td>3rd</td>
<td>barbed</td>
<td>6&quot; above second rail</td>
</tr>
</tbody>
</table>

Total Fence Height = 42 - 48"

Fence Specifications for Pronghorn Habitat

<table>
<thead>
<tr>
<th>Wire</th>
<th>Type</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>smooth</td>
<td>15&quot; above ground</td>
</tr>
<tr>
<td>2nd</td>
<td>barbed</td>
<td>14&quot; above bottom wire</td>
</tr>
<tr>
<td>3rd</td>
<td>barbed</td>
<td>12&quot; above second wire</td>
</tr>
</tbody>
</table>

Total Fence Height = 42"

Additional Specification: Sixteen to thirty feet between posts; no fence stays between posts that are less than 20 feet apart, only one stay between posts greater than 20 feet apart.

Note: The AGFD standard recommended fence is an adequate alternative. However, stays should be omitted, or reduced in number if deer are generally absent from the area.

---

ARIZONA GAME AND FISH DEPARTMENT
PVC Fence Crossing for Elk
April 11, 1994

Materials:
10' 1/4" or 1¼" PVC
Boundary Fence
Wire Cutters
Leather Gloves

Instructions:
1. Remove fence stays between the primary fence posts.
2. Cut the top two wires approximately 18-24 inches from one of the primary posts.
3. Run both wires through the PVC. Then re-stretch and re-tie both wires.
4. Use smooth wire to form wire stays that hold down the PVC to the bottom two wires.

Notes:
Time to install = 10-15 minutes.
Cost = $2.00-$3.00 for PVC.

Revised 4/11/94
Habitat Branch
RVJaw
Ms. Fiona Goodson  
January 18, 2002  

2

The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

If you have any questions regarding the attached species list, please contact me at (602) 789-3618. General status information and county distribution lists for special status species are also available on our web site at: http://www.azgfd.com/Tempe/FishWildlife/Data/Corridor/Species/Spec_list.htm

Sincerely,

Bob Broude  
Heritage Data Management System, Coordinator

SSS:38  
Attachment

cc: Bob Broude, Project Evaluation Program Supervisor  
Russ Haughey, Habitat Program Manager, Region VI

AGFD #1-11-02(03)
STATUS DEFINITIONS
ARIZONA GAME AND FISH DEPARTMENT (AGFD)
HERITAGE DATA MANAGEMENT SYSTEM (HDMS)

FEDERAL US STATUS

ESA Endangered Species Act (1973 as amended)
US Department of Interior, Fish and Wildlife Service (http://arizonas.fws.gov)

Listed
LW Listed Endangered: imminent jeopardy of extinction.
LT Listed Threatened: imminent jeopardy of becoming Endangered.
XN Experimental Nonessential population.

Proposed for Listing
PE Proposed Endangered.
PT Proposed Threatened.

Candidate (Notice of Review: 1999)
C Candidate. Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.
SC Species of Concern. The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).

Critical Habitat (check with state or regional USFWS office for location details)
Y Yes: Critical Habitat has been designated.
P Proposed: Critical Habitat has been proposed.

[ UN Listed Status: certain populations of this taxon do not have designated status (check with state or regional USFWS office for details about which populations have designated status)].

US Department of Agriculture, Forest Service, Region 3 (http://www.fs.fed.us/r3/)
S Sensitive: those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.

BLM US Bureau of Land Management (2000 Animals, 2000 Plants)
S Sensitive: those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
P Population: only those populations of Banded Gila monster (Heloderma suspectum cinctum) that occur north and west of the Colorado River, are considered sensitive by the Arizona State Office.

Status Definitions

NPL Arizona Native Plant Law (1999)
Arizona Department of Agriculture (http://agriculture.state.az.us/PSD/nativeplants.htm)

HS Highly Safeguarded: no collection allowed.
SR Salvage Restricted: collection only with permit.
ER Export Restricted: transport out of State prohibited.
SA Salvage Assessed: permits required to remove live trees.
HR Harvest Restricted: permits required to remove plant by-products.

WSCA Wildlife of Special Concern in Arizona (1996 in prep)
Arizona Game and Fish Department (http://www.agfd.com)
WC Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department’s Listing of Wildlife of Special Concern in Arizona (WSCA, in prep). Species indicated on prunions as WC are currently the same as those in Threatened Native Wildlife in Arizona (1988).

Revised 10/31/99. AGFD HDMSS
2/HDMS/DOCUMENTS/BOOKS/TEMPLATE/HDMSSTATEDEF
Special Status Species within .5 Miles of T2N,R1E Sec 33-36; T2N,R2E Sec 31-34; T1N,R1E Sec 1-36; T1N,R2E Sec 3-10, 15-22, 27-34; T1S,R1E Sec 1, 12; T1S,R2E Sec 17, 18, 20, 27, 28, 34, 35; T1S,R3E Sec 31-36; T1S,R4E Sec 31-33
Arizona Game and Fish Department, Heritage Data Management System
January 18, 2002

Scientific Name                  Common Name                ESA        USFS     BLM     WSFA    NPL
ATHENE CUNICULARIA (RAPIDASIA)   WESTERN BURROWING OWL     SC            S
SAGUAMON AMERICANO             YELLOW-RUMPED GOSHAWK       U            S        WC
ZENODORIS AUTUMNALIS           BLACK-BILLED WHISTLING-QUACK     U            S        WC
GONIOGRUS AGASSIZII (SONORAN POPULATION)   SONORAN DESERT TORTOISE SC            WC

No Critical Habitats in project area. AGFD #01-11-02(03), ADOT South Mountain Corridor Study.

THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
2221 West Greenway Road, Phoenix, AZ 85033-4369
6022 942-3000 • WWW.AZGFD.COM

May 6, 2002
Ms. Sirena Browne:
HDR
Park One
2411 E. Highland Ave.
Suite 250
Phoenix, AZ 85016-4736

Re: Special Status Species Shapefiles for South Mountain Area

Dear Ms. Browne:

Enclosed is the information requested in your April 19, 2002, email for species shapefiles for the South Mountain area (shapefile provided by HDR Engineering). The data is provided in ArcView shapefiles in NAD 27, Zone 12 projection. It is my understanding that the information is to be used to identify areas of high biodiversity for project components.

Per your request, enclosed is a diskette with a shapefile for species tracked by the Heritage Data Management System (HDMS). The HDMS focuses its efforts on special status or otherwise rare species. The data set are not intended to include potential locations, but are actual point observation or collections. The locations are one-mile radius polygons, but no names of the species are included. The areas are where special status species have been documented. The status information is included (i.e. listed endangered, BLM sensitive), but no other identifier is included, such as name or taxonomic group.

These data are still considered to contain sensitive information that if used inappropriately could worsen the situation of already sensitive species. For this reason, please consider these data as property of the Arizona Game and Fish Department (ADOT), and as such, are confidential. Consequently, the Department is providing the requested data with confirmation of your understanding and acceptance of the following conditions:

- HDMS data provided by the Department will be used solely for the purpose of analyzing areas of high biodiversity, and no other project, and will be used solely by your office to conduct analysis.

- HDMS data provided by the Department will not be distributed to other organizations, to individuals, or the public, or put on the Internet.

An Equal Opportunity Responsible Accommodations Agency
Ms. Sirena Brownelee
May 6, 2002

- No HDMS data provided by the Department will be retained after the completion of your analysis as hard or soft copy. HDMS data provided by the Department will be deleted from any and all computers used in this project and returned to the Department upon completion of the analysis.

- Site locality data will not be included in or as part of any product released to the public. The site data maps are to be used solely for internal planning efforts. Only correlation or statistics and interpretations will be made public. No maps or tables of point locations will be included in any product for external use. Any maps used for this project will be at such a scale as to cover a minimum of more than one square mile.

- All 3rd party requests for access to this data will be referred to the HDMS at the Department.

- The information being provided by the Department is for general planning purposes only, and is not to replace any future correspondence requesting special status species information for a specific project.

Previous conduct of applicants is considered in processing requests for information. Because general release of site-specific data will negatively impact sensitive species, the Department will only release this information if it can assure adequate protection to the species. If the above agreed upon terms are violated, it will be considered a breach of agreement and you will be denied site specific level information in the future.

Please feel free to contact me at (602) 789-3618 if you have any questions with the data being provided. A hard copy field definition list is also provided with the data.

Sincerely,

Sabra S. Schwartz
HDMS Coordinator

SSS:as

Enclosure
Environmental Consequences: Impacts Associated with All Action Alternatives:
Page 3-6 (last line on page); impacts are referenced as being largely restricted to a limited number of roadkills and disturbances caused by traffic noise (USDOT 2000). Roadkill and noise disturbances can result in major impacts to wildlife species. We recommend that any sections pertaining to road disturbances and how roads may be made more permeable for wildlife be expanded. Much research is being done nationwide (California, Florida, Colorado) regarding road design and their ability to support wildlife movement and the Department recommends that these studies be considered.

Wildlife movement corridors between the South Mountain Park area and the Sierra Estrella Mountains should be elevated in importance within the document. The establishment of wildlife crossings should be incorporated into the document in more detail and with a greater level of emphasis. This would allow for the potential dispersal of species between the two ranges despite the current level of degradation of the native habitats to prevent the establishment or further development of a “population sink” effect in habitats adjacent to the park. Potential locations and designs for movement corridors should be provided in the DEIS and should be included in the Measures to Minimize Harm section of the Report.

Measures to Minimize Harm:
Paragraph 2: the Report states that the Arizona Department of Transportation (ADOT) will landscape disturbed areas with native plants but does not indicate if there will be any monitoring to measure the success of the planting effort. Please indicate what steps will be taken to keep exotic species out of the revegetated areas and if there are any plans to replant if the revegetation is unsuccessful.

Paragraph 3: plans should be included on how the equipment wash water will be disposed of to avoid dispersing nonnative seeds to another location.

Paragraph 5: raised roadbeds (overpasses) allow for the maintenance of more natural vegetation, require less fill and have been demonstrated to have a higher rate of usage for more species than the standard drainage or box culvert crossing. This recommendation relates back to the above section regarding wildlife movement corridors.

Threatened and Endangered Species:
The Report should include a complete evaluation of all wildlife species, including special status species that are represented in the study area and within the 5-mile boundary. The DEIS should contain a thorough review, including potential impacts and mitigation of impacts for all species located within the 5-mile boundary. The Department utilizes boundaries that extend beyond the study area to account for wildlife movement. An evaluation should be made regarding potential impacts to each species considering their range, habitat use, breeding periods, etc.

Cumulative Impacts
The increase in non-native plants is identified, as well as the additional impacts associated with the species such as increases in non-native wildlife which are known to displace native species, e.g. European starling vs. Gila woodpecker. The document should provide potential alternatives for mitigating these foreseeable impacts to the environment. As non-native species become established in close proximity to relatively native habitat such as that in South Mountain Park, these native areas become increasingly stressed and therefore more susceptible to invasion by non-native species.

This section should also address the cumulative impacts that may occur to Tres Rios in relation to all project activities. This description should include the influx of wildlife as previously discussed and the impacts of noise and disturbance to wildlife at Tres Rios.

The Department appreciates the opportunity to provide comments for this project and we would be interested in working with your team to address the comments provided herein as part of your range of alternatives and your preferred alternative. The Department is committed to partnering with agencies and managers to maintain wildlife permeability across the state of Arizona as habitat fragmentation is a serious issue that can cause species decline when important habitat components such as breeding sites or food sources can no longer be accessed. Populations can decline in the long term from lack of genetic variability that can eventually lead to species being federally listed as endangered or threatened.
Ms. Andrea Love
October 12, 2004

The Department looks forward to coordinating with your planning team as needed, when identifying the locations of alternative wildlife crossings. Please coordinate with Rebecca Davidson, Project Evaluation Program Supervisor at (602) 789-3602, if you have any questions regarding these comments.

Sincerely,

Bob Broscheid
Habitat Branch Chief

cc: Rebecca Davidson, Project Evaluation Program Supervisor
Renee Haugh, Habitat Program Manager, Region VI

October 25, 2004

Ms. Andrea Love
HDR Engineering, Inc.
3200 E. Camelback Rd.
Suite 350
Phoenix, AZ 85018

Re: Special Status Species Information for Township 2 North, Range 1 East, Section 33-36; Township 2 North, Range 2 East, Section 31-34; Township 1 North, Range 1 East, Section 1-36; Township 1 North, Range 2 East, Section 3-10, 15-22, and 27-34; Township 1 South, Range 1 East, Section 1 and 12; Township 1 South, Range 2 East, Section 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Section 31-36; Township 1 South, Range 4 East, Section 31-33: Proposed Freeway Connection.

Dear Ms. Love:

The Arizona Game and Fish Department (Department) has reviewed your request, dated October 6, 2004, regarding special status species information associated with the above-referenced project area. The Department’s Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project vicinity (2-mile buffer). In addition this project does not occur in the vicinity of any Designated or Proposed Critical Habitats.

The Department’s HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department’s review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation. The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.
Ms. Andrea Love  
October 25, 2004  

If you have any questions regarding this letter, please contact me at (602) 789-3619. General status information, county and watershed distribution lists and abstracts for some special status species are also available on our web site at http://www.azgfd.com/hdms.

Sincerely,

Ginger L. Ritter  
Heritage Data Management System, Data Specialist  

SSS:pdr  
Attachment  

cc: Rebecca Davidson, Project Evaluation Program Supervisor  
    Russ Haughey, Habitat Program Manager, Region VI  

AGFD #10-21-04 (01)
STATUS DEFINITIONS
ARIZONA GAME AND FISH DEPARTMENT (AGFD)
HERITAGE DATA MANAGEMENT SYSTEM (HDMS)

FEDERAL US STATUS

ESA  Endangered Species Act (1973 as amended)
US Department of Interior, Fish and Wildlife Service (http://arizonaes.fws.gov)

Listed
LE  Listed Endangered: imminent jeopardy of extinction.
LT  Listed Threatened: imminent jeopardy of becoming Endangered.
XN  Experimental Nonessential population.

Proposed for Listing
PE  Proposed Endangered.
PT  Proposed Threatened.

Candidate (Notice of Review: 1999)
C  Candidate. Species for which USFWS has sufficient information on biological vulnerability and threats to support proposals to list as Endangered or Threatened under ESA. However, proposed rules have not yet been issued because such actions are precluded at present by other listing activity.

SC  Species of Concern. The terms "Species of Concern" or "Species at Risk" should be considered as terms of art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).

Critical Habitat (check with state or regional USFWS office for location details)
Y  Yes: Critical Habitat has been designated.
P  Proposed: Critical Habitat has been proposed.

UN  No Status: certain populations of this taxon do not have designated status (check with state or regional USFWS office for details about which populations have designated status).

US Department of Agriculture, Forest Service, Region 3 (http://www.fs.fed.us/r3/)
S  Sensitive: those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.

BLM  US Bureau of Land Management (2000 Animals, 2000 Plants)
S  Sensitive: those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
P  Population: only those populations of Banded Gila monster (Heloderma suspectum cinereum) that occur north and west of the Colorado River, are considered sensitive by the Arizona State Office.

StatusDefinitions 3

STATE STATUS

Plants - NPL  Arizona Native Plant Law (1999)
Arizona Department of Agriculture (http://agriculture.state.az.us/PSD/nativeplants.htm)

HE  Highly Endangered: no collection allowed.
SR  Salvage Restricted: collection only with permit.
ER  Export Restricted: transport out of State prohibited.
SA  Salvage Assessed: permits required to remove five trees.
HR  Harvest Restricted: permits required to remove plant by-products.

Wildlife - WSC  Wildlife of Special Concern in Arizona (in prep)
Arizona Game and Fish Department (http://www.agfd.com)

WSC  Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department’s listing of Wildlife of Special Concern in Arizona (WSC, in prep). Species indicated on this list as WSC are currently the same as those in Threatened Native Wildlife in Arizona (1988).

Revision 2/200, AGFD-HDMS
3/HDMS/DOCUMENTS/BOOKS/TEMPLATE/ORDEREDSTATUS.DOC
The Burrowing Owl Project

The Burrowing Owl is a beneficial raptor that lives in underground burrows and eats mice and insects. Because the owl is active during the day, nearby residents become very attached to them and protective of their welfare. Unfortunately, in the past, heavy equipment has been used to prepare a site where the owls were still living there, in many cases killing the adult owls and burying baby owls in the nest. No one would deliberately chop down a tree with an eagle on a nest, yet that is what is happening to the Burrowing Owl. Because this bird lives underground, it is not immediately apparent that there are protected birds in danger. Moving the birds out of the way is very inexpensive compared to a project delay. A licensed specialist, such as Wild At Heart in Cave Creek, Arizona, can remove the owls and relocate them to an area that won't be developed.

For More Information

- To report the location of a Burrowing Owl burrow that lies in the path of development, or to request help in removing an owl, contact:
  Bob Fox
  WILD AT HEART
  31840 North 45th Street
  Cave Creek, Arizona 85331
  (480) 935-5047

- To request help in finding or evaluating a site for artificial burrows, contact:
  Greg Clark
  Burrowing Owl Project
  650 South 79th Street
  Chandler, Arizona 85226
  (480) 951-4047

- Visit the Burrowing Owl Project web site at http://mirror.pole.com for details about owl removal, relocation and burrow installation locations.

- For more information about Arizona Partners in Flight contact:
  Jennifer Martin
  Arizona Partners in Flight
  Arizona Game and Fish Dept.
  2221 W. Greenway Road
  Phoenix, Arizona 85023-4399
  (602) 766-3576
  jmartin@gf.state.az.us

Where Are the Owls Found?

It is possible to find Burrowing Owls anywhere in Arizona where the land is flat and open. The most likely locations are near agricultural fields where the burrows are found in dirt canal banks and culvert pipes. Burrowing Owls are also found in undisturbed desert and grassland areas where vegetation is sparse and there are very few big trees.

What is Relocation?

Burrowing Owls can be safely captured by an expert and held for later release. Typically, the site for the release is designated within or near the development, and artificial burrows are installed in advance of capture. The cost of materials for a burrow is only $10, and digging the hole for installation is quick and easy with a backhoe.

Developers, Ostriches and Native Birds

Don’t let poor planning cause delays and cost you money!

If you do not leave this owl well alone, you’ll be paying billions to delay projects that make millions of the neighbors. Don’t try to save your company millions by breaking federal laws. Arizona Bird Family Act of 1989.

Be Part of the Solution

Burrowing Owls are a valuable addition to a development. Wholly beneficial, they catch insects, such as scorpions, and rodents that most people would rather not have around. In addition, the owls can be an important educational resource for schools and children.

The burrow project involves creating a backflow and sipper to excavate the hole for an artificial burrow.

ASC student digging a hole for an artificial burrow.

Partners in Flight

Partners in Flight is an international cooperative program of agencies, organizations, and individuals committed to conserving our neotropical migratory and native land birds.

Arizona Partners in Flight (APIF) is a subgroup of this international program. Its goal is to maintain healthy populations of Arizona’s birds and their habitats.

This brochure was created as part of the Partners in Flight Conservation Initiative. Through improved habitat management and environmental awareness, Partners in Flight strives to reverse the declining numbers of many North American bird species and to work toward keeping common birds common.
GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES
ENCOUNTERED ON DEVELOPMENT PROJECTS
Arizona Game and Fish Department
Revised January 17, 1997

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

Desert tortoises of the Sonoran population are those occurring south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position at all times and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 105 degrees Fahrenheit unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to two miles, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 105 degrees Fahrenheit, the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g., housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises. Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mohave population of desert tortoises (north and west of the Colorado River). Mohave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.

- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.

- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

RAC:No.1024

STATE OF ARIZONA
Office of Homeland Security
1700 W. Washington Street Phoenix, AZ 85007
(602) 542-7030 Facsimile: (602) 944-1521

JANET NAPOLITANO
GOVERNOR

FRANK R. NAVARRETE
DIRECTOR

June 15, 2006

Victor M. Mendez
Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135 A
Phoenix, Arizona 85007

Dear Director Mendez:

The intent of this letter is to document the Arizona Office of Homeland Security's position concerning the proximity of the South Mountain Freeway to the task farm at 55th Avenue and Van Buren Street.

The security of the task farm will not be compromised by the alignment and design of the freeway as long as the changes outlined by City Manager Fred Fairbanks in a June 2, 2006 letter are made.

These changes include:

- Shift freeway alignment as far west as possible, while remaining in the vicinity of the 55th Avenue corridor;
- Minimize the take of land from the task farm site;
- Build a screen wall or barrier that will block the line of sight from trucks on the freeway mainline and northbound off-ramp into the task farm. The ramp barrier should be designed to prevent a heavy vehicle from penetrating into the task farm; and
- Collaborate with representatives from the Arizona Counter-Terrorism Information Center in developing appropriate protection solutions for the task farm in relation to potential effects from the freeway right-of-way.

Sincerely,

Frank F. Navarrete, Director
Office of Homeland Security
GILA RIVER INDIAN COMMUNITY
SACATON, AZ. 85247

December 2, 1986

Mr. Charles Miller
Director, Arizona Department of Transportation
206 South 17th Avenue
Phoenix, Arizona 85007

Dear Mr. Miller,

As the design stage of the Southwest and Southeast Loops nears, it is important to restate the Tribe’s concern that adequate north-south access will serve Gila River Indian Community lands. Although it is still the Tribe’s position that a Queen Creek alignment would better serve all parties than the Pecos Road alignment recommended by the Maricopa Association of Governments, we have been actively and beneficially involved in route reconnaissance stage activities with ADOT’s consultant teams, HDR, Inc. and Dames and Moore, and with ADOT liaison person Steve Miller. Through them, we have indicated that we will require access at the following points:

• A full T.I. at 59th Avenue;
• A grade separation at 51st Avenue;
• A T.I. at 35th Avenue;
• A T.I. at 19th Avenue;
• A T.I. at 7th Street;
• A T.I. at 32nd Street;
• A T.I. at 40th Street;
• A grade separation at 48th Street;
• A grade separation at 56th Street;
• A grade separation at Kyrene Road;
• A T.I. at McClintock Road.

These locations were developed in conjunction with the City of Phoenix Department of Transportation to assure compatibility with South Mountain developments while serving Tribal needs in a meeting held June 17, 1985, and have been discussed with City of Chandler staff on a number of occasions.

In addition to the above access points, the Tribe must maintain full access to Reservation lands at the freeway-to-freeway interchanges at I-10 and at Price Road. We believe that the complexity of the interchange at I-10 as presented in the concept stages has negative impacts on access to Phase-Chandler Industrial Park, one of the Tribe’s most important economic resources. Similarly, the interchange at Price Road, as presented in concept, did not provide direct access to the south to Tribal lands. These concerns have been stated to both consultants and ADOT representatives.

Because of the proposed freeway location approximately one-quarter mile north of the Reservation boundary, there is a gap between the freeway and Reservation lands that must be acquired as right of way to provide access from the freeway to the Reservation boundary. It is of utmost concern to the Tribe that this access be guaranteed as part of the right of way reservation activities presently being undertaken by ADOT. Further, it is equally important that commitment to the type and location of access points be made at this time so that the Tribe can begin the necessary steps to plan and reserve right of way, drainage, and other facilities on the Reservation.

Before consultants and ADOT staff begin final design recommendations, it is imperative that the Tribe have a commitment from ADOT designating the type and location of access points, and a commitment that ADOT will acquire right of way and fund construction of roads from those access points across the gap between the Reservation lands and the freeway.

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

Sincerely,

DONALD R. ANTOINE, SR. - GOVERNOR
GILA RIVER INDIAN COMMUNITY

DRA/dh
cc:
Mr. James Stevens, Director, Bureau of Indian Affairs, Phoenix Area Office
Mr. Vernon Palmer, Acting Superintendent, Pima Agency
Mr. Steven Martin, ADOT
Mr. Eric Keen, Dames and Moore
Mr. Bill Korf, HDR Infrastructure, Inc.
July 13, 1989

Mr. Larry Landry
Landry Associates
2 N. Central #1950
Phoenix, Arizona 85004

Dear Mr. Landry,

During our recent meeting discussing roads development plans on the reservation, you requested clarification of the Gila River Indian Community's north-south access points to the Southwest Loop Freeway. We indicated that the tribe's master plan for the northern border area identifies 7th Street as critical and necessary to serve existing and planned development. However, 7th Avenue is not needed for access to Community lands, as staff has made clear on a number of occasions during Technical Advisory Committee sessions with ADOT and its consultant, HDR, Inc.

I hope this clarifies the tribe's position on 7th Street, rather than 7th Avenue, being the requested point of access. If you have any further questions, please do not hesitate to contact me.

Sincerely,

THOMAS R. WHITE - Governor
GILA RIVER INDIAN COMMUNITY

cc: Cantone, Land Use Planning
    DHallock, OP&Z

ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
206 South Seventeenth Avenue Phoenix, Arizona 85007

THOMAS A. BREYFOIL
State Engineer

July 3, 1989

Dorothy Hallock
Comprehensive Planner
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85247

RE: South Mountain Freeway

Dear Dorothy:

Recent statements made by Gila River Indian Community (GRIC) staff at various meetings indicate that there is some confusion regarding location of the South Mountain Freeway and access afforded the GRIC to the freeway.

For your information, I have attached one of our handouts depicting the alignment, design features and approximate right-of-way for the South Mountain Freeway.

I should point out that sheet 5 of 11 fails to show the proposed Estrella Drive grade separation which is part of the Design concept. Otherwise, these handouts are consistent with the Design Concept Report, Design Concept Report Plans Set, and Final Environmental Assessment transmitted to GRIC July 27, 1988.

If you have any questions or need further clarification, please do not hesitate to contact me.

Sincerely,

JOHN L. LOUIS
Assistant Urban Highway Engineer
Urban Highway Section

JLL: SAM: vlb
Attachment

cc: Ed Wueste, FRHA
The Honorable Mayor Skip Romaza  
July 12, 1999  
Page 2

Since the toll road concept has been abandoned, the Community has not pursued further discussions as to any alternative alignment(s) on our land. However, ADOT has recently requested the Community’s consideration on an alignment south of South Mountain. The Community’s Gila Borderlands Plan conveyed a conceptual plan for an alternative alignment if the toll road concept had proved feasible and advantageous to our Community.

We remain very concerned that your office did not communicate its intent to circulate a plan of this nature, prior to distribution, given the key role the Community would have in the proposed project. If a project of this magnitude were to occur, it would be on a government to government relationship. However, a planner within the City of Phoenix’s Planning Department distributed it to two staff members of mine who are not directly involved in transportation planning issues. In the future, I strongly suggest that documents of this nature be provided directly to my office with copies to Ms. Sandra Shade, Director of our Community’s Department of Transportation via the Mayor’s office.

In closing, our Community has roadways within our respective areas which we consider to be a priority. The dilemma currently confronted by the City of Phoenix is not a priority our Community desires to undertake at this time. Should the Community desire to entertain this matter further, we will contact your office.

Sincerely,

Mary V. Thomas  
Governor

MVT:as

cc: Cecil F. Antone, Lt. Governor, GRIC  
    Community Council, GRIC  
    I-10 & Pecos Landowners Association, GRIC  
    Districts 6 & 7 Communities, GRIC  
    Sandra Shade, Director, GRIC DOT  
    Mary Peters, Director, ADOT  
    Sal DiCicco, Councilman, City of Phoenix
Memorandum

To: Mr. John D. Godec
South Mountain Corridor Team Leader

Fr: Keith R. Fohrenkam, Chairperson
GRIC District Seven

Date: December 11, 2001

Re: South Mountain Freeway

Upon the District review of your presentation on the proposed routes for the South Mountain Freeway, it is the majority ruling of the District Seven Community members to write this letter in opposition of the Freeway coming through the District Seven Community.

If you should have any further questions, please call the telephone numbers listed above. Thank you.

xc: file

January 10, 2002

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, AZ 85007

Re: Reduced Corridor Study for the South Mountain EIS

Dear Mr. Mendez:

The Gila River Indian Community (the "Community") appreciates being included as a key stakeholder for the South Mountain Corridor EIS. As you know, this corridor has been the subject of several studies during the past fifteen years. Several of these studies considered freeway alignments on our Community's lands and these studies all concluded that freeway alignments more than a few miles south of Pecos Road are not feasible.

The Community is not interested in revisiting alignments South of the Ocotillo Road section line, as referenced with the accompanying map to the Right of Entry Permit No. RE-02-01 that was granted by our Community Council on September 5, 2001.

As recently as 1996, studies showed such alignments to be infeasible. In light of the above considerations, the Community Council has indicated that the study area on Community land be limited to the area North of the Ocotillo Road section line and North of the Gila River. We do not wish to preclude options, however, we do not believe there is value in studying alignments outside this area.

We look forward to a continued working relationship with the South Mountain EIS project team.

Sincerely,

Donald R. Antone, Sr.
Governor

315 W. Casa Blanca Road • Post Office Box 97 • Sacaton, Arizona 85147 • Telephone: (520) 562-6000 • Fax: (520) 562-6010
GILA RIVER INDIAN COMMUNITY
Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor
Richard P. Nesci
Lieutenant Governor

April 25, 2002

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

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

Dear Mr. Hollis:

As you are aware, staff from our Community have partnered with members of your staff, Arizona Department of Transportation, and the consultant team regarding the Environmental Impact Statement and Design Concept Report for the South Mountain Transportation Corridor Study. In addition, we have initiated a Gila Borderlands Task Force that is currently working on updating development plans along our northern boundary which is adjacent to the proposed transportation corridor.

Our Community Council adopted a resolution in August 2000 which in essence does not support any roadway alignment on Tribal land within the proposed study area. Therefore, until such time that our Council revisits this resolution and modifies or rescinds it, the Community can not offer any alignments for inclusion into the above study.

The Gila Borderlands Task Force has had preliminary internal discussions regarding potential alignments which may be advantageous to the Community and allotted landowners. The Task Force, as a recommending body, will continue to discuss the matter at future meetings. Should the resolution issue be resolved and the alignments forwarded to the Natural Resources Stewardship Committee, the Committee will determine whether the proposed alignments have merit which warrant their support for a favorable recommendation to our Community Council. In the meantime, the Community appreciates your understanding that only the Community government has the right to designate alignment alternatives within its boundaries.
Mr. Robert E. Hollis
April 23, 2002

Members of my staff will continue to work with your staff during this study process. We look forward to a continued mutually beneficial working relationship.

Sincerely,

[Signature]

Donald R. Antonia, Sr.
Governor

cc: Richard P. Nacita, Jr. Governor
Victor Mendez, Director, Arizona Department of Transportation
Dava Pouwa, Superintendent, BIA, Pima Agency
Sandra Shade, Director, GRIC DOT

April 11, 2003

Mr. Robert E. Hollis
Division Administrator
Federal Highway Administration
Arizona Division
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004-2285

Re: HDA-AZ File #: NH-202-D(ADD)

Dear Mr. Hollis:

This correspondence is in response to your March 6, 2003 letter in which you have requested the Community to identify a corridor for study for the Environmental Impact Statement Study for the South Mountain Corridor Study.

As you will note from the attached letter to ADOT dated January 10, 2002 and accompanying map to the Right of Entry Permit, a reduced corridor study was outlined as the area North of the Occentrie Road section line and North of the Gila River.

For the Community to offer an "alignment(s)" for study, we would have to undertake a similar process that ADOT's consultant, HDR, is currently undergoing with regarding to the Environmental Impact Statement Study. If the Community were to "dictate" an alignment for study, this might defeat the purpose of the study.

As also conveyed in a letter to FHWA dated April 25, 2002 our Community Council has adopted a resolution in August 2000 which in essence does not support any freeway alignment on Tribal land within the proposed study area. Until such time that our Council revisits this resolution, the Community staff, as a part of the monthly EIS meetings, cannot offer any alignments for consideration.
Robert E. Hollis  
April 11, 2003  
Page 2

At this time, we feel that you have a corridor to study alignments. Any alignments for consideration must be ultimately approved by our Community Council.

Sincerely,

Richard P. Naraia  
Governor

cc: Mary V. Thomas, Lt. Governor  
Community Council, GRIC  
Victor Mendez, Director, ADOT

attachments: Correspondence dated January 10, 2002 to ADOT Director  
Correspondence dated April 25, 2002 to FHWA Division Administrator
April 23, 2003

Governor Richard P. Nacca
Gila River Indian Community
P. O. Box 97
Sacaton, Arizona 85427

Re: South Mountain Freeway

Dear Governor Nacca:

During this past year the Federal Highway Administration and the Arizona Department of Transportation began an Environmental Impact Study for the future South Mountain Freeway. Meetings were held in the Districts to discuss the study with their residents and several articles appeared in the Gila River Indian newspaper. As a result of these activities, our District Six residents began to inquire as to where the future freeway might be and if it would impact their property.

As you are aware, our District Six Community and the Community Council had adopted a resolution in August 2000 which did not support construction of new highways within our District boundaries.

Based upon increased interest and requests from District Six residents, a meeting was scheduled in December 2002 to provide an opportunity to update the District Six Community and respond to questions from landowners, community residents, and District Community Council members. ADOT and HDR staff and answering many questions from our residents, the District Six Community voted to permit ADOT to proceed with their study. The Community emphasized that approval did not replace the 2000 resolution.

This is a letter of support, on behalf of the District Six Community, for ADOT to proceed with the Environmental Impact Study for the future South Mountain Freeway and to abide by the resolution enacted in the year 2000.
Honorable Mayor Skip Rimsza
City of Phoenix
200 West Washington
Phoenix, AZ 85001

Re: Extension of 48th Street South to the Boundary of the Gila River Indian Community

Honorable Mayor Rimsza:

This is to apprise you of the concerns of the Gila River Indian Community (the "Community") regarding the extension of 48th Street South to the Community's boundary. In June 1998, Mr. Frank Fairbanks, Phoenix City (the "City") Manager, along with other City staff met with then Governor Mary Thomas and members of her staff. The purpose of the meeting was to discuss 48th Street and how vital the connection to the Community will be for our development plans in our North Central area which encompasses over 2,000 acres. A copy of our Gila Borderlands Study was provided which depicts development along 48th Street. During that meeting assurances that 48th Street would be constructed to our common boundary were conveyed by Mr. Fairbanks to the Community. Based upon this discussion, we proceeded with the development of this area. This included making investments in excess of $200,000,000 for our Wild Horse Pass Resort and Casino and rezoning the area South of Abrams for commercial use. This was done on the premise and understanding that 48th Street would be our "signature" extension into our development area. The appraisals and rental contracts for these developments are based on access to 48th Street that is connected through the City of Phoenix.

The February 24, 2001, Arizona Republic article on "Battle of 48th Street" indicates that "after the meeting with the City of Phoenix and the Community, the Peoria connection to 51st was redesigned, elevating one ramp and depressing the other below street level so that 48th Street could be extended to the Gila River Community border."

Since the meeting in 1998, we have relied on the commitments made by City officials. As you will note from the attached correspondence, over the past few years we have continued to communicate our intent to the City. We have never been officially informed of the contrary of any changes. We are also aware that the City requested an amendment to the General Plan allowing it to make 48th Street into a four-lane arterial road and take the street from where it ends now just South of Chandler Boulevard through Peoria Park, and into our Community. We understand that the City often extends arterial streets into other jurisdictions and requires developments to be planned around those streets.

Sincerely,

GILA RIVER INDIAN COMMUNITY

Richard P. Navea
Governor

cc: Mary V. Thomas, Lt. Governor
Community Council, GRIC
Wild Horse Pass Development Authority
Vicente Mendoza, Director, ADOT

attachments: Correspondence dated June 18, 1998 to Phoenix City Manager
Correspondence dated August 18, 2000 to Phoenix City Manager
June 18, 1998

Mr. Frank Fairbanks
City Manager
City of Phoenix
200 W. Washington
Phoenix, AZ

Dear Mr. Fairbanks,

I appreciate the visit by you and your staff members to discuss our mutual planning and transportation issues.

As you are aware, this Community has development plans for land south of Peoria Avenue, that we consider essential to our long-term economic prosperity. Included is a copy of the Gila Borderedlands Study, recently adopted by the Community Council, that reflects our current plans for the land that borders your City.

The City's agreement to extend the 48th Street right-of-way to the Community boundary, and to work with the Community in determining the mutual agreed upon alignment was very encouraging. We are currently constructing 48th Street about 1/2 mile south of Peoria Avenue, and will be locating some utilities in that vicinity. We would like to have our staff work with your staff as soon as possible to determine the exact location. Sandra Stade, our Department of Transportation Director, will be coordinating our 48th Street alignment.

I hope the City of Phoenix and the Gila River Indian Community can work cooperatively in planning and developing our mutual boundary. Please keep us informed of any issues that may impact our Community.

Sincerely,

Mary V. Thomas, Governor
Gila River Indian Community

cc: Cecil F. Antone, Lt. Governor
Sandra Stade, Transportation Director

GILA RIVER INDIAN COMMUNITY
Executive Office of the Governor & Lieutenant Governor

Donald R. Antone, Sr.
Governor
Richard P. Naczi
Lieutenant Governor

August 18, 2000

Mr. Frank Fairbanks
City Manager
City of Phoenix
200 W. Washington
Phoenix, AZ 85001

Dear Mr. Fairbanks:

In June of 1998 representatives from the Gila River Indian Community and the City of Phoenix met to discuss mutual planning and transportation issues regarding the extension of 48th Street south to our Community's boundary. It is my understanding that the City agreed to extend 48th Street and to work with our staff in determining the mutual agreed upon alignment of the roadway.

We are still interested in pursuing this important project because as the Community conveyed during the earlier meetings, our long range plans include a variety of economic and commercial developments on over 2,000 acres that will surround our Wild Horse Pass Casino.

We would like to request a meeting with you and representatives of the City's transportation staff to discuss the 48th Street extension. Please have a member of your staff contact Ms. Carol Buckles, Executive Assistant, at (520) 562-6010 to schedule a date and time. Should your staff have any questions or desire additional information they may contact Ms. Sandra Stade, Director for our Community's Department of Transportation at (520) 562-6110.

Sincerely,

Richard P. Naczi
Lt. Governor

cc:

Donald R. Antone, Sr., Governor
Sandra Stade, Director, GRIC DOT
Dala Gesneris, Counselor, GRIC

315 W. Casa Blanca Road Post Office Box 97 • Sacaton, Arizona 85247 • Telephone: (520) 562-6000 • Fax: (520) 562-6020
September 10, 2003

Honorable Mayor Neil Giuliano, Chair
Transportation Policy Committee
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, AZ 85003

Dear Chairman Giuliano:

Recently, representatives from the Maricopa Association of Governments (MAG), a member of the Transportation Policy Committee (TPC), and a City of Phoenix representative met with members of my staff to discuss the possibility of our Community supporting a motion at an upcoming TPC meeting regarding the South Mountain Freeway.

During the past two years, the Gila River Indian Community has participated, as a key stakeholder, in the Environmental Impact Statement (EIS) Study for the South Mountain Freeway Corridor. Meetings have been held with the administrators for the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) to inform them of the Community's position regarding the proposed freeway. In addition, our Community Council adopted a Resolution in August 2000, which in essence, does not support any freeway alignment on Tribal lands within the proposed study area. Therefore, until such time that our Council revisits this Resolution, the Community will not support or endorse any proposed alignments within our boundary.

We feel strongly that it is premature for any freeway alignment to take precedence over another given that the EIS study is still two years away from a Record of Decision. Further, we feel that any alignments identified outside the Community's boundary should not be precluded from the study and must also include the original Peace Road alignment that was identified in MAG's Long Range Transportation Plan in 1993.

Sincerely,

Richard P. Nava
Governor

cc: Mary V. Thomas, Lt. Governor
Gila River Community Council Members
Urban Gaff, Community Manager
Gary Bishop, Executive Assistant, GRIC
Sandra Shade, Director, GRIC DOT
David Faussett, Superintendent, BIA Pima Agency
Fuster Mendez, Director, ADOT
Bill Hayden, Special Assistant to Director, ADOT
Robert Hollis, Division Administrator, FHWA
Tennis Smith, Executive Director, MAG
Richard P. Narica
Governor

Gila River Indian Community
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

October 14, 2005

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. Seventeenth Avenue
Phoenix, AZ 85007

Dear Director Mendez:

On behalf of the Gila River Indian Community (the “Community”), I appreciate the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) for taking the time to meet to discuss important transportation issues that face our respective organizations.

As such, I believe the key to building a successful partnership is to develop a better communication process and protocol. Central to this effort is the need to identify a point of contact in our respective organizations that is both knowledgeable and capable of speaking in an official capacity. For the Community, Ms. Sandra Shade, Director, Gila River Department of Transportation will continue to serve as the primary contact.

Consistent with our discussion, the Community would like to have Mr. Bill Hayden serve as the ADOT’s primary liaison to the Community. As a part of your current team, Mr. Hayden brings to the table the requisite experience in working with tribal governments. He has an established relationship with the Community Council, key staff, and the Bureau of Indian Affairs (BIA). Of equal importance are his experience, knowledge and respect for our tribal protocol. The Lieutenant Governor and I both feel strongly that Mr. Hayden has demonstrated the ability to work with our leadership in an effective manner and, therefore, remains unyielding in our request that he serve as the key point of contact from ADOT to work with our Community on this project. We believe Mr. Hayden will move this project forward in a positive manner in the spirit of communication and cooperation with all stakeholders.

Importantly, the Community recognizes the Interstate 10 (I-10) Widening Project as the number one statewide priority project for ADOT. As such, we feel strongly that ADOT

must bring an experienced and professional project management team who will work closely with our key staff in moving this project forward.

The Community Council adopted Resolution CR-119-05 on August 5, 2005 that identifies several priority areas regarding the alignment, improvement, operation and maintenance of, and access to Interstate 10 within the boundaries of our Community. A copy of this resolution has been provided to you and Mr. Robert Holli of FHWA so that your respective organizations may begin the review process while we concurrently move forward with a Community outreach program and additional input and participation.

Again, it was a pleasure to have the opportunity to meet with you and Mr. Holli and I look forward to a mutually beneficial working relationship. Your consideration of the Community’s recommendations is greatly appreciated.

Sincerely,

Richard P. Narica
Governor
Gila River Indian Community

cc: Lt. Governor Mary V. Thomas
Gary Bohnet, Chief of Staff, GRIC
Sandra Shade, Director, GRIC DOT
Robert Holli, FHWA Division Administrator
The Honorable Governor Janet Napolitano
December 20, 2005

Mr. Victor Mendez
Director
Arizona Department of Transportation
206 S. 17th Avenue
Phoenix, AZ 85007

Dear Director Mendez:

As you are aware, there has recently been considerable public debate on the future of the proposed South Mountain Loop 202. In an effort to clarify the position of the Gila River Indian Community ("the Community") on this issue please accept this letter to reaffirm that the Community does not support any freeway alignment on tribal lands.

Consistent with a Community Council resolution (GBIC-126-90) adopted in August 2000 and, more recently, a motion that was adopted by the Council on December 8, 2005 to reaffirm the August 2000 resolution, the Community remains steadfast in its position on the proposed South Mountain Loop 202. Importantly, it is the authority of the Community Council to determine the transportation policy of the Community. Therefore, until such time that the Community Council revisits the action, the Community will not support or endorse any proposed alignment within the boundaries of the reservation.

While the Community appreciates being a key stakeholder in the Environmental Impact Statement ("EIS") process to date, with the heightened level of public debate on this issue it is important for the Community to express its position as clearly as possible. To any public forum it is our hope the Community's position is communicated accurately. Indeed, on behalf of the Community we look forward to working with you on other significant transportation projects that are of common interest.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Richard P. Nacita
Governor

cc: Community Council, GBIC
    Robert Medina, Division Administrator, FHWA
    Sandra Blake, Director, GEDCOT
    Cecilia Martinez, Acting Superintendent, BIA, Pima Agency

315 West Casa Blanca Road • PO Box 97 • Sacaton, Arizona 85247
Telephone: (520) 562-6000 • Fax: (520) 562-6010 • Email: executiveoffice@gric.niz.us

May 23, 2006

FOR MORE INFORMATION CONTACT: Jeri Thomas
Community Public Information Officer
Gila River Indian Community
(520) 562-6000
(520) 562-6030

Executive Office of the Governor and Lieutenant Governor
-- Media Advisory --

Governor William R. Rhodes States
The People of Gila River Indian Community
Are Entitled to Vote on Loop 202 Issue

Sacaton, Arizona -- William R. Rhodes, Governor of the Gila River Indian Community, who in the past several weeks has raised speculation among off-reservation residents, politicians, and highway transportation officials that building the South Mountain Freeway on reservation land may still be a possibility, despite past rejection of such a proposal by the Community Council, says his suggestion that the freeway issue should be decided by tribal members in a voter referendum is out of concern that all affected landowners and community residents be heard on the matter.

Rhodes said he acknowledges that the community's District Six council passed district legislation opposing building the freeway on district land, and that the Gila River Community Council reaffirmed that opposition last year. "District Six, they have a legal resolution, and the Community Council resolution reaffirming the District Six resolution is legal," he said, but he noted that during his campaign for governor land owner groups approached him with concerns about not having a voice when opposition was raised.

"The landowners are saying, 'We didn't get a chance to vote.' That's true, if you're not from that District (Six), you didn't get to vote," Rhodes said. He explained that tribal members who have land interest in the affected area of the proposed South Mountain Freeway aren't necessarily members of District Six;
they may be enrolled members in any of the other six districts of the Gila River Indian Community.

This oversight can be remedied, he said, "Their right to vote can come through a voter referendum. This issue has been going on for the past three to four administrations, we will get an answer, and the way get an answer is by a referendum vote. I'm doing this to protect the peoples' rights. They have a right to a referendum."

Rhodes said the bylaws and constitution of the Gila River Indian Community outlines two ways that such a referendum can be held—one, it can be called by a resolution of the Community Council; two, it can called if at least 10 percent of the registered voters in the community sign a petition.

Article 13—Referendum, of the Community's Constitution reads, "A referendum on any enacted or proposed ordinance or resolution or other action of the Council shall be called by a petition of 10 percent or more of the qualified voters of the Community or by resolution of the Council. Such referendum may be held at a special election called for that purpose or may be held at the same time as and concurrent with any other election. The result of such referendum shall be immediately noted in the Council minutes by the Secretary and shall be conclusive and binding upon the Council."

Rhodes said in pursuit of such a referendum, "We can go through the Community Council, ask them for a referendum vote to get an answer from the voters. If the Council feels it doesn't want to do a special election, then we'll have to go get signatures. The people have a right to a referendum, it's in the Constitution. The landowners have a right to express yes or no."
THIS RIGHT-OF-WAY, will commence September 6, 2001 and end September 5, 2003

THIS RIGHT-OF-WAY, was approved at a duly held meeting of the Gila River Tribal Council meeting on September 5, 2001 in which Gila River Tribal Council approved granting a blanket right-of-entry for a three (3) year period beginning September 6, 2001 and ending September 5, 2004.

THIS RIGHT-OF-ENTRY, is granted with the following conditions:

1. Individuals granted entry into the Gila River Indian Community (the "Community"), but found in other areas outside of their job sites may be cited for civil trespassing by tribal Rangers and/or tribal law enforcement officers. In addition, individuals cited for civil trespass could be fined and have their vehicles and/or equipment confiscated.
2. Activities which are not related directly for the purpose stated above is a violation of the granting for this Right-of-Entry permit and may be cause for the permit to be revoked.
3. Individuals granted access into the Community are prohibited from carrying firearms onto tribal lands. (Tribal Law prohibits hunting and fishing activities).
4. Individuals granted access into the Community must be aware that there are ordinances protecting archaeological and historical sites, as well as the protection of native plants. In the event any ground disturbance is conducted contact with the Land Use Ordinance Office has to be made prior to the activity. Individuals granted access into the Community should make an earnest effort to become knowledgeable of these ordinances, or make inquiries to the GRIC/Land and Water Resources Department when in doubt about situations relating to them.
5. The individuals identified in this permit will notify the Land Use Ordinance Office 24 hours in advance when visits will be made into the Community.
6. Individuals granted access into the Gila River Indian Community must keep this Right-of-Entry in their possession at all times (copies of this permit may be made). Further, it will be understood that the participants of this activity will abide by the laws and ordinances of the Gila River Indian Community.

THIS RIGHT-OF-ENTRY, in no way holds the Gila River Indian Community liable for any theft, damages or injuries while on the Gila River Indian Community Reservation.

Vehicles: See attached vehicle information.

Personnel: See attached personnel information

Notes:
1. Current Business License is required for all consultants doing work within the Gila River Indian Community, including sub consultants.
2. Any additions to field personnel and field vehicles will need to be reported/faxed to the Land Use Ordinance Office.
3. Maps attached identifying areas where work will be conducted.

Earl Lane, Chairman
Natural Resources Standing Committee

cc: Donald Antone, Sr., Governor
    Richard Narica, Lt. Governor
    Davis Pecusa, Pena Agency Superintendent
    GRIC Rangers
    Elaine Blackwater, Land Use Ordinance Officer
RESOLUTION GR-64-96

WHEREAS, the Gila River Indian Community (the "Community") desires to enhance and further economic development within the northern borderlands area of the Community, specifically including land in District #6; and

WHEREAS, the Gila River Indian Community Council (the "Community Council") approved the Borderlands Master Plan on May 17, 1990 which includes a major east-west regional transportation corridor connecting Interstate-10 (I-10) east to 51st Avenue; and

WHEREAS, the Arizona Department of Transportation ("ADOT") is currently seeking proposals from private entities to construct and operate a toll road for a portion of State Route 202, known as the South Mountain corridor; and

WHEREAS, the ADOT proposal describes alternative alignments which may be considered up to approximately one mile south of Pecos Road between I-10 east and 59th Avenue, and specifically within the Community; and

WHEREAS, the previously designated alignment along Pecos Road outside the exterior boundaries of the Community, presents negative impacts for the Community, as well as residents along the City of Phoenix' southern boundary; and

WHEREAS, District #6 of the Community has agreed that Community values preclude degradation of any portion of South Mountain by cutting, blasting or changing South Mountain, due to its religious significance to the Community; and

WHEREAS, routing the proposed South Mountain Freeway through the Community can also help mitigate the high volume of truck traffic and other through traffic in the 51st Avenue residential corridor; and

WHEREAS, District #6 Community concurred with exploring the opportunity for developing the South Mountain Freeway on Community lands, and continues to convene its Toll Road Advisory Committee on a continuing basis, thus participating in the ongoing process; and

WHEREAS, the Community Council recognized this initiative by adopting Community Resolution GR-05-96 on the 3rd day of January 1996, in support of the concept for development of the South Mountain Freeway on Community lands, whether by private toll or public construction; and

NOW THEREFORE BE IT RESOLVED, that the Community Council adopts the designated route (attachments A&B) as having sufficient merits to pursue as the South Mountain Freeway alignment and to begin negotiations with ADOT and its designated proposers.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (9), (13), (18), and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted this 15th day of May, 1996, at a Regular Community Council Meeting held in District #3, Sacaton, Arizona, at which a quorum of 12 Members were present by a vote of 11 FOR; 0 OPPOSE; 0 ABSTAIN; 0 ABSENT; 1 VACANCY.

GILA RIVER INDIAN COMMUNITY

Mary E. Hoag
GOVERNOR

ATTEST:

Dorsey V. Allen
COMMUNITY 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 proposed a truck bypass route that would redirect traffic and reduce current and future congestion on 51st Avenue in Laveen;

WHEREAS, the City of Phoenix completed a South Mountain Parkway Specific Plan in 1999 to address the limited access to the west valley from Interstate 10 east;

WHEREAS, the Maricopa Association of Governments (the "MAG") has formed a South Mountain Agency Stakeholders group for the purpose of developing a recommendation for the alignment for the proposed South Mountain Parkway;

WHEREAS, the Arizona Department of Transportation (the "ADOT"), MCDOT, City of Phoenix, and MAG plan on extending Pecos Road west around the South Mountains with an option of crossing across lands of the Gila River Indian Community (the "Community");

WHEREAS, the District Six Community has experienced the negative impact of increasing traffic through the residential areas along 51st Avenue south of the Community’s boundary;

WHEREAS, 51st Avenue is essential to the Community because it serves as the principal arterial from Riggs Road-Beltline road and is a significant east/west travel route to the western portion of the Community;

WHEREAS, the District Six Community is concerned with the safety and welfare of its members, as well as other members of the Community who utilize this roadway, due to excessively speeding vehicles on 51st Avenue, which has residential areas, churches, a health clinic, a school, a Boys and Girls club, and a convenience store within its area;

NOW THEREFORE BE IT RESOLVED, that the Community Council strongly opposes any future development of roadways from ADOT and MCDOT through the District Six Community.

BE IT FURTHER RESOLVED, that the Governor, or in the Governor’s absence the Lieutenant Governor, is hereby authorized to take necessary action to effectuate the intent of this Resolution.

CERTIFICATION

Pursuant to authority contained in Article XV, Section 1, (a), (1), (7), (9) and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted by the 2nd day of August, 2000 at a Regular Community Council Meeting held in District 3, Sacaton, AZ at which a quorum of 15 Members were present by a vote of 15 FOR; 0 OPPOSE; 0 ABSTAIN; 2 ABSENT; 0 VACANCY.

GILA RIVER INDIAN COMMUNITY

[Signature]
GOVERNOR

ATTEST

[Signature]
COMMUNITY COUNCIL SECRETARY
January 27, 2010

Director John Halikowski
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski,

The purpose of this letter is to inform the Arizona Department of Transportation (ADOT) that the Gila River Indian Community (the “Community”) is willing to assist in conducting a study of the effects of an On-Reservation Loop 202 alignment consistent with the Community’s land use plans (i.e., the Borderlands Study) and the desire to mitigate cultural impacts to Mudug (South Mountain). The Community’s assistance in this matter should not be construed as our approval of an On-Reservation alignment. The Community’s official position remains the same: (a) we oppose any desecration of Mudug (i.e., oppose the current Off-Reservation alignment), and (b) we oppose an On-Reservation alignment. Despite our desire for a no-build option, we recognize that there is a high likelihood that the Loop 202 South Mountain will be built. Therefore, it is in our best interest to explore all options to mitigate any negative impacts to our culture and land; including a potential On-Reservation alignment.

The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, traffic, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community’s traditional routes and wildlife corridors between Komak (the Estrella Mountain) and Mudug; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51st Avenue and Bellline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

525 West Gu u Ki · P.O. Box 97 · Sacaton, Arizona 85147
Telephone: 520-562-9840 · Fax: 520-562-9849 · Email: executiveemail@gric.msn.us
September 20, 2001

Ms. Rita Walton
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 85003

Subject: South Mountain Corridor L/DCR & EIS
Demographic Data Request

Dear Ms. Walton:

ADOT is undertaking a study to assess the environmental impact and to perform a DCR on proposed improvements within the South Mountain Corridor from the I-10/Santan Freeway interchange vicinity to I-10 west between 43rd Avenue and 107th Avenue. To begin the evaluation, we are requesting the following demographic data in ARC/INFO or ArcView files for the corridor:

- TAZ 2000
- DFI 2025 (TAZ demographic data for the horizon year 2025)
- Development data
- Employment data
- General plans for Phoenix, Tolleson, Avondale, and Goodyear
- MPA Boundaries

These data files will be used in the review of the model demographic input files and employed in the alternative evaluation.

Thank you for your continuing cooperation.

Sincerely,

ARIZONA DEPARTMENT OF TRANSPORTATION

Mary Viparina
Project Manager

cc: Steve Martin, HDR
Patrizia Gonella-Ramos, Lima & Associates

May 31, 2000

TO: Members of the MAG South Mountain Parkway Stakeholders Group

FROM: Terry Max Johnson, Transportation Manager

SUBJECT: CONFIRMATION OF ACTION RECOMMENDED BY THE SOUTH MOUNTAIN AGENCY STAKEHOLDERS GROUP

At the last meeting of the South Mountain Agency Stakeholders Group held on May 2, 2000, it was the consensus of the group that a Federal environment impact statement be undertaken for the entire corridor. Also, there was a recognized need to protect right-of-way for this facility.

These recommendations require action by MAG and ADOT. To ensure that the consensus of the South Mountain Agency Stakeholders Group is fully addressed, a draft memorandum is enclosed for your review.

Please provide any comments to me or Stuart Bogg at (602) 254-6300 by June 12, 2000. Do not hesitate to call us if you have any questions.
May 31, 2000

TO: MAG Transportation Review Committee
FROM: Terry Max Johnson, Transportation Manager

SUBJECT: RECOMMENDATIONS TO UNDERTAKE AN ENVIRONMENTAL IMPACT STATEMENT AND PROTECT RIGHT-OF-WAY FOR SOUTH MOUNTAIN PARKWAY

The South Mountain Agency Stakeholders Group was formed by action of the MAG Regional Council on January 19, 2000. At a meeting of this Group on May 2, 2000 there was a consensus to move forward with a Federal Environmental Impact Statement (EIS) for the entire corridor. Also, it was recognized that the right-of-way for this facility needs to be protected. Accordingly, the following actions are recommended:

- Amend the MAG and ADOT FY 2001 programs to include $6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.
- Authorize right-of-way protection funds to be used in the South Mountain corridor.

HISTORY

The South Mountain Parkway extends 22 miles from the Papago Freeway in west Phoenix to south of South Mountain and then eastward along the Pecos Road alignment to the Maricopa freeway in Chandler. Funding for this parkway was approved by the voters of Maricopa County in 1985.

The South Mountain Parkway has been part of the MAG Long Range Transportation Plan since 1985, however, target dates for completion have varied. In 1997, $85 million was included in the funded ADOT Life Cycle Program for construction of an interchange facility between 15th Avenue and Baseline Road. This level of funding remains part of the currently approved Life Cycle Program. Completion of this facility is now targeted for after 2007.

ISSUES

In 1985, the South Mountain Corridor was located just north of the Gila River Indian Community. As a result, the Parkway cuts the edge of the southwest corner of South Mountain Park.

Since the adoption of the original corridor location in 1985, the Pecos corridor has experienced intense development activity. ADOT has purchased 243 acres in this corridor and the City of Phoenix has helped to protect this corridor by requiring dedication of 110 feet of right-of-way. However, homes are now located along the edge of this planned facility.

Development activity is also occurring along the north/south leg of the corridor. A red letter notification was received by MAG in June 1999 concerning a new subdivision with 148 homes in the Parkway alignment near Broadway Road. MAG and ADOT committees assessed this notification and as a result the Regional Council formed the South Mountain Agency Stakeholders Group that includes representatives from:

- The Gila River Indian Community
- Arizona Department of Transportation
- Maricopa County
- City of Tolleson
- City of Glendale
- City of Phoenix

ENVIRONMENTAL IMPACT STATEMENT

Preliminary engineering for the original alignment for the South Mountain Parkway was completed by ADOT in 1988. A state environmental assessment was completed in association with this work.

At the meeting of South Mountain Agency Stakeholders Group on May 2, 2000, the consensus of the group was that a full Federal environmental impact statement should be completed for this entire corridor. Reasons include:

- Ensure eligibility for Federal funding
- Need to fully address environmental issues
- Possibility of an alignment change that would be located on the Gila River Indian Community to avoid South Mountain Park

At this meeting, interest was expressed in fully addressing related issues including:

- A truck bypass route
- Design of the South Mountain/Papago Interchange to limit congestion on 59th Avenue
- Need for interim solutions, including a bypass route around the Laveen area
- Need to protect right of way
- Need for a strategic plan to program near-term funds and ensure completion of the parkway
ACTIONS

In order to proceed with the consensus of the South Mountain Agency Stakeholders Group, the following is recommended:

- Amend the MAG and ADOT FY 2001 programs to include $6.0 million for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway.
- Authorize right-of-way protection funds to be used in the South Mountain corridor.

This additional $6.0 million in FY 2001 can be absorbed within the existing cash flow. This is a minor project so a public hearing is not required. Also, as an exempt project a regional conformity analysis is not required. The current freeway Life Cycle Program includes $5.0 million per year for the protection of right-of-way. Once the environmental and preliminary engineering work has been completed the existing $85 million on the South Mountain Parkway may need to be reprogrammed to be in accord with a new strategic plan to complete the corridor.

For additional information please call me or Stuart Boggs at (602) 254-6300.

December 19, 2005

The Honorable J.D. Hayworth
House of Representatives
2434 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Hayworth:

Thank you for meeting with Mayor Hawkner, and staff from the Maricopa Association of Governments and the Arizona Department of Transportation (ADOT) to discuss the issues surrounding the Environmental Impact Statement being conducted by the ADOT on the South Mountain Freeway. We appreciate your candor regarding the concerns of the residents in the Ahwatukee area and believe that with your involvement the best solution for this facility can be attained.

In our meeting, we discussed the history of the project and the need to address regional mobility. Your staff requested that we address the specific questions that you forwarded to our office and we have worked with the Arizona Department of Transportation regarding these issues. A copy of the answers is enclosed. To augment the answers to your questions, we would gladly work with your staff to further discuss the issues regarding the project.

Again, we are looking forward to working with you and your staff on the South Mountain Freeway Project. Thank you for taking time out of your busy schedule to discuss these issues.

If you have any questions, please contact me at the MAG office.

Sincerely,

Dennis Smith
Executive Director

cc: Mayor Keno Hawkner
Brian Murray
Eric Anderson
### Appendix 1-1

<table>
<thead>
<tr>
<th>Date of Projections</th>
<th>Study</th>
<th>Projection Year</th>
<th>Daily Traffic Forecast</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>Central Area Transportation Study</td>
<td>2015</td>
<td>92,000</td>
</tr>
<tr>
<td>1988</td>
<td>Southwest Loop Environmental Assessment and Design Concept Report (Arizona SR-21B)</td>
<td>2015</td>
<td>97,000</td>
</tr>
<tr>
<td>2005</td>
<td>Continuing study efforts for the South Mountain Freeway EIS and L/DCR (Arizona SR-202L)</td>
<td>2030</td>
<td>164,000</td>
</tr>
</tbody>
</table>

Copies of the 1985 and 1988 studies are available for review from MAG. Please contact us for copy information.

**Inquiry:** 2. Your current estimates on commercial truck traffic versus noncommercial traffic.

**Response:**
The MAG travel demand model incorporates a commercial vehicle model to estimate this type of traffic on the MAG freeway system. Current projections indicate the SR-202L/South Mountain Freeway will carry approximately 12,000 commercial vehicles daily, or approximately seven percent, in the 2030 forecast horizon. By contrast, this volume is lower than the present commercial vehicle volume along the US-60/Superior Freeway, where more than 17,000 commercial vehicles can be found east of its traffic interchange with the Interstate 10/Maricopa Freeway. This volume is approximately eight percent of the existing traffic on US-60. Thus, MAG believes the SR-202L/South Mountain Freeway forecasts are in-line with the commercial vehicle demand for other freeways on the regional network.

It is also important to note that the commercial vehicles using the proposed freeway dramatically reduce their use of existing surface streets in this portion of the metropolitan area. Most notably, this includes the Beltline Highway/51st Avenue corridor where MAG believes commercial vehicle traffic through the Gila River Indian Community and Leavort Village activity centers will drop by as much as 80 percent when compared to traffic projections for the No-Build scenario. We believe this drop in commercial vehicle traffic on these arterial streets will considerably reduce the crash potential, especially between vehicles and pedestrians, in these activity centers.

**Inquiry:** 6. Effects on groundwater supplies to Ahwatukee, including mitigation efforts for wells that service the area.

**Response:**
From the ADOT Study Team: The study of potential impacts to the Ahwatukee groundwater is continuing. ADOT believes if construction results in water that cannot be accessed by drilling a new well, then mitigation will include a plan for getting water from elsewhere by other techniques. These may include directional drilling, or building a well under the freeway for allowing access to an existing well. ADOT notes that this information was presented to the project's Citizen Advisory Team in November 2005.

- Studies have shown that travel time will be less from travel along Interstate 10 between the current Peros Road and Washington Street interchanges if the SR-202L/South Mountain Freeway is constructed. Without the freeway, the study team estimates the travel time would be 37 minutes for this trip. If SR-202L is constructed, then the travel time for this trip decreases to 28 minutes.

**Inquiry:** 5. What are the reasons the Phoenix Parks Board opposes the construction of the freeway and how you plan to mitigate all of their concerns.

**Response:**
From the ADOT Study Team: The City of Phoenix Parks and Recreation Board unanimously passed a resolution to strongly oppose any alignment going through South Mountain Park/Preserve. As part of that resolution, the Board encourages ADOT to continue coordination with the Gila River Indian Community to construct the freeway on tribal lands. The board has concerns that if the freeway is built, then there could be impact from the proposed construction cuts through the mountain edgels that includes treatment of habitat and visual impacts they would have. If ADOT is unsuccessful in coordinating with the Gila River Indian Community, then the Parks and Recreation Board suggests mitigation in the form of additional trailheads that could be accessed from freeway interchanges, other land trades, and possibly a tunnel instead of cuts.

ADOT continues to try and coordinate with the Gila River Indian Community for potential construction of the SR-202L/South Mountain Freeway on tribal lands. However, these talks are at a standstill. ADOT believes the community is not interested in any construction of the freeway on their land. As a result, given the need for the roadway, ADOT will use the Environmental Impact Statement and Location/Design Concept Report study process to develop appropriate mitigation to minimize the potential natural and built environment impacts. ADOT's team is in the process of meeting with various stakeholder groups associated with South Mountain Park and Preserve, per the direction of the City of Phoenix Parks and Recreation Department, to determine the concerns surrounding the freeway use of park/preserve land and potential mitigation efforts that may be considered. A mitigation plan will be developed and presented to those stakeholder groups prior to inclusion in the Draft Environmental Impact Statement.

**Inquiry:** From the ADOT Study Team: The study of potential impacts to the Ahwatukee groundwater is continuing. ADOT believes if construction results in water that cannot be accessed by drilling a new well, then mitigation will include a plan for getting water from elsewhere by other techniques. These may include directional drilling, or building a well under the freeway for allowing access to an existing well. ADOT notes that this information was presented to the project's Citizen Advisory Team in November 2005.
Inquiry:
10. An analysis of all NEPA concerns and mitigation proposals.

Response:
From the ADOT Study Team: This is the purpose of an Environmental Impact Statement project. Prior to publishing the EIS draft and final reports, the ADOT Study Team is preparing more than 20 technical reports addressing specific environmental topics and potential mitigation measures for public review and comment. Presently, these reports are at different stages of completion.

Prior to public publication, these reports undergo review by appropriate ADOT staff, the Federal Highway Administration, and the affected agencies responsible for overseeing a particular environmental topic. While this task is a continuing effort by the study team, ADOT will be more than pleased to distribute copies to any interested party as they become available. The party may contact ADOT’s project manager, Mr. Mike Bruder (602 712-6836) for details.

Inquiry:
11. Copies of all draft technical reports, including the detailed mitigation options, not just executive summaries. Of greatest interest among these would be reports on traffic operations, air quality, costs, total impacts and secondary impacts.

Response:
From the ADOT Study Team: As noted in the previous inquiry, the ADOT Study Team is completing the technical studies. Please feel free to contact ADOT’s project manager, Mr. Mike Bruder (602 712-6836) for details on how to obtain copies of these reports as they become available.

The Maricopa Association of Governments appreciates the opportunity to assist in the understanding of the study results and process for the freeway proposal. If additional information is needed, or if our staff can provide additional assistance to facilitate further understanding about the regional need for the SR-202/Lowell Freeway, please feel free to contact me or Eric Anderson, MAG Transportation Director, for assistance.
April 22, 2003
The Honorable Janet Napolitano
Governor, State of Arizona
1700 W. Washington
Phoenix, AZ 85007

Re: South Mountain Freeway Corridor Study

Dear Governor Napolitano:

This letter is to express our strong objections regarding the proposed 105th Avenue alignment for the proposed South Mountain Freeway (Loop 202) interchange with the I-10. We respectfully request this alignment be removed from any future consideration.

The proposed interchange and alignment would certainly have a damaging impact on the City of Avondale’s primary commercial and employment area, causing severe financial hardship for this City, as these limited areas within the city limits of Avondale for said commercial, retail or employment opportunities.

The 105th Avenue alignment would eliminate nearly 100 acres of prime land designated for employment and virtually eliminate the Avondale AutoMall, our primary economic engine. Gross sales generated by the AutoMall are expected to be over $1 billion per year, bringing much needed revenue to the City of Avondale, the State of Arizona and other taxing entities to help sustain programs and services in these less economic times. Employment at the AutoMall will be well over 1,000 people, most of who will live and shop within a 10 mile radius. The AutoMall is already the largest, and grows every year.

Respectfully,

Todd Heilman
City Manager

City of Avondale
523 North Central Avenue
Avondale, AZ 85392-4900
Phone: (623) 932-2120
Fax: (623) 932-2205
Website: www.procoast.org

sales and was recently selected as the site for a major employer. This user has committed to build a 260,000 SF facility that will employ 280 people earning an average salary of over $55,000. An independent financial analysis of this user demonstrated that this user will generate well over $70,000,000 in taxable sales annually, 5% of which will go directly to the State. This project is expected to be completed within the next 12 to 18 months. However, there is a very high probability that the user would abandon this site should they discover the proposed 105th Avenue freeway alignment and interchange.

The selection process for this user was very competitive one, involving the City of Avondale and the City of Rancho Cucamonga, California. Fortunately we were the successful candidate, largely based upon location, and are working diligently to finalize the deal points. We are very concerned that should the proposed 105th Avenue alignment move forward, the user will decide to move to their second choice—California. If this were to happen, the State of Arizona and the City of Avondale would both lose much needed revenue.

The proposed interchange footprint will also impact the employment/commercial land north of I-10. We are currently in discussions with a major commercial institution interested in locating a west valley site. They have been searching for a suitable site for several years and recently put down earnest money on a site directly impacted by the proposed interchange. They will also abandon the site if they discover the proposed alignment.

The mere fact that this alignment is included in the preliminary studies will cause delay in the development of our primary employment and commercial corridor. The evaluation process undertaken by ADOT will take a minimum of two more years, and even then there is a great deal of uncertainty as to the outcome. Avondale cannot afford to waste, nor afford to run the risk of losing potential tax generating developers while the process moves forward.

We respectfully request that the 105th alignment be removed from the study immediately, to prevent any further economic impacts to our city.

Thank you for your consideration of this request. Please contact me at the above address or by telephone if you have any questions or need further clarification.

Respectfully,

Todd Heilman
City Manager

Attachments

Mr. Victor Mendoza, Director
Arivstas Department of Transportation
706 S. 17th Avenue
Avondale, AZ 85323

May 19, 2003

Frank Faibonakis
City Manager, City of Phoenix
200 W. Washington Street
Phoenix, AZ 85003

Dear Frank,

This letter is to inform you that the City of Avondale has notified Governor Napolitano and ADOT officials, including Victor Mendez, that Avondale supports the City of Phoenix in its desire to have the Interstate 10 connection of the South Mountain Freeway along the original proposed alignment.

City of Avondale staff have steadfastly opposed any alignment of the South Mountain Freeway that is further west of the 1989-proposed 51st - 56th Ave alignment. The City Council passed a resolution opposing alignments in the City of Avondale, and has written letters to the Governor stating our position. We also have informed the Governor and ADOT that we continue to support Phoenix in its bid to assure the Freeway connects west of downtown.

As a related matter, Avondale hopes to secure funding, either federally or through the half-cent sales tax extension, for a parallel Interstate 10 route that would relieve traffic from west central Phoenix to MC-85. This reliever route would parallel I-10 south of the freeway, and would connect to the South Mountain alignment. This reliever will have the greatest effect, and therefore makes the most sense, if the South Mountain Freeway alignment is closer to the center of congestion in Phoenix.

Please let me know if we can be of assistance on the South Mountain Freeway matter. We will continue to work to oppose alignments in our city, but also look forward to working cooperatively with the City of Phoenix to assure an alignment that is beneficial to all.

Sincerely,

Todd Hileman

May 21, 2004

Mr. Victor Mendez
Director, Arizona Department of Transportation
2006 S. 17th Avenue, MD100A
Phoenix, Arizona 85051

Dear Mr. Mendez:

Attached please find the report you had requested recently from our Economic Development Department outlining staff's concerns regarding the 99th Avenue alignment of the South Mountain corridor and the potential negative impacts to Avondale's employment base and economy as a result thereof.

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

Thank you for your support and attention.

Sincerely,

Todd Hileman
City Manager

Attachment
June 22, 2004

Ms. Mary E. Peters, Federal Highways Administrator
Office of the Federal Highway Administrator
400 7th Street, S.W.
Washington, D.C. 20590

Mr. Victor Mendez, Director
Arizona Department of Transportation
206 S. 17th Avenue Rm 135
Phoenix, Arizona 85007

Dear Ms. Peters and Mr. Mendez:

On June 21, 2004 the Avondale City Council voted unanimously to oppose the 99th Avenue alignment for the South Mountain Freeway Extension. Although the Council and Avondale City staff is very aware of and supports the Environmental Impact Statement and preliminary design process that is currently underway, the City vehemently opposes the 99th Avenue option due to the severe and potentially devastating impact it would have on the Avondale AutoMall and other existing and future businesses on 99th Avenue.

Attached is a copy of the approved resolution (attachment 1) by the Avondale Mayor and Council and a report prepared by the staff (attachment 2) to support this decision. If you have any questions or would like to further discuss this topic, please contact me or our City Manager, Todd Hileman at 623-478-3001.

Respectfully,

Ronald J. Drake
Mayor

Co: Dan Lance, ADOT

Attachments
ORDINANCE NO. 1011-04

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE SALE OF REAL PROPERTY TO MEHLHORN PROPERTIES, LLC.

BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. That the City of Avondale hereby approves the sale of ±.15 acres of real property, of which it is the record owner, generally located south of Western Avenue, west of Central Avenue, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, for $6,626.00 to Mehlhorn Properties, LLC, in accordance with the terms and conditions described in the purchase contract.

SECTION 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.


ATTEST:

[Signature]

Ronald J. Updeke, Mayor

APPROVED AS TO FORM:

[Signature]

Andrew J. McGuire, City Attorney

Date: June 22, 2004
To: Todd Hileman, City Manager (623) 478-3012
Through: Jeff Fairman, Economic Development Director (623) 478-3141
From: Rachel Burke, Research & Marketing Analyst (623) 478-3143
Subject: Impact of the South Mountain Transportation Corridor's 99th Avenue Alignments on Avondale's Economy

Introduction

As you requested, here is an overview of the potential negative impacts to the Avondale employment base and economy assuming a 99th Avenue alignment of the South Mountain Freeway. 99th Avenue alternatives E, F, and G of the South Mountain Transportation Plan strongly and negatively impact Avondale’s emerging economy. Due to current land use patterns and past entitlements, the I-10 Corridor is the only remaining area in the City for commercial use, job creation, and sales tax generation. This area is critical to the future local economic base and vital to the City’s ability to provide services for Avondale’s growing population.

At the heart of the I-10 Corridor is the Avondale AutoMall, and it is conservatively estimated that a 99th Avenue alignment could result in at least a $500 million loss in annual taxable sales to as many as five auto dealers, Gateway Pavilions, the Interstate Commerce Park, Pilot Travel Center, and a proposed retail center at the SWC of 99th Avenue and McDowell Road. Additionally, a 12-acre site in this area is currently in escrow with a national client that would sell to and service the transportation industry with estimated annual sales of $375 million and employ over 100 skilled and semi-skilled workers from Avondale, Tolleson, and surrounding communities.

Also with regard to employment, 99th Avenue Alternatives E, F, and G would eliminate, at the very least, 600 existing jobs and many more future ones. Southward along 99th Avenue, portions of the Avondale AutoMall, the Interstate Commerce Park, and Pilot Travel Center, would be completely eliminated or made inaccessible. In actuality, any 99th Avenue alignment would restrict access and visibility to all existing and future businesses and decimate an area crucial to Avondale’s economic well-being.
Alternative E travels in a north-south direction along 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road and a half diamond service at Van Buren Street. Two-lane, one-way frontage roads are provided on both sides of the freeway, beginning ½ mile south of I-10 and ending approximately ½ mile south of Buckeye Road. This alternative seeks to maintain as much of the existing I-10/SR 101L system interchange as possible. By proposing only a half service interchange in the City of Avondale, major access problems would negatively affect thriving businesses like the Avondale AutoMall.

Alternative F travels primarily in a north-south direction between 99th Avenue and ¼ mile east of 99th Avenue. This alternative provides a full diamond service interchange at Buckeye Road but no service interchange at Van Buren Street. As proposed, 99th Avenue would be a six lane arterial with a 16-foot median that maintains the existing roadway limits on the western side. This alternative proposes a fourth level movement and no interchanges within the City of Avondale, thus restricting access to current and future economic development efforts on and around 99th Avenue. Alternates without full diamond service access to Van Buren and McDowell would have severe negative economic implications.
Existing Development

The City of Avondale is today characterized by rapid growth, young families, and emerging retail and job centers. Just 15 miles west of Phoenix, Avondale has been undergoing a transition from an agricultural economy to one based on retail, office and commercial enterprises. The challenge for Avondale is building and diversifying its local economic base while continuing to maintain the character and quality of the City. Another challenge that exists is the limited amount of developable land to create jobs for all of its residents.

Commercial development is mainly located along the Interstate 10 Corridor bounded by Dysart Road to the west and 99th Avenue to the east and north of McDowell Road to Van Buren Street. The 99th Avenue alternatives proposed in the South Mountain Transportation Corridor plan would restrict access and visibility, limiting development opportunities for a significant amount of land in this area. At least five dealerships in the Avondale AutoMall, the Pilot Travel Center, and over 120 acres for business park employment would be directly affected by a 99th Avenue alignment. Demand for commercial growth is high and major users are interested in coming to the I-10 corridor, even the possibility of this alignment has caused several developments to question the viability of locating in the area and have put projects on hold until the location decision is played out.

Market Analysis

Avondale is a city of 60,000 residents, with a small town appeal, while offering many big-city cultural and recreational activities. Avondale has an exceptional regional location to serve California and other Southwest markets. Interstate 10, which is a major east-west freeway, runs through the community. In addition to excellent interstate access, state highway 85, and Sky Harbor Airport also serve Avondale. Avondale’s location is close to markets to move services and people. Estrella Mountain Community College, Universal Technical Institute, and Phoenix International Raceway are located in Avondale, which contribute to its vitality. Building the employment base within the City will improve the quality of life for area residents by offering more places to work and shop. However, due to past entitlements, mostly to residential uses, the City has less than 10% of the total land area left for quality job creation and sales tax generation. Without building the sales tax base, the City of Avondale would not be able to meet the growing needs of its increasing population.

Demographic and Economic Context

Avondale’s 2004 estimated population is approximately 4.7% of Maricopa County population but has been growing almost twice as fast as the County’s average. Most households are middle-income, although the higher income households have been increasing. There are pockets of high or extremely low-income households. According to the 2000 Census, 8100 jobs existed. Avondale had largely centered on government and service industries; however, the economy is expected to grow steadily in all sectors, and employment is estimated to reach over 91,500 by 2010. Unemployment consistently remains below that of the nation and state.

Retail Market

There is currently about 2.3 million SF of retail space in Avondale, of which 1.6 Million was built between 2001 and 2003. Rents have a large variance; midpoint figures range from $14.50 PSF for community centers to $26 PSF for regional centers. Since retailers often follow residential development, growth in this sector is flourishing.

Any 99th Avenue alignment would predominantly affect the Avondale AutoMall. The Chevrolet dealership would be razed; it would render the Toyota dealership inaccessible, and it would strongly inhibit access to at least the Chrysler, Dodge, and Honda dealerships. The end result: a negative affect to over 59.6 acres of thriving businesses, a loss of millions in sales, and hundreds of jobs.
Pilot Travel Center and 101 Track and Auto Wash would either be eliminated or made inaccessible if a 99th Avenue alignment is selected. Also, Gateway Pavilions, a thriving 600,000 SF Power Center in the immediate vicinity would be adversely affected.

The proposed connection could also make the A2 Title project unfeasible. A2 Title has proposed to build a 270,000 SF retail center at the SWC of 99th and McDowell. This project has attracted national attention and would create a significant amount of new jobs.

**Industrial Market**

Industrial space is not yet a major component of the Avondale economy, yet there are over 400 acres set aside for this use, most would be negatively affected by any of the 99th Avenue alignments. There is less than 25,000 SF of industrial space; rents are between $4.50-1.05 PSF, with relatively no vacancy. Regional estimates call for about 50,000-100,000 SF multi-tenant new space to catch up with the significant pent up demand.

The Interstate Commerce Park, 40 acres slated for light industrial-type uses, on 99th Avenue, is filling up with new users. Cummin’s Diesel is considering building a $10 million facility needing at least 100 employees, averaging $55,000/ year. 99th Avenue Alternatives E, F, and G could render this commerce park virtually inaccessible.

**Office Market**

There is approximately 375,000 square feet of office space planned or completed in Avondale, of which an overwhelming majority is in the I-10 Corridor. Currently this area has a vacancy rate far below the regional average. Median Class A rent ranges between $18-28 PSF; Office land prices average $3-42 PSF and building costs range from $70-200 PSF. The current inventory, however, does not come close to meeting the future demand. Two new West Valley hospitals are creating the need for more medical office space. With little developable land to meet these growing needs, the I-10 Corridor, as it exists today, may not have enough developable land to satisfy the demand.

**Residential Market**

Avondale is one of the Valley’s fastest growing communities and expects to continue to experience rapid residential, commercial and industrial development. The balance between jobs, housing, and services is key to ensure long-term community viability. With 27,041 housing units in the planning stages and issue approximately 2,000 housing permits annually, the need to attract quality employment opportunities for the City’s residents has never been greater.

Just over 91% of Avondale's 15,729 housing units are single-family homes. Values primarily range between $120,000 and $250,000; new units sell for an average of about $150,000. Median rents range from about $350 to $1,100; rents are comparable to regional averages.

**Market Summary**

Middle-income households have and will continue to move to Avondale and surrounding areas, and there is an untapped potential for higher income residents. New retail establishments will want to follow household migration growth. As it stands, there is barely sufficient office space and land to build upon to meet the current and future demand.

All projects that have been targeted, marketed, and located in the City of Avondale for their sales tax credits/switch, which go to fund everything from general government to police and fire, are threatened by these alternatives. South of Interstate 10 consists of land that has been allocated in the general plan for employment uses. This collection of properties is the largest area of open land within the City’s jurisdiction for job creation. When developed, this area will greatly strengthen Avondale’s commercial tax base, and provide the community with its greatest remaining opportunity to affect positive change in the pursuit of a more memorable, sustainable, livable, and fiscally sound future.

The City of Avondale has taken a proactive approach to ensuring that growth and development meet a quality-standard set by the community. The community recognizes the need to continue to diversify its local economic base to meet and support the growing needs of current and future residents, and understands the challenge of Phoenix’s rapid growth being met with new roads, freeways, and traffic management. Actual and potential economic impacts of each alignment should be studied in detail to ascertain the most cost-effective, non-intrusive option for all communities involved, ensuring that quality economic development initiatives are preserved during times of economic volatility. It is the opinion of Avondale Economic Development staff that a 99th Avenue alignment would deliver a devastating blow to the area’s economy that a recovery, in all markets, would be difficult, if not impossible to overcome.
RESOLUTION NO. 2554-306

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the City of Avondale (the “City”) has been presented with information by the Arizona Department of Transportation (“ADOT”) and its consultants, HDR Engineering, Inc. (“HDR”), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue in Avondale (the “99th Avenue Alignments”); and

WHEREAS, the Council of the City of Avondale (the “City Council”) is the planning authority for the City and has planned the future of the area around 99th Avenue according to the best interest of the community, which does not include a freeway along 99th Avenue; and

WHEREAS, the citizens of Avondale overwhelmingly approved the 2002 General Plan for the City, clearly indicating a vast majority of business park and light industrial uses along 99th Avenue and specifically not including a freeway; and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact (i) the City’s ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the “55th Avenue Alignment”); and

WHEREAS, the City of Phoenix, the city of Tolleson and the City of Avondale have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. That the City hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the City hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the City of Avondale, March 20, 2006.

Marie Lopez-Rogers, Mayor

ATTEST:

Linda M. Farris, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney
May 16, 2006

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

Re: South Mountain Freeway Corridor Study, Economic Impacts

Dear Mr. Mendez:

Thank you for meeting with Mayor Lopez-Rogers and our staff on May 1, 2006 to share the Citizens Advisory Team’s recommendation on the alignment and your department’s plans for the finalization of the South Mountain Freeway Corridor Study. The information was informative and greatly appreciated. During the meeting we expressed our concern regarding the level of economic impact analysis that will be incorporated into the study.

The Avondale City Council has adopted three resolutions regarding alignments proposed in this study: 1) opposed to the 105th Avenue alignment; 2) opposed to any alignment on 99th Avenue; and 3) in support of the 55th Avenue alignment. This letter should not be interpreted as an indication that the City of Avondale will support any alignment other than 55th Avenue.

City staff has been frustrated by the lack of data that demonstrates the economic impact to our City’s businesses due to the various proposed alternatives such as 1) the elimination of access to/from McDowell Road; 2) the potential elimination of Dealer Driver between 99th Avenue and 107th Avenue; the loss of Gateway Chevrolet due to significant loss of auto display area; and 4) the overall loss of freeway visibility of the AutoMall due to the magnitude and proximity of the “Full Reconstruct” interchange with I-10.

We have been informed that Federal requirements limit the analysis of economic impacts to direct impacts due to property acquisition. Such losses include property tax and sales tax produced by the property acquired. We were also told that impacts such as those described in the previous paragraph are speculative and cannot be included in the study. I am sure you can understand the City of Avondale’s position that the true impacts can be much greater than the mere taking of right-of-way.

We respectfully request that the study include a more comprehensive analysis of the economic impact of the proposed alternatives to include loss of freeway access, loss of visibility, and loss of frontage road access.

We also want to express our appreciation for all the support ADOT staff have provided throughout this process. Thank you again for meeting with us earlier this month and for your consideration of this issue. I look forward to discussing this issue further with you or your designee.

Respectfully,

David Fitzgerald
Assistant City Manager

CC: Charlie McClendon
Bill Hellums
October 14, 2002

Mr. Chris Voigt, Senior Engineer
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, AZ 85003

RE: SOUTH MOUNTAIN CORRIDOR AND RIO SALADO PARKWAY

Dear Mr. Voigt:

The Cities of Phoenix, Goodyear, Avondale, and Tolleson (Cities) express their support for the South Mountain Corridor (SR 202) route that utilizes the currently adopted alignment to connect to Interstate 10 (I-10) instead of a westerly alignment going through Avondale or Tolleson to connect to I-10.

In addition, we want to propose a Rio Salado Parkway parallel to the Salt River as an I-10 reliever route. This Parkway would extend from 7th Street to SR 202 on the south side of the river. West of SR 202 it would cross to the north side of the river and use the Southern Avenue alignment which has no major home developments (parallel to and north of the Salt River) to connect to Loop 303.

The Cities are pleased to work in partnership with Maricopa Association of Governments and other contributing entities and will be more than happy to facilitate an exchange of information to continue this project to a successful completion. If you have any questions, please contact my office at (623) 882-7061.

Sincerely,

CITY OF GOODYEAR

Grant A. Anderson, P.E.
Deputy City Manager

cc: Victor Mendez, Director, Arizona Department of Transportation (ADOT)
Dick Wright, State Engineer, Intermodal Transportation Division, ADOT
Todd Hileman, City Manager, City of Avondale
Tom Callow, Street Transportation Director, City of Phoenix
Keyes Molano, A., Assistant City Manager, City of Tolleson
Reading File

Deputy City Manager's Office
190 North Linfield Road P.O. Box 5105 Goodyear, Arizona 85338
623-882-7061 Fax 623-882-7063 1-800-872-1749 TDD 623-932-6500
www.ci.goodyear.az.us
CITY OF LITCHFIELD PARK

RESOLUTION NO. 06-228

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK, MARICOPA COUNTY, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the City of Litchfield Park (the "City") has been presented with information by the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its intersection with the Loop 101 Freeway near 99th Avenue in Avondale (the "99th Avenue Alignments"); and

WHEREAS, the proposed 99th Avenue Alignments would seriously impact (i) the City of Avondale’s ability to develop 99th Avenue as a key commercial corridor, as is currently planned, and (ii) newly constructed, high sales tax generating businesses adjacent to 99th Avenue that provide an important revenue stream to the City that funds essential City services; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway such that it would intersect with Interstate 10 near 55th Avenue (the "55th Avenue Alignment"); and

WHEREAS, the City of Phoenix, the City of Tolleson and the City of Avondale have planned for growth in their respective jurisdictions over the past two decades relying upon the 55th Avenue Alignment.

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. That the City hereby adamantly opposes the 99th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the City of Litchfield Park hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the City of Litchfield Park, April __________, 2006.

_________________________  ATTEST:
J. Woodfin Thomas, Mayor

_________________________
Mary Rose Evans, City Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
City Attorneys
By Susan D. Goodwin
October 13, 1989

Mr. Charlie Miller
Director, Arizona Department of Transportation
206 South 17th Avenue
Phoenix, AZ 85007

Dear Mr. Miller:

RE: 7th Avenue Interchange at the South Mountain Freeway

The Foothills Development, located north of Pecos Road between 24th Street and 19th Avenue, is currently revising its Master Street Plan for Phase III, which has been purchased by UDC Homes. UDC representatives have requested that the City allow UDC to eliminate the potential freeway connection to Pecos Road at the future 7th Avenue interchange with South Mountain Freeway from the Master Street Plan.

The land uses currently planned in the vicinity north of the freeway indicate that an interchange may not be essential at this location. The Indian Tribe to the south of the freeway has also indicated (in a letter to Larry Landry, representing UDC) that the 7th Avenue interchange is not imperative to the development of their lands. We therefore request that ADOT remove the proposed 7th Avenue interchange at the South Mountain Freeway from its plans.

Please review this request, and inform us when you have reached your decision. We will ask UDC to show a potential freeway connection at 7th Avenue until ADOT confirms that the interchange will be removed from the plans. For your information, UDC has been informed that right-of-way, as specified by ADOT, will need to be dedicated where ADOT has not already purchased land for the freeway.

Thank you for your cooperation and assistance in this matter.

Sincerely,

James R. Matteson, P.E.
Street Transportation Director

cc: George Flores
Ronald N. Short

December 12, 1989

Mr. Rosendo Gutierrez
Urban Highway Engineer
Arizona Department of Transportation
Highway Division
206 South Seventeenth Avenue
Phoenix, AZ 85007

Dear Mr. Gutierrez:

This is in response to your October 30, 1989 letter, and subsequent conversation with Tijana Stojicic Hamilton regarding South Mountain Freeway issues in the vicinity of the Foothills Development.

The City has requested that ADOT review the feasibility of eliminating the proposed interchange at 7th Avenue and South Mountain Freeway (letter to Charlie Miller, October 11, 1989). This was done at the request of UDC Homes, developers of Phase III of The Foothills. Based on previous conversations with ADOT staff, the City has informed UDC representatives that ADOT will be requiring dedication of additional right-of-way at the 7th Avenue interchange alignment. We also indicated, through comments on revisions to their Master Street Plan, that if ADOT allows the relocation of the 19th Avenue, additional right-of-way may be required there also. UDC has been informed that all negotiations regarding this, or any other issues impacting the South Mountain Freeway, should be with ADOT.

Subsequent to the receipt of your letter, UDC has also been informed of your requirement for a letter to the Arizona Department of Transportation from the Gila River Indian Community indicating their position on the 7th Avenue Interchange. UDC representatives have informed us that attempts toward obtaining this letter are being made.

Please inform us when ADOT and UDC Homes have reached an agreement as to the 19th Avenue Interchange relocation and 7th Avenue Interchange elimination issues. As you know, we are holding up UDC-Foothills Phase III Master Street Plan pending resolution of these issues.

Thank you for your cooperation and prompt response in this matter.

Sincerely,

James R. Matteson, P.E.
Street Transportation Director

cc: Larry Landry
Dave Richert
Jim Wendt
June 5, 2000

Mr. Terry Max Johnson
Transportation Manager
Maricopa Association of Governments
302 North 1st Avenue, Suite 300
Phoenix, Arizona 850003

Dear Mr. Johnson:

This is in response to your May 31 memo concerning recommended actions in the South Mountain corridor.

The City's position is that right-of-way should be actively purchased along undeveloped segments of the corridor using the programmed funds, i.e., the $85 million. This would be a more aggressive approach than simply protective right-of-way purchase, and may require a different split of programmed funds between design, right-of-way, and construction than is currently shown in the program.

As a practical matter, right-of-way purchase would focus on the segment of the corridor from south of Van Buren Street to 51st Avenue and the GRIC boundary.

The City agrees with the recommendation to include $6 million for an EIS and DCR. These documents would cover the entire corridor from I-10 West to I-10 South.

Sincerely,

Thomas E. Callow, P.E.
Street Transportation Director

cc: Mr. Fairbanks
Mr. Tevin
Mr. Nordvold
Mr. Herp
Mr. Godbee

Terry Johnson

From: Roger Herzog - MCDOTX [Rogerherzog@mail.maricopa.gov]
To: Terry Johnson
Cc: Mike Sabatini - MCDOTX
Subject: Comments on South Mountain Stakeholders Group Memo

Max,

Mike Sabatini and I discussed your South Mountain Stakeholders memo of May 31, 2000. Here are a few comments/questions:

- Will $5.0 million per year for right-of-way protection be adequate to cover the South Mountain Corridor, as well as the rest of the regional freeway system?
- We were somewhat surprised to see no mention of the group's discussion of shifting the $85 million to the north-south leg. If we are reading the memo correctly, this issue would not be addressed until after the EIS and Design Concept Report are completed, which could be three years in the future. Could that slow progress on completion of the corridor?

Thanks for the opportunity to comment. Rog
City of Phoenix

To: City Jurisdictions
From: Joy A. Mee, AICP
Subject: AMENDMENT TO THE GENERAL PLAN FOR PHOENIX

Date: May 23, 2001

Attached for your review is the following amendment to the General Plan for Phoenix:

VILLAGE: LAVEEN

1. Application: GPA-LV-1-01-7
   From: Commerce Park
   To: Mixed Use/Commercial/Commerce Park
   Acreage: 288.17 +/-
   Location: Generally located south of South Mountain Avenue on the North, Elliot Road on the South, 63rd Avenue on the West, and 59th Avenue on the East (excluding the Core and the parcel just south of South Mountain Avenue and west of the proposed freeway).
   Proposal: To add land use flexibility surrounding the Laveen Core.
   Applicant: City of Phoenix Planning Commission
   Representative: Kevin McAndrews w/L.A.D.S.
           First Planning Commission Hearing: 6/27/01
           Second Planning Commission Hearing: 7/25/01

The first hearing before the Planning Commission is scheduled for June 27, 2001. Please review the enclosed application and forward your comments to me by June 13, 2001.

Should you have any questions, concerns, or changes to any mailing information, please contact the Planning Department at 262-6882.

Attachments

City of Phoenix Planning Department
260 West Washington Street, 6th Floor, Phoenix, AZ 85003-1811 Tel 602-262-6882 Fax 602-465-3793

ENHANCED NOTIFICATION PROCEDURE
REQUEST FOR COMMENT FORM

Today’s Date: 5/23/01
Case Number: GPA-LV-1-01-7
Deadline for commenting jurisdiction to submit comments: 6/13/01
Date for response to comments: Tentative hearing date for project: 7/25/01

COMMENTING JURISDICTION: In accordance with the Enhanced Notification Procedure adopted by our community, we are informing you of a project that is being considered by our jurisdiction that may affect your community. Please review the data provided in this project and assess whether it may impact your jurisdiction. If you would like to submit comments, they should be provided by the above noted date, and should specifically address potential impacts. Please submit comments in a maximum of 3 copies. A response to your comments will be provided by the above noted date. ALL COMMENTS WILL BE REVIEWED AS ADVISORY ONLY – THE HOST JURISDICTION MAINTAINS AUTHORITY TO PROCEED WITH THEIR HEARING SCHEDULE AS NOTED. If you have any questions or would like additional information, please call the contact person listed below.

1. Submitting Jurisdiction: City of Phoenix
2. Contact person: Heidi Dorn Phone: 602-266-1647
3. Address or description of location of project: Generally located south of South Mountain Avenue on the North, Elliot Road on the South, 63rd Avenue on the West, and 59th Avenue on the East (excluding the Core and the parcel just south of South Mountain Avenue and west of the proposed freeway).
4. Nature of action requested (general plan amendment, master plan, rezoning, etc.): General Plan Amendment
5. Description of the project: Projected additional A.M./P.M. peak hour vehicle trips: 79088 per day
6. Number of dwelling units: None, Non-residential square footage: Present and proposed land use:
   - Existing: Commerce Park
   - Proposed, Mixed Use—Commercial/Commerce Park
   - Phasing plan for overall project:
7. Current level of service identified in the MAG Congestion Study for the nearest major intersection(s)
8. Distance from the perimeter of the project to the nearest existing or proposed:
   - Freeway — Proposed Loop 202 (Interstate US 60/101) (road of regional significance)
9. Measures that will be employed to mitigate any traffic impacts caused by the project:
10. If system related, are these improvements identified in the current MAG Transportation Improvement Program?
11. How the project supports the host jurisdiction’s commitments to implement the air quality plans of the region (trip reduction measures, transit incentives, etc.):
   - Concentrates retail/employment along freeway corridor
12. Date of any previous communication of this overall project through the Enhanced Notification Procedure:
   - Any other comments on the project (may use reverse sides or separate sheet): Please attach copies of:
     - A vicinity map, site plan and land use map of project
     - Any available development impact studies conducted for this area
Date: September 10, 2001

Mary Vaparino
ADOT
206 S 17th Avenue
Phoenix, AZ 85007

Dear Ms. Mary Vaparino,

The Laveen Watercourse/Greenbelt Pedestrian Design Project concept plan is a working document developed to help guide the development of an amenity that reflects the agricultural heritage of Laveen. The Laveen Watercourse may eventually become a part of a regional greenbelt system connecting with the Laveen Area Conveyance Channel, the Laveen Town Center, and the Laveen Village Core. A copy of the Laveen Watercourse Concept Plan is enclosed with this letter. Please review the concept plan and provide feedback to me (602) 256-5657 or Jasmin Chirakhe (602) 534-6410 by September 21, 2001. The concept plan will be revised to reflect the suggestions provided by the stakeholders, city departments and the public.

The Laveen Watercourse/Greenbelt Pedestrian Design Project Concept Plan is part of the Maricopa Association of Government (MAG) Pedestrian Area Design Program. A consulting team worked closely with MAG and the City of Phoenix Planning Department during the planning process for the concept plan. The challenge for this project was to help plan for the rapid future growth in the Laveen, located in southwest Phoenix, while protecting community open space values.

The Planning Department staff held an open house on August 8, 2001 to involve the public in the planning process. The objective was to update the Laveen community on the status of the Laveen Watercourse Concept Plan and solicit public comments regarding the concept design prepared by the consultant. It was the first of several meetings to be conducted over the next few months to work through details for the location and design of the watercourse.

The next phase of the planning process is to solicit information from the stakeholders and city departments. A second public meeting will be held to update the public regarding the comments from the stakeholders and other city departments and to discuss potential alternatives. That meeting is scheduled for later this month. The concept plan will be revised and the final plan will be presented to the public and the village planning committee for further discussion and recommendation to the Planning Commission.

Sincerely Yours,

Rachel Potts
Laveen Village Planner
Did you know that there is the same amount of water on Earth today as there was when the Earth was formed three billion years ago? Only 200 years ago there were 4 million people in the United States, while today there are 250 million ... and the same amount of water! It isn’t too hard to figure out that as the demands continue to grow, and the supply of water doesn’t, everyone will hold a greater responsibility in conserving, protecting and getting involved in the decision making that involves our water resources.

Federal, state, tribal and local entities can experience great rewards by effectively managing wetlands, fish and wildlife resources, endangered species, water quality and cultural resources for which they are responsible. Often, reliably managing these resources can translate into improved local economic opportunities. The City of Phoenix and the Corps of Engineers are partnering to study how the Salt River from 19th Avenue to 83rd Avenue can be protected and restored in the future. As stakeholders to the river, this is where we need your help!

The following information was extracted from the Reconnaissance Study that was used as the basis for making the decision to proceed, into the feasibility phase of the study. It resulted in the finding that there is a Federal interest in continuing the study into the feasibility phase. We ask you to review the problems, opportunities, and objectives as identified below, and come prepared to discuss them as they relate to your interest in the river.

LOCATION OF STUDY

The study area is located along the Salt River, in Phoenix, Arizona, between 19th Avenue and 83rd Avenue. The study area is located in between the authorized Rio Salado Project area and the authorized Tres Rios Project area. The Oeste study area is approximately eight river miles in length. In comparison, the authorized Phoenix reach of the Rio Salado project is five miles long and the Tres Rios study area is about seven miles long.
The non-Federal sponsor for the feasibility phase of the study is the City of Phoenix. The study area includes portions of the City of Phoenix, Maricopa County, state and federal land.

**PLAN FORMULATION**

During a study, six planning steps that are set forth in the Water Resource Council’s Principles and Guidelines are repeated to focus the planning effort and eventually to select and recommend a plan for authorization. The six planning steps are: 1) specify problems and opportunities, 2) inventory and forecast conditions, 3) formulate alternative plans, 4) evaluate effects of alternative plans, 5) compare alternative plans, and 6) select recommended plan.

**PROBLEMS AND OPPORTUNITIES**

The evaluation of public concerns often reflects a range of needs, which are perceived by the public. This section describes these needs in the context of problems and opportunities that can be addressed through water and related land resource management. The problems and opportunities that have been identified within the study area are:

- Degraded river and adjacent over bank areas, due to upstream water resources development, has eliminated native riparian plant species and wildlife habitat. Perennial base flow conditions, critical to the needs of native plants, no longer exist in the river corridor through the study area.

- The average depth to groundwater beneath the river channel is much greater than historic conditions. Riparian vegetation that depends on groundwater has largely disappeared from the river channel.

- Lack of a natural flood regime. These changes in the river system have impacted the surfaceto-groundwater interactions and sedimentation dynamics that are important for sustaining and regenerating riparian vegetation.

- Land use changes, including landfills and sand and gravel mining, have degraded and are contributing towards continued degradation of the river corridor.

- Unsuitable existing bank conditions exist at many locations. Surface dumping and manmade bank changes have resulted in a degraded and unsafe bank in many locations.

- There is an opportunity to take advantage of existing open water bodies, in the river and adjacent properties, as potential restoration sites.

- Utilize discharges from the 23rd Avenue Waste Water Treatment Plant to supplement surface water and groundwater sources of water for restoration and other needs.

- There is an opportunity to link other upstream and downstream projects to provide a continuous restoration and flood control corridor. These would include the authorized Rio Salado project and the authorized Tres Rios project.

- Utilize groundwater for restoration and other needs, as agricultural groundwater pumping phases out. This opportunity may be the greatest in the Laveen area.

- Flooding and drainage problems exist in the Salt River contributing drainages for the Laveen and Durango Area Drainage Master Plan areas.

- Contributing interior drainages lack current hydrology information at all discharge points into the Salt River. Adequate points of disposal do not exist at many interior drainage discharge locations.

- There is a flooding problem on the south side of the river, within the 100-year floodplain, between 67th Avenue and 75th Avenue.

- There are no formal existing recreation or environmental education opportunities associated with the existing river corridor. As agricultural land near the river is converted to residential, the need for recreation will increase. The 27th Avenue Solid Waste Recycling Facility (just north of the river) has an existing environmental education master plan. The facility provides tours for children and adults. The 23rd Avenue Waste Water Treatment Plant also does environmental education programming and tour for water treatment. These existing facilities provide an opportunity to link environmental education that could be developed for a restored river corridor.

- Existing cultural resources need protection from erosion and vandalism.

- The extent and significance of existing cultural resources is unknown.

- The biggest contributor to water in this stretch of the Salt River is the City of Phoenix 23rd Avenue Wastewater Treatment Plant. The plant produces a high quality A++ effluent, which meets the water quality standards for numerous uses including Partial Body Contact, Fish Consumption, Aquatic and Wildlife (effluent dependent), Agricultural Irrigation and Agricultural Livestock. In order to meet the City of Phoenix's exchange agreement with the Roosevelt Irrigation District, the plant's effluent also meets water quality standards for irrigation of crops eaten raw. Thus it meets very high microbiologic standards. Other discharges into the river both upstream and downstream of the plant will have a degrading effect on 23rd Avenue effluent. Storm water, industrial and agricultural discharges along
this stretch of the river impact the overall river water quality. Thus the water quality may degrade as it moves downstream.

PLANNING OBJECTIVES

These planning objectives reflect the problems and opportunities and represent desired positive changes in the without project conditions. The planning objectives are specified as follows:

- Increase native riparian plant and wildlife habitat values, diversity and functions from 19th Avenue to 83rd Avenue for a period of 50 years. Elements of diversity include establishing multiple native riparian plant species, providing sufficient open space for wildlife, and providing open water features for wildlife.
- Increase passive recreational and environmental education opportunities for visitors, which are linked to the restoration project in the study area, for a period of 50 years.
- Attract wetland and riparian avian species in the study area.
- Establish the presence of amphibian species, reptilian species, mammalian species, and avian species in the study area.
- Suppress undesirable and nonnative fish and wildlife species.
- Eliminate non-native, invasive plant species in the study area.
- Improve flood control along the Salt River between 67th and 75th Avenue.
Dear Mayor Rimزا,

I agree that if we don’t continue making improvements in our transportation system, 10 years from now congestion will be worse.

I would encourage you to support the following transportation improvements to help maintain and improve our quality of life: (Please check all that apply)

- Expanded Freeways
- Express HOV Lanes
- New Parkway Construction
- Expanded Public Transportation
- More Bus Pullouts
- Expanded Light Rail
- Other

Comments:

name:
Address:
Email & Phone No.

Please affix a postage stamp. Thank You.

Sincerely,

Skip Rimза
Mayor

City of Phoenix
Office of the Mayor

November 2006

Mayor Skip Rimза
Andrea Tynan, Chief of Staff

Phoenix is now the 6th largest city in America. In Maricopa County, we already have 3 million people and are adding 5,000 more every month. In the next thirty years or so, we will have 6 million people in the county and Phoenix will become the 3rd largest city in the nation.

Please take a careful look at the enclosed map. It shows where growth will occur in the next 25 years. If you live in the Desert Ridge area, you’ll have 150,000 new neighbors. If you live in Laveen, you can expect 100,000 more people. The Baseline Corridor will see 40,000 new residents and the Central City core will grow by 125,000.

Those are big numbers.

But the map also provides concepts of proposed transportation improvements to help you maintain your quality of life while our population doubles. Freeway widening, new parkways, extended HOV lanes, traffic signal synchronization, expanded bus service (including bus rapid transit), more bus pullouts, and additional light rail extensions—all these things can be considered and developed by the city of Phoenix to alleviate future congestion and gridlock.

Our freeway system is nearly completed—yet is already nearing capacity. The new census shows that, despite our new freeways, each of us are spending more time in our cars, trucks and SUVs. Without a significant long-range commitment to transportation investments, average commute times during rush hour could more than double. Unless we make tomorrow’s plans TODAY, we will fall far behind and we’ll never catch up—and our commute times will only get longer.

We need a thoughtful, 20-year transportation plan that will get the job done for us all. I have a few ideas, but I’m sure you have ideas of your own. And I’d like to hear them. So please take a few minutes to fill out the enclosed questionnaire and mail it back to me in the Mayor’s Office.

Sincerely,

Skip Rimза
Mayor
September 8, 2003

Robert E. Hollis
Division Administrator
U.S. Department of Transportation
FHWA – Arizona Division
400 E. Van Buren Street
Phoenix, AZ 85004

Re: HA-AZ, NR 202(ADY), 202L MA 054 HI5764 01L, Loop 202, South Mountain, Initial Section 106 Consultation

Dear Mr. Hollis:

Your office recently forwarded a “Class I” report to my office regarding the proposed Loop 202 freeway corridor. The purpose of the report as explained in your letter is to identify “previously recorded cultural resources” to help with the process of identifying feasible project alternatives for the proposed freeway.

I have a number of concerns regarding this report. They are as follows:

+ It does not appear that this initial study attempted to identify non-archaeological historic properties that have been previously identified through historic surveys or determined National Register eligible by the State Historic Preservation Office (SHPO). I am aware of at least several known National Register eligible historic properties located within the corridor area, including the Webster Farmstead at 75th Avenue and Baseline Road (previously determined National Register eligible by the SHPO), South Mountain Park (may or may not be partially on the boundaries of the corridor study), and potentially historic canals and canal lateral areas (need to consult with Bureau of Reclamation and Salt River Project).

+ A search of the National Register and Section 106 files of the Arizona State Historic Preservation Office and the survey files of the City Historic Preservation Office is needed to locate any historic non-archaeological properties in the project corridor and "to identify previously recorded cultural resources" as stated in your letter. We highly recommend that the cultural resources "Class I Overview" by amended at this time to incorporate a records search of surveyed and designated historic buildings, structures, districts, and objects.

+ My office also recommends that all further cultural resources identification efforts for this project include a qualified architectural historian on the identification team. This is needed given the high potential to locate other historic non-archaeological properties within the project’s area of potential effects.

If I can provide additional information, please feel free to contact me at (602) 262-7468.

Sincerely,

Barbara Stocklin, City Historic Preservation Officer

cc: Kae Neustadt, Arizona Department of Transportation
Jim Garrison, State Historic Preservation Office
October 9, 2003

Annelise O. Edwards, PE  
Project Manager  
South Mountain Corridor Team  
HDR, Inc.  
3200 E. Camelback Rd., Suite 350  
Phoenix, AZ 85018-2311

Dear Ms. Edwards:

As the City of Phoenix Public Transit Department looks to expand service to the southwestern portion of the city, we will be attempting to secure property for a passenger facility along the future South Mountain Corridor with convenient freeway access. My staff has attended project meetings and is fully aware of the ongoing study and stakeholder involvement to determine a final alternative.

The Public Transit Department would like to work with ADOT in securing land and integrating a future facility in the Design Concept Report (DCR) and the Environmental Impact Statement (EIS) for this corridor. The City of Phoenix Public Transit Department looks forward to continuing its relationship with ADOT and improving mobility in the Valley. If you have any questions please contact Mark Melnychenko, Principal Planner, at (602) 262-7240 or me at (602) 262-7584. Thank you for your assistance.

Sincerely,

Reed Caldwell, PE  
Deputy Director  

cc: Bill Vachon  
Ray Dovallina  
Mark Melnychenko

This letter was also sent to Mr. Floyd Roehrich, Jr., PE, Project Manager, South Mountain Corridor Study, Arizona Department of Transportation
WHEREAS, the City has approved numerous development plans since 1985 along and adjacent to the 81st Avenue alignment; and
WHEREAS, the current study of this freeway includes the 81st Avenue alignment as one alternative; and
WHEREAS, the Phoenix City Council deems the 81st Avenue alignment to provide the best traffic service to the citizens of Phoenix and the region, of the alternatives now under study, now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX that the Phoenix City Council reaffirms its support of the 81st Avenue alignment, between Interstate 10 West and 81st Avenue south of Elliott Road, as the most effective and efficient route for the South Mountain Freeway in this regard.

PASSED by the Council of the City of Phoenix this 17th day of December, 2003.

ATTEST:

[Signature]

MAYOR

APPROVED AS TO FORM:

[Signature]

ACTING

[Signature]

AFFIRMED

[Signature]

PUBLIC SERVICE DIRECTOR

City of Phoenix
OFFICE OF THE CITY MANAGER

October 28, 2003

South Mountain Corridor Team
Arizona Department of Transportation (ADOT)
50 W. Van Buren, Phoenix, AZ 85003
480-722-0000

Dear Ms. Edwards:

This letter is to provide input on the 5 alternative South Mountain Corridor freeway alignments presented by ADOT staff at an October 2, 2003 public meeting.

The City of Phoenix strongly opposes Alternative 2, which proposes connecting with the I-10/Loop 101 interchange at 99th Avenue and running south through an area between 99th and 109th Avenues and Lower Buckeye Road. In November 2002, the Public Works Department purchased 183 acres of land north of Lower Buckeye Road and east of 99th Avenue to construct a 100-acre district park, police precinct station, fire station, community branch library, maintenance service center, and a decentralized citizen service center (site map enclosed).

The police and fire facilities are very critical to future public safety service delivery and maintenance of adequate response times to police and fire emergencies in this rapidly growing area of Phoenix. The district park and branch library will be needed to serve the surrounding community with recreational and educational opportunities. The citizens service center will allow local Phoenix residents to conduct City business in the area instead of downtown Phoenix, and the maintenance service center will allow Public Works to efficiently serve the City’s southwest area field operations needs.

The City of Phoenix strongly supports Alternative 1, which connects with I-10 near 55th Avenue, as the best option for the planned South Mountain freeway. The 55th Avenue route alignment has been on the City’s General Plan Map since the last ADOT freeway study in 1989 and has been a basis for our ongoing planning efforts and development in the Estrella and Laveen Village planning areas. The Alternative 1 alignment would be an opportunity to improve the City’s traffic circulation at a time of unequalled growth, providing access to...
downtown. Land use planning in Phoenix has incorporated this freeway alignment to achieve the potential for commercial and employment centers. Commercial core locations have been planned along this alignment that will tie into street improvement projects, bettering circulation opportunities in the City’s boundaries.

If you have questions, please contact Mark Leonard, Public Works Director, at 602-256-5682 or me at 602-262-7486.

Sincerely,

[Signature]

George Flores
Deputy City Manager

Enclosure

c: Mr. Lingner, Council District 7
   Ms. Biltzen, Council District 3
   Mr. Farbanski, City Manager’s Office
   Mr. Leonard, Public Works
   Mr. Richert, Planning
   Mr. Callow, Street Transportation
City of Phoenix
PUBLIC TRANSIT DEPARTMENT

July 22, 2004

Mr. Floyd Roehrich, Jr., P.E.
Senior Project Manager
South Mountain Corridor Study
Arizona Department of Transportation
205 South 17th Avenue 614E
Phoenix, AZ 85007

Dear Mr. Roehrich:

As the City of Phoenix Public Transit Department looks to expand service to the southwestern portion of the city, we will be attempting to secure property for a passenger facility along the future South Mountain Freeway Corridor with convenient freeway access. Being on the inbound side with convenient access and the ability to construct a bus only slip ramp, Public Transit has a strong interest in the northeast quadrant of the future Baseline Road/South Mountain Freeway interchange. Staff has attended project meetings and is fully aware of the ongoing study and stakeholder involvement to determine a final alternative.

The Public Transit Department would like to work with ADOT in securing land and integrating a future facility in the Design Concept Report (DCR), Environmental Impact Statement (EIS) and study for this corridor.

The City of Phoenix Public Transit Department looks forward to continuing its relationship with ADOT and improving mobility in the Valley. If you have any questions, please contact me at (602) 262-7240.

Thank you for your assistance.

Sincerely,

Mark Melnychenko, AICP
Principal Planner

C: Reed Caldwell
Raimundo Dovalina
Bill Vachon

VIA HAND DELIVERY
AND U.S. MAIL

December 14, 2004

Mr. Kenneth Davis
District Engineer
Federal Highway Administration
One Arizona Center
400 East Van Buren
Suite 410
Phoenix, AZ 85004

Re: South Mountain Corridor Economic and Social Impact Analysis

Dear Mr. Davis:

For information and use by the Federal Highways Administration and the Arizona Department of Transportation, enclosed please find an economic and social impact analysis for the South Mountain Corridor Environmental Impact Statement. This fiscal, economic, and social impact analysis includes criteria that the city believes is important to the EIS. We strongly urge you to use similar tax, employment and detailed land use assumptions.

In addition, we didn't estimate the revenues or losses to the city from permitting, development or impact fees. Significant changes in land uses as a result of alternative alignments may materially affect the city's ability to collect such fees.

Sincerely,

Bridget Schwartz-Manook
Management Assistant

Attachment

cc: Victor Mendez, Director, Arizona Department of Transportation
Shannon Wilhelmsen, Director, Communication and Community Partnerships Department, Arizona Department of Transportation
Amy Edwards, Transportation Engineer, HDR
Daniel Brown, Assistant City Attorney, City of Phoenix
Tom Callow, Director, Streets Department, City of Phoenix
Joy Mee, Assistant Director, Planning Department, City of Phoenix
Paul Katsunes, Deputy Director, Community and Economic Development, City of Phoenix
Norvis Nordvold, Director, Intergovernmental Programs, City of Phoenix
Ralph Velez, City Manager, City of Tolleson

City of Phoenix
OFFICE OF THE CITY MANAGER

200 West Washington Street, 12th Floor, Phoenix, Arizona 85003 602-262-6941 FAX: 602-262-8377

Recycled Paper
June 23, 2005

Mr. Dan S. Lance
Deputy State Engineer
Arizona Department of TransportMIAG
206 S. 17th Avenue
Mail Drop 102 A
Phoenix, Arizona 85007

Dear Mr. Lance:

The purpose of this letter is to thank you and your consultant for the presentation made to City staff on May 25 and to provide several comments on the South Mountain Freeway, SR 202 L project as a follow up to that presentation.

As you know, the City firmly supports the W 55 alignment (the original alignment approved in 1986 prior to the vote for Proposition 300). The Phoenix City Council passed Resolution 20029 on December 17, 2003, affirming this support.

The City Council and management remain gravely concerned that no agreement has yet been reached with the Gila River Indian Community regarding the study of alternative alignments for the Pecos Road segment of the freeway. The City is ready to lend any assistance within its power to facilitate such an agreement.

We understand that a number of 4(f) properties and/or facilities lie adjacent or near the W 55 alignment. The City Historic Preservation Office will assist in any manner deemed useful in resolving alignment considerations affected by these, and we will assist, where feasible, in working with ADOT and FHWA on these matters.

The City is pleased that alternative vertical alignments for the freeway, both south of the Salt River and along the Pecos Road alignment, are being considered. We are intensely interested in reviewing the evaluations of the depressed and semi-depressed options in these reaches, particularly where the freeway abuts residential development.

Property access adjacent to future interchanges is a concern. We understand and agree with the current ADOT policy of restricting access on the cross street within 300 feet of interchanges and will endeavor to be consistent in this policy as our staff reviews new developments. However, we expect ADOT to be flexible in the application of this policy when doing so would result in extreme hardship to the affected property.

Traffic operations along arterial streets that interchange with the freeway are also of concern, and we earnestly request that ADOT maintain a minimum one-quarter mile separation between the interchange traffic signal(s) and the nearest adjacent existing or likely to be signalized intersection. It appears that the W 55 alignment does maintain this separation.

We appreciated the opportunity for City staff from the City Manager's Office and several departments to receive the briefing provided on May 25 and ask that further updates on this vital project be provided to this same group at appropriate times.

Sincerely,

Thomas E. Callow, P.E.
Senior Executive Assistant to the City Manager
R:Callow/Dan Lance 6-29-05.doc
C: Bridget Schwartz-Manock
   David Richert
Dear Neighbor:

As your City Councilman, it is my duty to deliver this important message about the South Mountain Freeway Alignment Proposal. I need your help because the residents of Laveen and Estrella Villas will play a key role in the decision process.

I am requesting your support for the freeway plan that will guarantee access for Laveen residents. For over twenty years, the City of Phoenix has protected a corridor for a freeway alignment that will connect Laveen residents to the I-10 Freeway. This important access makes it possible for a commercial core to develop along 59th Avenue. The major retailers and restaurants that Laveen and Estrella residents need will not be possible unless this alignment is built. Unfortunately, a Federal Study is forcing the State Department of Transportation to consider other alternatives that will stop retail development and economic growth in your area.

The enclosed survey offers three different alignments to choose from: Loop 101, 71st Avenue, and 59th Avenue. The 59th Avenue alignment ensures commercial and much-needed retail development in the area, as well as providing a convenient access to the I-10 Freeway. The 88th Avenue alignment also has been approved by the voters of Maricopa County in 2010 elections.

Please join me in supporting the future of Laveen and Estrella by filling out the enclosed survey form and by selecting the 59th Avenue alignment. A return envelope has been included for your convenience.

Thank you for your participation.

Sincerely,

Doug Lingner
Councilman
District 7

Enclosure
December 27, 2005

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, Arizona 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway Near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

The City of Phoenix Water Services Department has a concern with one of the Loop 202 Freeway alignment alternatives currently being considered by ADOT. The proposed alignment of concern is currently named the “Loop 101 alignment” which proposes several alternative routes to connect to the I-10 Freeway at the 99th Avenue/101 Freeway alignment. Specifically of concern are the two alternatives that cross directly through the 91st Avenue Wastewater Treatment Plant. Due to the vital nature of this facility to the continued growth and environmental compliance of the Phoenix metropolitan area, the City would like to weigh in on this matter.

The 91st Avenue Wastewater Treatment Plant (Plant) is owned by the cities of the Sub-Regional Operating Group, namely Glendale, Mesa, Phoenix, Scottsdale, and Tempe. For all five of these cities, the continued operation and expansion of the Plant is necessary to support the existing population and new growth for the Phoenix Metropolitan area. The financial expenditures put into this Plant since its inception in the 1950’s represents a significant investment into the future of our community, and one that needs to be maintained. Potential conflicts with the surrounding community are continually being addressed by Water Services staff in order to ensure the continued viability of the facility.

In order for you to better understand the location of the Plant; I have included maps of the Plant with proposed expansions, and the Tres Rios Project which will accept the effluent from the Plant. The proposed alternative routes that are in conflict with the Plant have been overlaid on the maps for your convenience.

Sincerely,

Danny W. Murphy
Acting Water Services Director

Attachments

cc: Thomas E. Callow
    Ross D. Blakey
    Carlos A. Padilla
    Paul Kinshella
    Blaine Albright
City of Phoenix

June 2, 2006

Mr. Victor M. Mendez,
Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Phoenix, Arizona 85007

Dear Mr. Mendez:

The purpose of this letter is to document the City’s position concerning the proximity of the South Mountain Freeway to the tank farm at 55th Avenue and Van Buren Street.

The City asks that ADOT agree to make the following changes to the W 55 freeway alignment and design adjacent to the tank farm:

• shift the freeway alignment as far west as possible, while remaining in the vicinity of the 55th Avenue corridor;
• minimize the take of land from the tank farm site;
• build a screen wall or barrier that will block the line of sight from trucks on the freeway mainline and northbound off-ramp into the tank farm. The ramp barrier should be designed to prevent a heavy vehicle from penetrating into the tank farm;
• collaborate with representatives from the Arizona Counter Terrorism Center in developing appropriate protection solutions for the tank farm in relation to potential effects from the freeway right-of-way.

If these alignment changes and design features are incorporated into the W 55 alternative, the freeway will neither cause significant disruption to the operation of the tank farm nor compromise its security.

Sincerely,

Frank Faibish
City Manager

cc: Allan Washington
Marcuse Auersiue
Thomas E. Callow, P.E.
J. Donald Herp, P.E.

January 11, 2006

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 1004
Phoenix, AZ 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT)
Loop 202 Freeway near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

On December 27, 2005, Danny Murphy, Acting Director of the City of Phoenix Water Services Department, wrote you a letter expressing concern with one of the Loop 202 Freeway alignment alternatives currently being considered by ADOT. The proposed alignment of concern is currently named the “Loop 101 alignment” which proposes several alternative routes to connect to the I-10 Freeway at the 69th Avenue/101 Freeway alignment.

As joint owners of the 91st Avenue Wastewater Treatment Facility, the City of Scottsdale would like to express the same concerns as are spelled out in Mr. Murphy’s letter. Specifically of concern are the two alternatives that cross directly through the 91st Avenue Wastewater Treatment Plant.

The 91st Avenue Wastewater Treatment Plant (Plant) is jointly owned by the cities of Glendale, Mesa, Phoenix, Scottsdale, and Tempe, which comprise the Sub-Regional Operating Group, or SROG. For all five of these cities, the continued operation and expansion of the Plant is necessary to support the existing population and new growth. The financial expenditures put into this Plant since its inception in the 1960s represent a significant investment into the future of our community and one that needs to be maintained. Phoenix’s Water Services staff, as the primary facility operator, is continually addressing potential conflicts with the surrounding community in order to ensure the continued viability of the facility.
November 24, 2009

Ms. Susanne Rothwell
President PMPC
For the PMPC Board
P.O. Box 28121
Phoenix, AZ 85088-6121

Dear Susanne:

Thank you for your letter on behalf of the Phoenix Mountain Preservation Council (PMPC). I appreciate the position of the PMPC on the specific alignment of the proposed Loop 202 Freeway around South Mountain Park. The City of Phoenix has no formal role in the approval process. However, I thought it would be useful to lay out the review process.

The proposed Loop 202 alignment is being evaluated through an Environmental Impact Statement (EIS) process administered by the Arizona Department of Transportation (ADOT) on behalf of the Federal Highway Administration (FHWA). It is currently funded by the Regional Transportation Plan (RTP) that was approved by the Maricopa region’s voters in 2004.

According to ADOT, upon completion of the Administrative Draft EIS, the document will be reviewed by FHWA and other governmental agencies. ADOT’s timeline for release of the Draft EIS and the associated public hearing is largely based on this review process. At this time, ADOT anticipates publication of the Draft EIS and the public hearing will occur in summer 2010, with an associated 60-day public comment period (twice the federal requirement). The Final EIS will be available for public review during a 60-day comment period. After considering any comments received on the Final EIS, FHWA will issue a Record of Decision (ROD). The ROD will identify the selected alternative for the proposed action. If a build alternative is selected, Maricopa Association of Governments (MAG) will allocate funding.

Further, ADOT and FHWA will continue to seek input from the public, agencies, and jurisdictions regarding the proposed freeway through the design phase and construction, if a build alternative is selected. In addition to the public hearing associated with the Draft EIS, ADOT plans to meet with the public and the Citizens Advisory Team regarding changes to the RTP and Draft EIS. I understand that the next Citizens Advisory Team meeting is planned for early 2010. A newsletter from ADOT providing updates about the study process is also planned for early 2010.

Sincerely,

David M. Mansfield
General Manager, Water Resources Department

c: Dave Petty, Acting Planning and Engineering Director
   Greg Crossman, Sr. Water Resources Engineer
July 15, 2010

Mr. Robert Hollis
Division Administrator
Federal Highway Administration
4000 North Central Avenue, Suite 1500
Phoenix, AZ 85012-1905

RE: South Mountain Freeway (SR202L) Alignment at Dobbin's Road

Mr. Hollis:

This letter is a follow-up to our meeting of July 8, 2010 where we discussed the alignment change of the South Mountain Freeway (SR202L) at Dobbin's Road. The City of Phoenix would like to revisit the proposal under consideration to change the freeway alignment from 61st Avenue to 65th Avenue at Dobbin's Road.

A Future Freeway designation has been on the City of Phoenix' General Plan Map since 1988. Originally, the alignment was shown on 59th Avenue. In 1988, City Council approved GPA-SM-8-87-7, an amendment that changed the Designation to Freeways/Parkways and moved the alignment to 61st Avenue. Since that time, all of the city's planning efforts and entitlement processes have been based on the freeway alignment through Laveen along 61st Avenue.

In 1999, the City Council approved GPA-SM-3-97-7, an amendment that mapped the Southwest Growth Study and established the Laveen Village Core centered at 59th Avenue and Dobbin's Road on the land use map. Two subsequent amendments, GPA-LV-2-00-07 and GPA-LV-1-01-7, established the mixed use designation along the freeway alignment. Between 2000 and 2009, there have been several rezoning cases approved based on the 61st Avenue alignment for the South Mountain Freeway.

One of these rezoning cases was for a proposed hospital. The nearest hospital to the Laveen Village is the Banner Estrella Medical Center at Thomas Road and the Loop 101, which is approximately nine miles from the proposed hospital within the designated Laveen Core. Aside from the need for nearby medical facilities, the proposed hospital will bring employment to an area that is currently a majority of single-family residential. A hospital of such size will also attract other medical offices and clinics thus spurring more local job opportunities, as well as local retail and services that will support employees and the surrounding area. ADOT's current alignment along 63rd Avenue would seriously impact the proposed hospital site by reducing the contiguous area available for current and future development of the site. This alignment would make the site unsuitable for a large regional medical facility.

The Arizona Department of Transportation (ADOT) made the alignment shift in order to avoid several agricultural properties determined eligible for listing on the National Register of Historic Places. These properties are not currently listed on the Phoenix Historic Property Register or the National Register of Historic Places, and there are no plans in process to pursue these designations. We have discussed these historic properties with our Historic Preservation Officer (HPO) who feels that the impacts to these properties can be minimized and/or mitigated to the satisfaction of all stakeholders, including the State Historic Preservation Office. The HPO is also willing to assist FHWA with its efforts to consult further with the SHPO on this project. Another option would be to address the Dobbin's Road Traffic Interchange (TI) to avoid or minimize disruption to the historic properties.

Moving the alignment back to the 61st Avenue alignment would save the taxpayers approximately $1.5 million dollars by reducing the amount of paving.

In summary, the City of Phoenix requests that ADOT consider moving the South Mountain Freeway alignment back to the 61st Avenue in the area of Dobbin's Road. Because the City of Phoenix has relied on the 61st Avenue alignment to make land use decisions for more than two decades, the level of community disruption that would be caused by any other alignment other than 61st Avenue would be severe, and the City's confidence that the impacts to historic properties can be successfully mitigated, the City's position is that the 61st Avenue alignment is the only "prudent and feasible" alignment for the South Mountain Freeway alignment. Please feel free to contact Wylie Beunap, Street Transportation Director, if you wish to discuss this further.

Sincerely,

Rick Nalmark
Deputy City Manager

C: Robert Sarrour, ADOT
Larry Langor, ADOT
Mike Bruder, ADOT
Wylie Beunap, Street Transportation
John Swift, Street Transportation
Dan Matthews, Street Transportation
Shane Stiles, Street Transportation
Michelle Dodds, Planning
Barbara Stokliski, Historic Preservation Office
December 22, 2006

Mr. John Halkowski
Director
Arizona Department of Transportation
206 South 17th Avenue, Room 135, Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halkowski:

As the Phoenix City Councilmember whose Council District will be most impacted by the north-south alignment of the South Mountain Freeway (Loop 202), I am writing to ask that the freeway planning efforts continue to move forward without delay.

As you know, the South Mountain Freeway has been part of the Regional Transportation Plan since the voters approved Proposition 305 in October 1985. It is my understanding that because of the age of the Design Concept Report, the environmental issues and the alignment being adjacent to the Gila River Indian Community (GRIC), the Federal Highway Administration and the Arizona Department of Transportation (ADOT) began an Environment Impact Statement (EIS) in 2001 that was expected to be completed in 2006. Since the EIS was started, the voters in this region again approved the South Mountain Freeway in 2004. But, at this time, we are still awaiting a Record of Decision on the corridor.

Recently, there have been numerous news accounts about discussions between ADOT, the Maricopa Association of Governments (MAG) and the GRIC regarding options for the east-west segment of the freeway. While I applaud the efforts to make sure that the most cost effective and least intrusive freeway plan be built, I want to make sure that the entire project is not slowed down while discussions take place. The residents in my Council District have waited patiently while the EIS has been drawn out. I want to confirm that ADOT will release the draft EIS for public review in 2010 and move toward the construction phase quickly.

City of Phoenix staff have spoken highly of your leadership at ADOT. I look forward to working with you to ensure that the South Mountain Freeway is built and is successful. If you have any questions, please call me at (602) 262-7402.

Sincerely,

Michael Nowakowski
Councilmember – District 7

C: Ed Zuercher, Assistant City Manager, City of Phoenix
    Dennis Smith, Executive Director, MAG

City of Phoenix
602-262-7602
Fax: 602-263-2458
TTY: 602-263-2400
council.district7@phoenix.gov

City of Tempe
1501 W. Washington St.
Phoenix, Arizona 85003-1811

January 18, 2006

Mr. Victor M. Mendez, Director
Arizona Department of Transportation
205 South 17th Avenue
Room 135A
Mail Drop 100A
Phoenix, Arizona 85007

Re: Proposed Alignment for Arizona Department of Transportation (ADOT) Loop 202 Freeway near the 91st Avenue Wastewater Treatment Plant

Dear Mr. Mendez:

I am writing to express the City of Tempe’s concern regarding any proposed freeway alignment that may impact current operation or future expansion of the 91st Avenue Wastewater Treatment Plant. The 91st Avenue Plant is owned by the Sub-Regional Operating Group (SROG) which includes the Cities of Glendale, Mesa, Scottsdale, Tempe, and the City of Phoenix that operates the facility for the SROG partnership.

In his letter of December 27, 2005, Mr. Danny W. Murphy, Acting Water Services Director, City of Phoenix, expressed the SOR/5 Cities’ concerns regarding freeway alignments that could impact the 91st Avenue Plant. The City of Tempe shares those concerns which include the significant investment to support both the existing population as well as future growth in the community.

The City of Tempe Water Utilities Department joins the City of Phoenix in its request that ADOT route freeway alignments around the 91st Avenue Wastewater Plant.

Sincerely,

Don Hawkes
Water Utilities Manager
City of TOLLESON

May 27, 2003

Arizona State Department of Transportation
ATTN: Mr. Bill Hayden, Special Assistant
State Engineer’s Office
206 S. 17th Avenue
Room 101A
Phoenix, Arizona 85007

RE: South Mountain Transportation Corridor Alternative Screening Report, Version 2.0 (March 2003) Review and Comments

Dear Mr. Hayden:

On behalf of the Tolleson Mayor and Council I would like to thank you and the South Mountain Transportation Corridor Team for taking the time to visit Tolleson on March 19, 2003 for the purpose of allowing Tolleson an opportunity to comment on the proposed alternatives for the South Mountain Freeway.

Regionally speaking, I acknowledge the need for an alignment that not only moves traffic but is also logistically placed, however, there are significant cultural, financial and social issues and material technical elements that, in my opinion, make Alternatives #2 and #3 non-viable within our city corporate limits. As you will read in this letter, Alternatives #2 and #3 are, and will be, vehemently opposed by Tolleson. Tolleson strongly recommends that the South Mountain Freeway be located at its originally planned location, Alternative #1.

The Tolleson community would once again be disproportionately prejudiced by the extension of the South Mountain Freeway from Loop 101 along Alternatives #2 or #3. As you are aware, Tolleson is a small community comprised of six square miles, two miles of which are currently bisected by I-10. The citizens of Tolleson are predominately Hispanic, earning less than the average median income. Obviously, given the elements of our City and its citizens, you can see our resources are limited. The City’s ability to effectively protect the proposed alignments or of its citizens to fight the siting of another freeway in their backyards is also limited. Clearly, Tolleson and its proud population have been the victims of previous highway construction. Tolleson’s citizens were the last group to get a sound wall and the noise producing elevated interchange of I-10 and Loop 101 in Tolleson are recent examples of this blatant abuse of the disadvantaged. While some on the council are claiming the siting of the South Mountain Freeway in Tolleson would perpetuate the institutional racism of Tolleson and its citizens have suffered in the past, this letter is written with the request that the siting not be the result of what route offers the least resistance.

If the Loop 101/South Mountain Freeway extends south into Tolleson four of Tolleson’s six square miles would be adversely impacted by freeways. Economically valuable property along the City’s main industrial and retail corridor (99th Avenue) would be completely destroyed or severely diminished. After the South Mountain Freeway extension, land on the east side of 99th Avenue (Tolleson property) would be totally taken or only shallow development parcels would remain. Traffic on 99th Avenue in Tolleson, once a dynamic roadway, would be an awkward roadway no longer serving businesses on both frontages. From a General Plan and Land Use perspective and following a similar pattern with the construction of I-10 and Loop 101, both Alternatives #2 and #3 require a taking of large parcels of undeveloped land in Tolleson. Based on a percentage of incorporated square miles Tolleson has provided the most property for freeways during the past 15 years. When the 101 was connected to I-10 from the north, prime commercial and industrial property along McDowell was taken for retention and detention of waters flowing south from Glendale and Phoenix. Additional freeway takings will only add to the already high ratio of freeway dedicated land versus that developed or to be developed.

Both Alternatives drastically impact the ability of Tolleson to serve water to its residential and corporate citizens. Two wells serve all of Tolleson’s water needs. Alternatives #2 and #3 wipe out Tolleson’s only two water production wells.

We hope you are aware that there is a massive pollution plume comprised primarily of TCE directly east of Tolleson and over the recent past has continued its westward flow to Tolleson. The plume’s western edge is at Tolleson’s east border. The City has shut down its eastern most wells and has had to relocate its two wells in western Tolleson. These wells are now in the path of Alternatives #2 and #3. Tolleson has no land in its boundaries east of 99th Avenue and north of Van Buren, in short if 101 is extended south in Tolleson, Tolleson would lose its wells and would have to carry its wells back east, back towards the pollution plume.

In addition to the wells and adjoining storage facilities, each well has water treatment facilities that provide the necessary purification to the water. Tolleson spent millions of dollars on the facilities. The electro dialysis reversal (EDR) systems are utilized for the treatment and purification of water, including water used by Pepisco for their production of Gatorade. The production wells, booster pumps, abstraction panels, stand by natural gas driven diesel engine, metering and production equipment and building as well as the twelve inch (12”) major transmission water lines leading to and from the production wells would perhaps require relocation and/or abandonment. A permanent or temporary curtailment of water production will create a severe water shortage in the city, for the average daily use is approximately 3.0 million gallons of water. Any reduction in water production would bring about a crisis for both commercial (Gatorade and milk facilities at Fry’s) and residential users as well as severely inhibiting fire suppression capabilities.
So. Mn. Alt. Screening Report Comments
May 29, 2003

The proximity of Alternatives #2 and #3 to the residential area immediately east of the proposed alignments would drastically exacerbate existing noise pollution levels stemming from the stack at 99th Avenue and I-10. Virtually, all of the residential community between 91st and 97th Avenue north and south of Van Buren will be affected by the proposed alignments. The 97th Avenue alignment would also have a detrimental effect on the neighboring Tolleson Union High School Alternative Campus, which lies within a few feet east of the proposed alignment. Furthermore, increased traffic will adversely impact air quality within the adjacent residential neighborhood.

The numerous trucking/warehousing businesses would require rerouting due to the proposed alignment along 99th Avenue, and obviously some of the same truck traffic will eventually end up on Tolleson’s main street, in search of the path of least resistance—fewer left turns.

The study prepared by the committee completely ignores the floodplain caused by the railroad tracks and the compounding of the floodplain’s problems caused by the Alternatives. The existing floodplain located within the City and designated as Category A Floodplain will require major modifications. Construction of either Alternative #2 or #3 without a natural flow will increase the geographical size of the flood plain. It currently lies south of Jefferson Street, and any major barrier will affect the plain, possibly as far north as Van Buren.

Alternatives #2 and #3 represent Tolleson’s biggest threat to financial ruin. Both alignments create devastating economic impacts that will last an eternity. Elimination of jobs, loss of primary property tax revenues and secondary tax revenues that fund city and schools capital bond projects, reduction of current sales tax revenues as well as projected General Plan retail service developments, and most importantly, loss of development and building permitting fees generated as a result of construction have huge budget implications. From a service delivery perspective, the City of Tolleson would have to reduce the General Fund operating budget in order to meet the cumulative loss generated by the construction of the South Mountain Freeway through the least of Tolleson’s commercial and industrial development corridor. Prime commercial and industrial land and accompanying improvements would be affected by the South Mountain Freeway. The adverse multiplier impact is unknown; however, it would touch on all of the elements mentioned above.

The meeting held at the Southwest Valley Chamber of Commerce on Monday, May 5, 2003 did little to fairly address the devastation of Tolleson and its citizens caused by the construction of Alternatives #2 or #3. Frankly, if a western alignment of the South Mountain Freeway (west of 51st Avenue) is required the alignment for Alternative #9 should be redressed. An alignment of Alternative #9 just west of the 103rd alignment appears to be a route with less impact. Your preliminary route for Alternative #9 literally destroys existing warehouses – Sara Lee, LIsant, and States Logistic – and is projected to be constructed on the parcel that PepsiCo recently purchased for a regional warehouse. A route slightly west of this path avoids these problems. Perhaps the safety issues regarding the Alternative #9 "S" curve conceptual design should be revisited.
RESOLUTION NO. 937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOLLESON REAFFIRMING THE 61ST AVENUE ALIGNMENT
OF A PORTION OF THE SOUTH MOUNTAIN FREEWAY
(STATE ROUTE LOOP 202), BETWEEN INTERSTATE 10
WEST AND 51ST AVENUE.

WHEREAS, the Phoenix City Council recommended the alignment of the South Mountain Freeway (State Route Loop 202) in early 1985, which included the 61st Avenue alignment; and

WHEREAS, the alignment recommended by the Phoenix City Council was approved by the Maricopa Association of Governments as part of the Long-Range Transportation Plan in July, 1985; and

WHEREAS, voters of Maricopa County approved a sales tax in October 1985 to fund new freeways in Maricopa County, including the South Mountain Freeway; and

WHEREAS, the information supplied to voters prior to the election showed the South Mountain Freeway on the 61st Avenue alignment; and

WHEREAS, subsequent adoptions of the Long-Range Transportation Plan since 1985 have continued to show the 61st Avenue alignment for the north/south portion of this freeway; and

WHEREAS, the adopted Phoenix General Plan has consistently shown the 61 Avenue alignment for this freeway; and

WHEREAS, the land uses shown on the Phoenix General Plan are entirely consistent with, and dependent upon, the 61st Avenue alignment; and

WHEREAS, the City has approved numerous development plans since 1985 along and adjacent to the 61st Avenue alignment; and

WHEREAS, the current study of this freeway includes the 61st Avenue alignment as one alternative; and

WHEREAS, the Phoenix City Council deems the 61st Avenue alignment to provide the best traffic service to the citizens of Phoenix and the region, of the alternatives now under study; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOLLESON
that it fully supports and endorses the 61st Avenue alignment, between Interstate 10 West and 51 Avenue south of Elliot Road, as the most effective and efficient route for the South Mountain Freeway

PASSED by the Council of the City of Tolleson this 23rd day of March, 2004.
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, MARICOPA COUNTY, ARIZONA, SUPPORTING THE ORIGINAL ALIGNMENT FOR THE SOUTH MOUNTAIN FREEWAY (HIGHWAY 101 SOUTH EXTENSION) NEAR 55TH AVENUE IN THE CITY OF PHOENIX.

WHEREAS, in 1988 the Arizona Transportation Board approved (the "Approval") a north and south alignment of the South Mountain Freeway (Highway 101 South Extension) between 55th and 63rd Avenues in the City of Phoenix (the "55th Avenue Alignment"); and

WHEREAS, since the Approval and in reliance on the 55th Avenue Alignment, the City of Phoenix ("Phoenix") and the City of Tolleson ("Tolleson") have made long term land planning decisions and have expended substantial amounts of public funds assuming that a major freeway would be located in the vicinity of 55th Avenue and not at 99th Avenue; and

WHEREAS, based on the Approval and the land use decisions made by Phoenix and Tolleson, private businesses have located in the region and expended hundreds of millions of dollars assuming that a major freeway would be located in the vicinity of 55th Avenue and not at 99th Avenue; and

WHEREAS, Tolleson is comprised of approximately six (6) square miles, several of which are already utilized by the I-10 Freeway; and

WHEREAS, an alignment of the South Mountain Freeway in or near 99th Avenue would have devastating impact on Tolleson, including but not limited to:

A. Economic and functional destruction of one of only three major commercial north-south corridors in Tolleson,

B. Destruction of many of Tolleson's largest businesses which would result in a substantial loss of assessed valuation and jobs,

C. A lowering of Tolleson's assessed valuation would result in a significant increase in Tolleson's tax rate to be levied on the remaining residents and businesses in Tolleson,

D. An increase in the noise level in nearby Tolleson neighborhoods and schools, and
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. The Mayor and Council after careful examination of the potential impact of all proposed north-south alignments for the South Mountain Freeway, strongly endorses and supports the 55th Avenue alignment of the South Mountain Freeway made by the Arizona Transportation Board in 1988.

Section 2. The Tolleson Manager and Clerk are hereby directed to disseminate this resolution to the Arizona Department of Transportation, City of Phoenix, Federal Highway Administration and any other entities or agencies involved in the process of selecting the alignment of the South Mountain Freeway.

PASSED AND ADOPTED by the Mayor and Council of the City of Tolleson, Arizona, on this ______ day of December, 2005.

____________________________________
Adolfo F. Gamez, Mayor

ATTEST:

Chris Hagen, City Clerk

APPROVED AS TO FORM:

Scott W. Ruby, City Attorney

CERTIFICATION

I, Chris Hagen, the duly appointed and acting Clerk of the City of Tolleson, Arizona, do hereby certify that the above and foregoing Resolution No. _______ was duly passed by the City Council of the City of Tolleson, Arizona, at a regular meeting held on December _____, 2005, and the vote was _____ aye's and ___ nay's and that the Mayor and ___ Council Members were present thereat.

DATED: December 13, 2005.

____________________________________
Chris Hagen, City Clerk
To: Citizens Advisory Team

From: Mayor Adolfo Gamez, Vice-Mayor Jose Diego Espinoza, Council Members Kathy Farr, Estevan “Steve” Gem, Linda Laborin, Ana Solorio Tever and Juan F. Rodriguez

Date: April 19, 2006

Re: Adverse Impact of the W101 Alternatives on the City of Tolleson

As members of the elected body charged with protecting and preserving the community of Tolleson, we offer the following responses to the numerous assumptions regarding the W101 alternatives based on the outdated data resulting from the Maricopa Association of Governments transportation study of 2003. Not only do we believe these assumptions to be skewed by the use of insufficient data, but they further distort perception by failing to consider the direct effect on a grossly underserved population – most notable of which is the 78% Hispanic population of Tolleson.

Existing Land Uses: At the heart of Tolleson’s mission is the preservation of its most prime commercial properties that promise an economic foundation to support all municipal/social services delivered to a constituency comprised of more than 51% low-to-moderate income persons. Page 1 of the Draft Summary of Impacts for the Western Section Alternatives under the existing land use categories of Commercial/Industrial and Open Space/Undeveloped represents the entire 99th Avenue Growth Area hard zoned in Tolleson’s General Plan for major retail use. Based on current projections, this growth area’s potential economic impact to our city ranges from 8 to 10 million dollars in retail sales tax revenues – a staggering amount when one considers Tolleson’s six-square miles hosts only three major growth areas.

Office of the City Council

9495 West Monroe Street
Phoenix, Arizona 85023

May 10, 2006

Mr. Victor Mendez, Director
Arizona Department of Transportation
200 South 17th Avenue, MD 100A
Phoenix, AZ 85007

Re: Recommended Alignment for Loop 202,
55th Avenue through the City of Phoenix

Dear Mr. Mendez:

The City of Peoria (City) has been indirectly involved in the discussions of where the appropriate alignment of the South Mountain Freeway (Loop 202) should intersect with Interstate 10. The City family agrees with the recommendations of the Cities of Avondale, Goodyear, Litchfield, Phoenix and Tolleson, that the original alignment of 55th Avenue be the alignment of choice.

Sincerely,

John C. Kewani
Mayor

Cc: David A. Moody, P.E., Engineering Director
RESOLUTION NO. 20-06
A RESOLUTION OF THE COUNCIL OF THE TOWN OF BUCKEYE, ARIZONA, SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, the Town of Buckeye (the "Town") has been presented with information by the Arizona Department of Transportation ("ADOT") and its consultants, HDR Engineering, Inc. ("HDR"), regarding various alignments of the planned South Mountain Freeway, including proposed alignments that would connect the South Mountain Freeway with Interstate 10 at its interchange with the Loop 101 Freeway near 59th Avenue (the "59th Avenue Alignments"); and

WHEREAS, the proposed 59th Avenue Alignments would seriously impact the ability to develop 59th Avenue as a key West Valley commercial corridor, as is currently planned, and would have a negative impact on the future development of West Valley communities, particularly the important Cities of Tolleson and Avondale; and

WHEREAS, the Regional Transportation Plan adopted by the Maricopa Association of Governments has consistently shown the alignment of the South Mountain Freeway north that it would intersect with Interstate 10 near 59th Avenue (the "59th Avenue Alignments"); and

WHEREAS, the City of Phoenix, the City of Tolleson, the City of Avondale and the Town of Buckeye have planned for growth in their respective jurisdictions over the past two decades relying upon the 59th Avenue Alignment, and changing the Alignment in the face of such long term reliance and planning is irresponsible and inappropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF BUCKEYE as follows:

SECTION 1. That the Town hereby adamantly opposes the 59th Avenue Alignments for the South Mountain Freeway.

SECTION 2. That the Town hereby supports ADOT moving forward with the 55th Avenue Alignment as included in the adopted Maricopa Association of Governments Regional Transportation Plan.

PASSED AND ADOPTED by the Council of the Town of Buckeye, April 18, 2006.

Dustin Hull, Mayor

ATTEND:
Trisha Garrison, Town Clerk

APPROVED AS TO FORM:
Scott W. Ruby, Town Attorney

---

RESOLUTION NO. 06-05
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GILA BEND, ARIZONA, HEREBY SUPPORTING THE PROPOSED ALIGNMENT OF THE SOUTH MOUNTAIN FREEWAY ALONG 55TH AVENUE.

WHEREAS, multiple cities and towns in Maricopa County have planned for the growth in their respective jurisdictions relying on the 55th Avenue alignment for the past two decades as previously approved by MAG;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GILA BEND, ARIZONA, AS FOLLOWS:

Section 1. That the Town of Gila Bend hereby opposes the 59th Avenue alignments for the South Mountain Freeway as proposed by ADOT.

Section 2. That the Town of Gila Bend hereby supports ADOT moving forward with the 55th Avenue alignment as included in adopted Maricopa Association of Governments Regional Transportation Plan.

RESOLVED, PASSED, AND ADOPTED by a majority of a quorum of the members of the Town Council of the Town of Gila Bend present and voting this 25th day of April, 2006.

Daniel Barden, Mayor

ATTEST:
Beverly Turner, CMC
Town Clerk

APPROVED AS TO FORM:
Steven W. McClure
Town Attorney
February 15, 1990

Ms. Dorothy Hallock
Comprehensive Planner
Office of Planning and Evaluation
Gila Indian River Community
P.O. Box 97
Sacaton, Arizona 85247

RE: Contract No. 88-24
Phase I Reappraisal General Consultant
TRAC No. H-222-01D
Existing R.O.W. definition along GRJC Boundary
(per discussion at 2-2-90 review meeting)

Dear Dorothy:

First of all, I wish to express our thanks to you and Mr. Antone for taking time out of your busy schedules to meet with ADOT at our HDR office on Friday, February 2, 1990. Although this writer was not present, our representatives, Mr. Larry Kyle and Mr. Oliver Antony, felt the design overview meeting was productive and beneficial to all.

The primary purpose of this letter is to endeavor to resolve the question (if there is in fact a question) of the GRJC boundary line location along the proposed San Tan Freeway alignment. As Mr. Antony described your concern to me, the apparent reach in question is between Price Road westward to the Kyrene Road area, where you indicated there is a "silver" of property in question.

To that end, I am transmitting to you four (4) maps of the existing right-of-way points this office has developed along the San Tan alignment, for our client ADOT. Substantially all of the control monuments (i.e., section corners, quarter corners, etc.) have been field-surveyed, confirmed, and ground-grid coordinates have been calculated for these points. A great number of these control monuments were also utilized by ADOT when they provided topographic mapping to HDR for the above-referenced project, and this office has confirmed ADOT coordinate closures within one (1) part in 48,280: within a maximum coordinate deviation of 0.003 foot. Therefore, we feel our points shown are very accurate.

HDR Engineering, Inc.

535 N. 16th Street
Phoenix, Arizona 85016-3226

Telephone
602 364-0731

Page Two

Ms. Dorothy Hallock
February 15, 1990

I would suggest you or your surveyor contact our surveying subconsultant, Mr. Steve Mortensen, Project Engineering Consultants (PEC), 3130 N. 35th Avenue, Suite #1, Phoenix, AZ 85017: Tel. (602) 484-7691, and resolve any differences. I will, likewise, direct Mr. Mortensen to contact you on this matter. We want to immediately resolve this issue, if there is in fact a problem, with the boundary line indicated. The two surveyors may have to resolve the issue with the Maricopa County Surveyor, if discrepancies are found. I am attaching a copy of the legal description you provided to HDR on 2-2-90, as a result of the review meeting, which describes to GRJC exterior boundary.

I hope the enclosed mapping will be beneficial to you. If we can be of any assistance, feel free to contact this writer or Mr. Mortensen at PEC.

Respectfully Submitted,

HDR ENGINEERING, INC.

F.S. "Woody" Heaston, P.E.
Project Manager - Price Road GEC

FEH/jm/abs

co: Steve Mortensen (PEC) w/maps
George Wallace/Steve Martin (ADOT) w/maps

HDR File

Attachments: o Existing R.O.W. Maps, (Doug. ERW-11, 12, 13 & 14) - Preliminary
o Minutes of 2-2-90 review meeting, and legal description from Ms. Hallock (legal description dated 9-12-89 - revised).
3. Interchange at South Mountain Park

The Tribe is planning an economic development area along Queen Creek and may be interested in an interchange with the Southwest Loop at South Mountain Park to accommodate access to the Queen Creek Road area. HDR referred to a pictorial of the S.W. Loop with interchanges (presently proposed) highlighted - no interchange is indicated at the South Mountain Park location, six (6) other interchanges are indicated.

4. GRIC asked if HDR had proposed on the Maricopa Road improvement. HDR indicated that we thought that we were in the process of doing so.

5. Gila Drain

GRIC indicated that the Tribe thought the Gila Drain was a stormwater conveyance option for the freeway system. HDR indicated that ADOT had requested a short study on that option. However the General Plan, which we are currently working under, is to pump water from 1-10 to Price Road into the Carriage Lane detention basin and storm sewer outfall north to the Price Road Tunnel to the Salt River.

GRIC asked if there were cost savings with the Gila Drain option. HDR indicated that ADOT would be better able to discuss that with them. HDR discussed the alternatives considered (in general terms) and depending upon the particular alternative and the specific items considered, there may be a net cost savings. Also, HDR is presently redefining the off-site hydrology to quantify stormwater runoff to be handled by the drainage system - this could influence the results of the Gila Drain study. GRIC concluded that if GRIC were to allow ADOT to use the Gila Drain, the decision would have to be made quickly. We confirmed that ADOT has placed a high priority on completing the Price Expressway. The Price Tunnel construction is nearly complete, and final design of Carriage Lane outfall is under way. GRIC also said that the Tribe might be willing to swap use of the Gila Drain for a Queen Creek intersection on S.W. Loop.
6. GRIC mentioned that the Corps of Engineers was beginning another study of drainage for the Reservation, but did not know the details. HDR discussed some of our observations about hydrology in the area and changes that had occurred since the Corps’ 1977 study. Future development of the Price/Santan will essentially eliminate runoff contributions to the Reservation from the Tempe/Chandler/Dilbert areas (up to 100-year frequency). Present construction of Price Tunnel/Carriage Lane Outfall will also eliminate considerable stormwater from the Mesa area. The 1977 Corps plan was to route the stormwater from all of these areas out through Western Canal and the Gila Drain S.O.W.

cc: George Wallace, ADOT
    Steve Martin, ADOT
    Ray Jordan, ADOT

August 2, 2001

Mr. Fred Ringler
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, Arizona 85247

RE: South Mountain Freeway DCR/EIS Study
    ROE Permit Request

Dear Mr. Ringler:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated July 9, 2001. This study will evaluate potential transportation improvements, including a potential new freeway, around South Mountain between the southeast valley and the northwest valley. The study will require entry onto GRIC lands over the study duration of three years for a variety of non-destructive project tasks. We are requesting a blanket Right of Entry permit for the project team to enter GRIC lands for the project duration for the following general types of work:

1. To perform land surveying and temporary aerial target construction.
2. To conduct field investigations for a variety of non-disturbing environmental surveys including drainage, biological, cultural, land use, socio-economic, transportation, geological, visual, noise, air quality, utilities, and other environmental considerations.

Attached is a map showing the general GRIC limits expected to be included in the study. Also attached is a list of personnel, and a list vehicle makes, models, and license plate that may enter GRIC lands during the project. Please advise if there is anything else you need for approval of this Right of Entry request. Thank you for your help.

Sincerely,

HDR ENGINEERING, INC.

[Signature]

Stephan A. Martin, P.E.
Project Manager

CC: Mary Viperina, ADOT
    Sandra Shade, GRIC
    [signature]

HDR Engineering, Inc.
2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4726

Telephone 602-598-6600
Fax 602-598-6606


## GILA RIVER INDIAN COMMUNITY RIGHT OF ENTRY LIST
### SOUTH MOUNTAIN FREEWAY DIRECTORS

<table>
<thead>
<tr>
<th>Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jack Allen</td>
</tr>
<tr>
<td>Jeff Anderson</td>
</tr>
<tr>
<td>Paul Basha</td>
</tr>
<tr>
<td>David Bender</td>
</tr>
<tr>
<td>Vaughn Bennett</td>
</tr>
<tr>
<td>Buzz Bond</td>
</tr>
<tr>
<td>Randy Bong</td>
</tr>
<tr>
<td>Mark Brodieck</td>
</tr>
<tr>
<td>Sirena Brownlee</td>
</tr>
<tr>
<td>David Burns</td>
</tr>
<tr>
<td>Kelly Cairo</td>
</tr>
<tr>
<td>Geri Chavez</td>
</tr>
<tr>
<td>Julie Christoph</td>
</tr>
<tr>
<td>Bob Collier</td>
</tr>
<tr>
<td>Tony Cowley</td>
</tr>
<tr>
<td>Marty Craig</td>
</tr>
<tr>
<td>Mike Dennis</td>
</tr>
<tr>
<td>Chris Dicks</td>
</tr>
<tr>
<td>Debra Durier</td>
</tr>
<tr>
<td>Amy Edwards</td>
</tr>
<tr>
<td>Celeste W. Daisy Eldridge</td>
</tr>
<tr>
<td>Jami Erickson</td>
</tr>
<tr>
<td>Bob Esposito</td>
</tr>
<tr>
<td>Shannon Evans</td>
</tr>
<tr>
<td>Kelly Fletcher</td>
</tr>
<tr>
<td>Robert Forest</td>
</tr>
<tr>
<td>Vehicle Information</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>Make and Model</td>
</tr>
<tr>
<td>1993 Honda Accord</td>
</tr>
<tr>
<td>2001 Jeep Grand Cherokee</td>
</tr>
<tr>
<td>2001 Jeep Sport Cherokee</td>
</tr>
<tr>
<td>Chevrolet S-10 Pickup, white</td>
</tr>
<tr>
<td>Dodge Avenger, grey</td>
</tr>
<tr>
<td>Chevrolét Tahoe, grey</td>
</tr>
<tr>
<td>Honda Civic, black</td>
</tr>
<tr>
<td>VW Passat, beige</td>
</tr>
<tr>
<td>Dodge Sport, green</td>
</tr>
<tr>
<td>Chevrolet Celebrity Station Wagon</td>
</tr>
<tr>
<td>Ford Taurus</td>
</tr>
<tr>
<td>Mercury Cougar</td>
</tr>
<tr>
<td>1990 K-1500 4WD (S, SB)</td>
</tr>
<tr>
<td>1996 K-1500 (L,B)</td>
</tr>
<tr>
<td>1996 Mazda Mita</td>
</tr>
<tr>
<td>1996 Chevrolet 6-10 P U</td>
</tr>
<tr>
<td>1997 Ford F-150 (L,B)</td>
</tr>
<tr>
<td>1997 Ford F-150 (L,B)</td>
</tr>
<tr>
<td>1997 Ford F-150 (L,B)</td>
</tr>
<tr>
<td>1997 Ford F-150 (L,T)</td>
</tr>
<tr>
<td>1997 Ford K-150 (L,T)</td>
</tr>
<tr>
<td>1997 Toyota Corry</td>
</tr>
<tr>
<td>1997 Ford F-150 (L,B)</td>
</tr>
<tr>
<td>1997 Ford F-150 (XC, SB, T)</td>
</tr>
<tr>
<td>1997 Toyota Tacoma</td>
</tr>
<tr>
<td>1998 K-1500 (XC, SB, C)</td>
</tr>
<tr>
<td>1998 Ford F-150 (4WD, XC)</td>
</tr>
<tr>
<td>1998 Ford F-150 (XC, SB, C)</td>
</tr>
<tr>
<td>1998 Ford F-150 (XC, SB, C)</td>
</tr>
<tr>
<td>1999 Ford F-150 (XC)</td>
</tr>
<tr>
<td>1999 Ford F-150 (SB, T)</td>
</tr>
<tr>
<td>1999 Ford F-150 (SB, T)</td>
</tr>
<tr>
<td>1999 K-1500 (SB, T)</td>
</tr>
<tr>
<td>1999 K-1500 (SB, T)</td>
</tr>
<tr>
<td>1999 K-1500 (SB, T)</td>
</tr>
<tr>
<td>1999 K-1500 (SB)</td>
</tr>
<tr>
<td>1999 PORD F-250 (L,B)</td>
</tr>
<tr>
<td>1999 Ford F-150 (L,B)</td>
</tr>
<tr>
<td>2000 Ford F-150 (XC, SB, V8, S)</td>
</tr>
<tr>
<td>2000 Ford F-150 (XC, SB, V8, S)</td>
</tr>
<tr>
<td>2000 Ford F-150 (XC, SB, V8, S)</td>
</tr>
<tr>
<td>2000 Ford F-150 (XL, XC, SB, C)</td>
</tr>
<tr>
<td>2000 Chevrolet Silverado (SB, T)</td>
</tr>
<tr>
<td>2001 Chevrolet Silverado (SB, T)</td>
</tr>
</tbody>
</table>
August 29, 2001

Mr. Fred Ringler
Land Use Planning and Zoning Director
Gila River Indian Community
P.O. Box E
Sacaton, Arizona 85247

RE: South Mountain Freeway DCR/EIS Study
ROE Permit Request

Dear Mr. Ringler:

Pursuant to the Natural Resources Committee Meeting this morning, I have attached a revised map of the proposed Right of Entry Permit boundary limits. This map is consistent with your recommendation for a more limited study area that will encompass the general alignment studies already approved for consideration through prior Council Resolution. The eastern area is a three-mile wide corridor south of Pecos Road from the eastern reservation boundary to the Gila River. The western area is bounded by the Gila River, the Salt River, and the eastern reservation boundary.

As we discussed, we have no problem with limiting the study area, however, we will need to eventually get an official Council Resolution or other official action requesting the study to be limited to a specific area. We do not need the official action to move forward with the Right of Entry and the study tasks, but we will need it before the study is concluded.

If you have any questions or need additional information, please contact me at 602-508-6642. Thank you for your assistance. We look forward to working with you and the Community on this important study.

Sincerely,

HDR ENGINEERING, INC.

Stephen A. Martin, P.E.
Project Manager

CC: Mary Viprana, ADOT
    Sandra Shade, GRIC
    Bill Vachon, FHWA
    File

HDR Engineering, Inc.
2141 East Highland Avenue
Suite 250
Phoenix, Arizona
85016-4736

Telephone
602-508-6600
Fax
602-508-6608
August 30, 2001

Ms. Sandra Shade
Department of Transportation Director
CRRC
315 W. Casa Blanca Road
Post Office Box 97
Sedalia, AZ 85347

RE: South Mountain Corridor DR/ES Study

Dear Sandra:

The following information has been provided in response to questions raised during the August 29, 2001 Natural Resources Standing Committee.

NEPA-404 Integration Process and Section 404(b)(1)

The general intent of the NEPA-404 Integration Process as established among the FHWA, COE, EPA, and USFWS, was to ensure that provisions set forth in the Section 404(b)(1) of the Clean Water Act are considered in the development of the project purpose and need and the alternative selection process for a FHWA-supported project. These provisions are the criteria used by the COE and EPA to evaluate alternatives that involve the discharge of dredged or fill material into waters of the U.S. Section 404(b)(1) is the U.S. Army Corps of Engineers policy for environmental assessment of project alternatives and their impacts to waters of the U.S. when permits are required. The purpose of the Section 404(b)(1) policy is to restore and maintain the chemical, physical, and biological integrity of the waters of the U.S.

These guidelines require the COE permit only the least environmentally damaging, practicable alternative. An alternative is practicable if it is available or capable of being done, taking into account cost, logistics and existing technology in light of the overall project purposes. Generally, this process is intended to integrate the FHWA NEPA process with the 404(b)(1) requirements to help ensure that at the end of the NEPA process the agencies concur with the recommended alternative.

Section 404

It is national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. In the USDOT Act of 1966, a special provision was included to provide protection to these resources. It is known as Section 404 and it stipulates that the FHWA will not approve any program or project which requires the use of any publicly owned public park, recreation area, or wildlife or waterfowl refuge, or any land from an historic site of national, state, or local significance unless:

- there is no feasible and prudent alternative to the use, and
- all possible planning to minimize harm resulting from such use is included.

Specifically, Section 404(f) of the U.S. Department of Transportation Act of 1966 states that the FHWA "may approve a transportation program or project requiring publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if there is no prudent or feasible alternative to using that land and the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use." (49 U.S.C. 303).

A "use" of a Section 404(f) resource, as defined in 23 CFR 771.135 (p), occurs: (1) when land is permanently incorporated into a transportation facility, (2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purposes, or (3) when there is a constructive use of land. A constructive use of a Section 404(f) resource occurs when the transportation project does not incorporate land from the Section 404(f) resource, but the project's proximity impacts are so severe that the displaced activities, features, or attributes that qualify a resource for protection under Section 404(f) are substantially impaired. For example, a constructive use can occur when:

- The project's increase in noise level attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 404(f);
- The proximity of the proposed project substantially impairs aesthetic features or attributes or a resource protected by Section 404(f), where such features or attributes are considered important contributing elements to the value of the resource. An example of such an effect would be locating a proposed transportation facility in such proximity that it obstructs or eliminates the primary views of an architecturally significant historical building, or substantially detracts from the setting of a park or historic site which derives its value in substantial part due to its setting, and/or
- The project results in a restriction on access that substantially diminishes the utility of a significant publicly-owned park, recreation area, or historic site.

When FHWA is assessing the environmental effects of an action through the NEPA process, they include an evaluation of the use of land protected under Section 404(f). The environmental regulations for applying Section 404(f) to transportation project development can be found at 23 CFR 771.135. For other detailed guidance on applying the requirements of Section 404(f), the FHWA wrote the Section 404 Policy Paper, which discusses much topics as the history of Section 404(f), alternative analysis, mitigation and how Section 404(f) relates to other statutes and regulations which protect the same types of resources.
Section 4(f) Regulations and Guidance:

- Regulation: 23 CFR 771.135
-iff Policy Paper
- FHWA’s Environmental Guidebook

**Cumulative Impacts**

NEPA requires that the potential direct, secondary, and cumulative impacts of a federally funded project be identified, evaluated and mitigated as appropriate. Within the context of NEPA, secondary effects are defined by the CEO as impacts that are “caused by an action and are later in time or further removed in distance but are still reasonably foreseeable” (40 CFR 1508.8). Cumulative effects are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions….” (40 CFR 1508.7). If a project does not directly impact a particular environmental resource, the project would not contribute to a cumulative impact on that resource.

Secondary and Cumulative Impacts Assessments are conducted in accordance with FHWA and CEE regulations and guidance documents, including the January 1997 CEE handbook titled Considering Cumulative Effects Under the National Environmental Policy Act and the April 1992 FHWA position paper titled Secondary and Cumulative Impact Assessment in the Highway Project Development Process.

“Cumulative impacts” is the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency ... or person undertakes each other actions. 40 CFR 1508.7 (This is the effect on the resource from all the actions occurring in the area over time.)

**Secondary (Indirect) Impacts**

“Secondary (indirect) impacts” are caused by the action and are later in time or further removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and ... related effects on air and water and other natural systems, including ecosystems. 40 CFR 1508.8(b) (This is the indirect effect caused by our project alone. The focus is “but for our project” the effect would not occur.)

An accumulation of indirect effects can cause a cumulative impact. A cumulative impact is not a secondary impact. Many times secondary impacts are discussed with cumulative impacts because they both address the same reasonably and foreseeable future. However, each is distinctly different.

---

**Drainage Impacts**

Drainage is one of many engineering and environmental factors that will be considered in developing and selecting alternatives during the EIS process. All alternatives will consider hydraulic (runoff) and hydraulic (conveyance) impacts as well as water quality and biological impacts (Section 401, 404, 404/401 requirements) to drainage and waterways. Specific impacts and potential mitigation measures will be determined during the study as part of the alternatives analysis process.

If you need additional information or have further questions, please do not hesitate to contact me.

Sincerely,

HDR ENGINEERING, INC.

Stephen A. Martin, P.E.
Project Manager

cc: Ralph Ellis, ADOT
    Bill Vachon, FHWA
    Mary Viparina, ADOT
    File
December 27, 2001

Mr. Gary Cooper
President of the Board of Directors
Gila River Casinos
P.O. Box 6790
Chandler, AZ 85224

Via 520-796-7714 (fax)

Dear Mr. Cooper,

As we discussed in our telephone conversation yesterday, I was referred to you by Michael Harrison and referred to Mr. Harrison by Gary Bohner.

I am submitting this letter as a formal request for monthly use of a meeting facility at Vie Quiva casino for citizen advisory group meetings that will be held in conjunction with a three-year South Mountains Corridor Environmental Impact Statement (EIS) study. The citizen advisory group, made up of stakeholders from the area, will include several members of the Gila River Indian Community.

The Arizona Department of Transportation and Federal Highway Administration have given us the task of conducting an EIS in an area of the south and southwest Valley to explore the purpose and need and alternatives for possible transportation improvements in the area. The Gila River Indian Community (GRIC) is an active participant in this project. Our group meets monthly with a GRIC Task Force assigned to monitor this project led by Sandra Shade, Director of the GRIC Department of Transportation.

We will need a meeting room capable of holding approximately 40 people around tables set up in a horseshoe configuration. The first meeting of this group is planned for Saturday, January 26. We expect this first meeting to begin at approximately 9am and last most of the day. Subsequent monthly meetings will likely be scheduled on weekday evenings from approximately 6pm to 9pm on days when your facility could be made available to us.

If you have any specific questions about this study or our request I would be happy to answer them. As I mentioned in our telephone conversation we would also be happy to present the specifics of this project to the Board of Directors of Gila River Casinos at your convenience. The South Mountain Corridor Study website is at http://www.dot.state.az.us/ROADS/SouthMtn/index.htm.

Sincerely,

John D. Godec
4637 96th Way

cc:
Sandra Shade
Gary Bohner
Mary Vigil
Ralph Ellis
Steve Martin
Jack Allen
Theresa Gann
January 10, 2002

Dr. George Brooks
P.M.P.
P.O. Box C
Sedona, AZ 86357

Re: South Mountain Corridor Study

Dear Dr. Brooks:

HDR Engineering, Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing a South Mountain Corridor Study and an Environmental Impact Statement (EIS) for the proposed South Mountains Freeway. This investigation will take approximately three years to complete, and will include an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1986. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

The legal location of the study area, not including locations that occur on the Gila River Indian Community, is: Township 2 North, Range 1 East, Sections 31-36; Township 2 North, Range 2 East, Sections 31-36; Township 1 North, Range 1 East, Sections 1-10; Township 1 North, Range 2 East, Sections 1-10, 15-22, and 27-34; Township 1 South, Range 1 East, Sections 1 and 12; Township 1 South, Range 2 East, Sections 17, 18, 20, 27, 28, 34, and 35; Township 1 South, Range 3 East, Sections 31-36; Township 1 South, Range 4 East, Sections 31-33.

An EIS will be prepared if it is determined that there is a need for a major transportation improvement required in the South Mountain area. It will be prepared to address increased development within the project area, changes in design standards and environmental regulations, and to qualify for federal funds. This new study will start from the beginning and will consider all reasonable alternatives. The corridor being considered can be generally described as I-10 on the west between 43rd and 107th Avenues, between the Gila River and South Mountains, and I-10 on the east between Pecos and Queen Creek Roads (see attachment).

HDR, Inc. has been retained by ADOT to prepare a South Mountain Corridor Study and an Environmental Impact Statement for this project. On behalf of the ADOT and FHWA, HDR Engineering, Inc. requests a species list, critical habitat, or any additional information that would be pertinent to the proposed project. A response received by February 11, 2002 would be greatly appreciated. Comments should be addressed to Ms. Fiona Goodson, HDR, Inc., 2141 East Highland Avenue, Suite 250, Phoenix, Arizona 85016-4736.

Thank you for your assistance.

Sincerely,

HDR ENGINEERING INC.

Fiona Goodson
Environmental Planner

Attachments Enclosed

HDR Engineering, Inc.
2141 East Highland Avenue
Suite 260
Phoenix, Arizona 85016-4736
Telephone 602-568-6800
Fax 602-568-6866

Employee Owned
May 30, 2002

Natural Resources Conservation Service (NRCS)
Mr. Jeff Schmidt
3003 N. Central Ave. #800
Phoenix, AZ. 85012

RE: Request for Prime and Unique Farmland (PUF) Determination; South Mountain Freeway Corridor Project

Dear Mr. Schmidt:

HDR Engineering Inc., on behalf of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA), is preparing an Environmental Impact Statement (EIS) for the proposed South Mountain Freeway Corridor Project, as required by the National Environmental Policy Act. This investigation includes an examination of the transportation needs in the corridor and an evaluation of all reasonable ways to meet them. A conceptual design and state-level Environmental Assessment was prepared in 1988. As presented in this study, the freeway would connect Interstate 10 (I-10) south of Phoenix with I-10 west of the city, following an east-west alignment along Pecos Road, through the western tip of South Mountain Park, then north to I-10 between 55th and 63rd Avenues.

We are requesting a PUF determination from the NRCS, for the proposed study area. We understand that a PUF determination was completed in the past for part of the study area, but due to new scoping requirements and additional proposed alignments, a new determination is warranted. Attached you will a Geographical Information System (GIS) map which includes the study area boundary, and potential PUF which were designated based upon NRCS soil mapping data. If possible, we would appreciate a response by June 28, 2002.

Please contact me at (602) 508-6620 if you have any questions, or need additional information.

Sincerely,

Scott Mars
HDR Engineering

CC: Andrea Helmsottle, HDR Engineering

October 28, 2002

Ms. Mary Viprais
Senior Project Manager
Arizona Department of Transportation
205 S. 17th Avenue; Mail Drop 614E
Phoenix, AZ 85007

RE: South Mountain Transportation Corridor EIS and HDR Methodology Reports

Dear Ms. Viprais:

Please find attached a copy of the draft Methodologies Report for the above-referenced project. Pursuant to the customer-based approach associated with the project, this report presents the methodologies proposed to analyze impacts for the National Environmental Policy Act topical environmental elements.

We cordially ask that the methodologies proposed be reviewed by the appropriate ADOT staff. Specific methodologies, geotechnical, hazardous waste, and utilities, have already been subject to ADOT review. Upon completion of ADOT review (and under the assumption that no substantial changes are warranted), we ask that the report then be forwarded to the FHWA Arizona Division for review. The goal of obtaining team consensus on the proposed methodologies is to minimize the change of substantial changes to the studies once completed.

To facilitate the review process, we have forwarded three (3) copies of the draft Methodologies Report to Mr. Thor Anderson for distribution to the reviewers.

Please keep in mind that the attached has not been formatted per the project’s style guide as it is considered a working document. If you should have questions, please call me at (602) 508-6648.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards, P.E.
Senior Project Manager

cc: Thor Anderson (3 copies)
October 31, 2002

Andrew Darling
Project Director
GRIC Cultural Resource Mgmt. Program
P.O. Box 2140
Sacaton, AZ 85247

Re: South Mountain Transportation Corridor EIS and L/DCR

Dear Andrew:

On September 26, 2002, HDR, ADOT and FHWA participated in a Project Owners Team Meeting. The intent of the meeting was to discuss where we are now in the project and recommendations on where we go next.

To date, we are continuing to coordinate with the Gila River Indian Community (GRIC) regarding the potential for an alternative on their lands. While this coordination continues, the decision was made in the Project Owners Team Meeting to go forward with development and screening of all non-GRIC alignments. As such, alignments have been developed and are being reviewed with the stakeholder jurisdictions. Once this coordination is complete, the alternatives will be finalized for impacts screening. Impacts screening data will be acquired from the GIS database. Specific technical authors will be asked to confirm the impacts prior to a screening meeting. The screening meeting will be scheduled for mid-December.

Upon completion of the screening meeting, all project team members will be appraised of what alternatives were selected to move forward into the detailed analysis of the draft EIS.

We appreciate your assistance in making the recent project slow down productive. We look forward now to moving toward successful project completion. Attached is an updated project schedule.

Sincerely,

HDR ENGINEERING, INC.

Amy Edwards, P.E.
Assistant Project Manager

May 21, 2003

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

RE: South Mountain EIS and L/DCR

Dear Ms. Lester:

The South Mountain Transportation Corridor Study Team will be combining Chapter 3 (affected environment) and Chapter 4 (impacts) into one chapter for the Environmental Impact Statement (EIS). In the past, these chapters typically have been separate, however, there has been a recent trend to combine the chapters into one. We have discussed the matter with the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) and have investigated where it has been done before and how it was received.

In general, there is support for combining the chapters from those we questioned who have used this approach. To avoid redundancy, some have shortened Chapter 3 to approximately a five page environmental setting overview and all the details have been put in Chapter 4, with the acceptance of the FHWA. It should be noted that the approach has been used for Environmental Assessments but is not recognized for an EIS because the Council on Environmental Quality guidelines clearly call out for a two chapter approach. Further coordination of this issue will occur with ADOT and FHWA. Assuming the issue is satisfactorily resolved in the view of FHWA and ADOT, we will combine Chapter 3 and Chapter 4 in the EIS. It is our belief that document readability and succinctness will be better achieved by doing so.

Sincerely,

HDR Engineering, Inc.

This letter was also sent to John Ravesloot, Gila River Indian Community, Cultural Resource Management Program.
Ms. Cindy Lester  
Arizona Section Chief  
U.S. Army Corps of Engineers May 21, 2003  
Page 2 of 2

As a cooperating agency or an agency expressing interest in the process, we are notifying you of this intent. If you have any questions or comments regarding this matter, please do not hesitate to contact either me at 602-508-6648. Thank you.

Sincerely,

[Signature]

Deputy Project Manager

cc: Bill Vaughn, FHWA Arizona Division  
Floyd Roehlrich, ADOT Project Manager

August 5, 2003

Ms. Elaine Blackwater  
Land Use Planning and Zoning Director  
Gila River Indian Community  
P.O. Box E  
Sacaton, AZ  85247

RE: South Mountain Freeway DCR/EIS Study – Project Video  
Right-of-Entry Permit Request

Dear Ms. Blackwater:

The referenced study, being conducted by HDR Engineering, Inc. on behalf of Arizona Department of Transportation (ADOT) and in cooperation with Gila River Indian Community (GRIC), was initiated in July 2001. As part of the study, we acquired a right-of-entry permit (RE-02-011) for surveying and environmental studies. A copy of this permit is attached.

During a June meeting with Council representatives from Districts 4, 6 and 7, we were requested to create a project video for viewing by GRIC members. As part of this video creation, we would like to film several locations within GRIC. The areas we are requesting to film are located within the study area defined under our original permit and shown in the attached map. The areas include the following:

- South Mountain as seen from GRIC  
- Kids playing at the school and Boys and Girls Club  
- Artifacts in the Cultural Center  
- People working at the farms  
- Lone Butte Industrial Park  
- Wild Horse Pass Resort  
- Casino
Ms. Elaine Blackwater
Land Use Planning and Zoning Director
Gila River Indian Community
8/5/2003
Page 2

I have attached a list of personnel and a list of vehicle makes, models and license plates that may enter Community lands during the project. Upon receipt of a right-of-entry permit, those accessing Community lands will notify your office 24 hours in advance of their visits.

The filming effort will be undertaken immediately upon receipt of a right-of-entry permit and will be completed within 3 months time. Please advise me if there is any additional information you will need to aid in the approval of this right-of-entry. Thank you for your help with this matter.

Sincerely,

HDR ENGINEERING, INC.

Amelia Edwards, P.E.
Project Manager

Attachments
Right-of-Entry Permit RE-02-01
GRIIC Study Area Map
Personnel, vehicle list

cc: Floyd Roskrich
    John Godec
    Project File

HDR Engineering, Inc.
December 16, 2003

Terry Loija
Maricopa County Board of Supervisor
361 W. Jefferson
10th Floor
Phoenix, AZ 85003-2148

Re: South Mountain Freeway Public Meeting

Dear Terry:

During the October 2, 2003 South Mountain Freeway Public Meeting sponsored by the Arizona Department of Transportation at Tolleson High School, Supervisor Wilcox read and provided the attached statement. At the request of Bob Woodring at the Maricopa County Department of Transportation and Floyd Roehrich at the Arizona Department of Transportation, we are providing this statement to you.

If you have any questions regarding this matter or the project in general, please do not hesitate to contact me at 602-522-7755.

Sincerely,

Amy Edwards, PE

cc: Bob Woodring, MCDOT
Floyd Roehrich, ADOT
Maricopa County
Board of Supervisors

ADOT
SOUTH MOUNTAIN Freeway
TOLLESON HIGH SCHOOL
October 2, 2003

My name is Mary Rose Wilcox. I represent District Five as a member of the Maricopa County Board of Supervisors. I am here tonight to comment on the South Mountain Corridor Study.

I support Alternative 1, which follows the GRIC boundary until halfway between 59th and 63rd Avenues.

In 1986, as a former Phoenix City Council member, I was instrumental in forming a multi-jurisdictional committee that developed the Estrella Comprehensive General Plan. This committee included the cities of Phoenix, Tolleson, Avondale, Maricopa County, private landowners and many other interested parties. After much discussion and planning, the Estrella General Plan was adopted by the Phoenix City Council in 1988, adopted in 1992 by the Maricopa County Board of Supervisors and also adopted by all participating jurisdictions.

I am submitting a copy of the Estrella Comprehensive General Plan, which plans for the Alternate 1 alignment. For almost 20 years, the westside has been making planning decisions based on the premise of the Alternate 1 alignment. I understand that planning must be flexible but major consideration must be given to what has been adopted already. This general plan has been the basis of so much development. For instance, the City of Tolleson has developed industrial parks based upon alternative 1 and mostly importantly, if the other alternatives are recommended, it would devastate the city's commercial tax base by rendering the city's primary commercial corridor useless.

I understand the City of Phoenix is supportive of the 59th Avenue alignment due to the land use development that has occurred in this area.

Changing the original alignment would be detrimental to the major development that has occurred in the cities of Tolleson, Avondale and Phoenix.

I look forward to continuing to work with ADOT as the process of public hearings and planning continues. Thank you.
December 31, 2003

United States Army Corps of Engineers
L.A. District, Regulatory Branch
Attn: Ms. Dana Owiany
3636 North Central Ave., Suite 900
Phoenix, AZ 85012

RE: South Mountain Transportation Corridor Project:
Jurisdictional Waters (Wetland Assessment)

Dear Ms. Owiany:

Thank you for your time in reviewing the field investigation photographs of the potential wetland area (subject area) located at 83rd Avenue in the Salt River Channel. The subject area is located where three freeway alignments are being considered.

The subject area appeared to be a former gravel pit with wetland features on aerial photographs. Due to the wetland potential of this area, a field investigation of the area was conducted on December 4, 2003. During the field investigation, three soil pits were excavated using a shovel then photographed. In addition, several photographs were taken of the area to show vegetation types, standing water, and general site features. These photographs were given to you for review during our meeting on December 16, 2003. On December 17, 2003 you called to inform us of the results of your internal meeting with Ron Fowler and Robert Dunne. Your review of the site photographs yielded the opinion that the subject area is not a wetland, but the source of water must be confirmed.

HDR appreciates your review and your guidance with this issue. We will provide new information as the Clean Water Act (CWA) permitting process moves forward associated with the project. We will continue to coordinate with you to discuss issues and findings associated with jurisdictional waters.

Sincerely,

HDR ENGINEERING, INC.

Scott Mars, REM

c: Amy Edwards, HDR
Project File

Memo

To: Councilman Stanton and City of Phoenix Staff
From: Amy Edwards
Project: South Mountain Freeway EIS & I/DCR
CC: Project File
Date: January 10, 2005
Job No: 00173-525-044

RE: Potential Interchange Locations on Pecos Road Alternative

The HDR team is proceeding with detailed study of the Pecos Road alternative. As part of the process, we need to clearly identify the locations of potential interchanges along this route. In the original 1988 alternative, the interchange locations along Pecos Road were:

- 40th Street
- 24th Street
- 7th Street
- 7th Avenue
- 19th Avenue

As part of our study, we have evaluated where it is geometrically possible to construct interchanges given the development that has occurred within the area since the 1988 study. Our analysis has shown potential interchange locations along Pecos Road at (see attached figure):

- 40th Street
- 32nd Street
- 24th Street
- Desert Foothills Parkway
- 17th Avenue
- 25th Avenue

The differences in the lists are as follows:

- 32nd Street - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
- Desert Foothills Parkway - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
- 7th Street - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- 7th Avenue - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.
- 17th Avenue - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.
• 19th Avenue - The current study does not show this as a potential interchange location. This location was not included as it does not connect with the existing arterial system.

• 20th Avenue - The current study shows this as a potential interchange location. This location has been included as it connects to the existing arterial system, is geometrically possible to construct and would serve the arterial street mobility need.

At this time, these are only potential locations. We are soliciting input from the City of Phoenix regarding your views on each of these locations and if there are others that should be considered.

January 17, 2005

Dr. Todd Bostwick
City Archaeologist
Pueblo Grande Museum
4619 East Washington Street
Phoenix, AZ 85034

Dr. Bostwick,

As requested here is a summary of the South Mountain Environmental impact Statement project to date. Gila River Indian Community's Cultural Resource Management Program (GRIC-CRMP) is working on the project as subconsultant to HDR. The GRIC-CRMP was tasked with conducting a Class I overview of the study area and a Class III survey of alternative alignments. Attached is a summary of GRIC-CRMP's work to date. A few other key dates with regard to coordination with the City of Phoenix are as follows:

• July 9, 2001 - HDR received notice to proceed from ADOT/FHWA.

• August 8, 2003 - ADOT initiated Section 106 consultations with the City of Phoenix, provided a draft Class I report for review, and requested concurrence that a Programmatic agreement be developed.

• September 8, 2003 - HDR sent fieldwork notification letter to City of Phoenix (the letter was sent to City Hall, not Pueblo Grande).

• September 17, 2003 - City of Phoenix sent ADOT a response letter concurring that a PA should be developed.

• December 9, 2003 - ADOT sent draft Pragmatic Agreement to the City of Phoenix for review.

• December 17, 2003 - City of Phoenix sent ADOT a response letter concurring with the adequacy of the draft Pragmatic Agreement.

Clearly, there was a breakdown in communication between our team and your office. HDR fully understands the importance of coordinating with your office and our responsibility as consultants to adhere to the City of Phoenix Guidelines for Archaeology, including the Archaeological Fieldwork Protocol section (page 29) which details proper coordination procedures. Please be assured that HDR is fully committed to the proper and ethical management of cultural resources in Phoenix, Arizona, and beyond. To ensure this situation does not happen again, HDR will
require our subconsultants to provide written documentation that they have contacted your office prior to the commencement of a cultural resources project in Phoenix.

Currently, GRIC-CRMP is revising the draft Class III survey report per HDR’s comments. The revised draft will be completed by early February and submitted to ADOT for their internal review. Assuming ADOT will have some comments, the GRIC-CRMP will provide a second revision, and the draft Class III report should be ready for distribution to the consulting parties (including your office) around mid-March.

If you have any further questions, would like additional information, or would like to review some of the initial results, please do not hesitate to call me at (602) 522-4318.

Sincerely,

 HDR Engineering, Inc.

Mark Brodbeck, Coordinator
Cultural Resources Section

cc: Jon Shoemaker, ADOT HPT
Amy Edwards, HDR PM
Andy Dading, GRIC-CRMP

GILA RIVER INDIAN COMMUNITY
Executive Office of the Governor & Lieutenant Governor

William R. Rhodes
Governor
Joseph Manuel
Lieutenant Governor

January 27, 2010

Director John Halikowski
Arizona Department of Transportation
206 S. 17th Avenue
Mail Drop 100A
Phoenix, Arizona 85007

Dear Mr. Halikowski,

The purpose of this letter is to inform the Arizona Department of Transportation (ADOT) that the Gila River Indian Community (the “Community”) is willing to assist in conducting a study of the effects of an On-Reservation Loop 202 alignment consistent with the Community’s land use plans (i.e., the Borderlands Study) and the desire to mitigate cultural impacts to Mudag (South Mountain). The Community’s assistance in this matter should not be construed as our approval of an On-Reservation alignment. The Community’s official position remains the same: (a) we oppose any desecration of Mudag (i.e., oppose the current Off-Reservation alignment), and (b) we oppose an On-Reservation alignment. Despite our desire for a no-build option, we recognize that there is a high likelihood that the Loop 202 South Mountain will be built. Therefore, it is in our best interests to explore all options to mitigate any negative impacts to our culture and land, including a potential On-Reservation alignment.

The Community is willing to assist ADOT in studying potential On-Reservation alignments, provided that any proposed alignments would:

- Mitigate negative impacts of a freeway within or near the District 6 Community (i.e., freeway noise, trash, etc.);
- Avoid cultural sites and culturally significant properties;
- Preserve the Community’s traditional routes and wildlife corridors between Komakk (the Estrella Mountain) and Mudag; and
- Be designed to limit truck and other commuter traffic through the District 6 Community along 51st Avenue and Beltline Highway.

Please contact David White, Community Manager, (520) 562-9713 to set up a meeting so we can

525 West Gu u Ki · P.O. Box 97 · Sacaton, Arizona 85147
Telephone: 520-562-9840 · Fax: 520-562-9849 · Email: executiveemail@gric.nsn.us
further discuss the conditions of our cooperation and develop a schedule/process for conducting the study.

Sincerely,

William R. Rhodes, Governor
GILA RIVER INDIAN COMMUNITY

---

JANICE K. BREWER
Governor

STATE OF ARIZONA
Executive Office

February 1, 2010

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

Dear Governor Rhodes:

On behalf of the people of Arizona, I want to express my appreciation for the assistance of the Gila River Indian Community to consider a potential partnership between the State and the Community on the issue of the development of the South Mountain Freeway.

I am in receipt of your letter sent to the Arizona Department of Transportation and I pledge the full engagement of the Department in working with your sovereign nation to conduct a study of the effects of an On-Reservation alignment consistent with the Community’s land use plans and the desire to mitigate cultural impacts to South Mountain.

I understand and respect that the Community’s position opposing an On-Reservation alignment and any desecration of South Mountain remains the same. I am hopeful for the opportunities that may exist to consider the economic development potential of this much-needed transportation corridor, while mitigating any negative impacts to the Community’s culture and land.

While there is much work still to be done regarding the final alignment of the route, I am pleased to know that your team is part of the conversation and that there is a path forward for ongoing talks about the conditions of the Community’s cooperation and involvement in the study process.

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

Sincerely,

Janice K. Brewer
Governor

1700 West Washington Street, Phoenix, Arizona 85007
602-542-4331 • Fax 602-542-7603